

PP003 Privacy Policy and Procedure

Version Control

Version	Date	Description
1	August 2015	Updated to meet Standards for RTOs 2015
2	30/06/2020	Updated to ensure Norgrove Training is adhering to all APPs
3	15/12/2020	Updated Privacy Notice to reflect NCVER requirements

POLICY

Norgrove Training is committed to maintaining the privacy and confidentiality of its RTO staff and applicant/student records. This Policy and Procedure is intended to inform all staff, students and stakeholders of Norgrove Training's commitment to adhering to the relevant Acts and the Australian Privacy Principles (APPs). Providing an overall framework for our privacy practices, Norgrove Training has developed and implements this Privacy Policy and Procedure and monitors its' application throughout the RTOs' business and day to day practices.

SCOPE

This Policy and Procedure covers all of Norgrove Training's operation.

All staff must adhere to this Policy and Procedure.

RESPONSIBILITIES AND ACCOUNTABILITIES

This version of the Policy and Procedure and any amendments to related documents, have been authorised by Norgrove Training's Chief Executive Officer (CEO). The RTO Manager, as delegated by the CEO, is responsible for ensuring this Policy and Procedure is implemented at all times. The RTO Manager is also responsible for ensuring this Policy and Procedure is maintained and up to date through an annual revision, as well as through any ongoing quality activities, including audits and feedback.

PROCEDURES

Norgrove Training complies with the Privacy Act 1988 including the 13 Australian Privacy Principles (APPs) as outlined in the Privacy Amendment (Enhancing Privacy Protection) Act 2012. Personal information will never be collected by unlawful or unfair means. Norgrove Training manages personal information in an open and transparent way. This is evident in the implementation of practices, procedures and system as outlined in this Policy and Procedure, that ensure its compliance with the APPs and any binding registered APP code and provide

suitable procedures for Norgrove Training staff to be able to deal with related inquiries and complaints that may be received from time to time.

Norgrove Training includes the standard privacy notice in its application procedure in line with legislative requirements which advises applicants/students how their data may be supplied to and used by various departments, agencies and their representatives.

Australian Privacy Principle 1 – Open and transparent management of personal information

Purposes for information collection, retention, use and disclosure

Norgrove Training retains a record of personal information about all individuals with whom we undertake any form of business activity. Norgrove Training collects, holds, uses and discloses information from our applicants/students and stakeholders for a range of purposes, including but not limited to:

- providing services to clients
- managing employee and contractor teams
- promoting products and services
- conducting internal business functions and activities, and
- requirements of government stakeholders.

As a Registered Training Organisation (RTO), regulated by ASQA, Norgrove Training is required to collect, hold, use and disclose a wide range of personal and sensitive information on participants in nationally recognised training programs. This information requirement is outlined in the National Vocational Education and Training Regulator Act 2011 and associated legislative instruments. In particular, the legislative instruments:

- *Standards for Registered Training Organisations 2015, and*
- *Data Provision Requirements 2012.*

It is noted that Norgrove Training is also bound by various State Government Acts requiring similar information collection, use and disclosure (particularly Education Act(s) and Vocational Education & Training Act(s) relevant to state jurisdictions of Norgrove Training RTO operations, specifically the SA government. In accordance with the Skilling South Australia Funded Activity Agreement, Norgrove Training will always comply with the SA government's Information Privacy Principles as if it were an agency to which the Information Privacy Principles apply.

Individuals are advised that due to these legal requirements, Norgrove Training discloses information held on individuals for valid purposes to a range of third party entities including governments (Commonwealth, State and employers (where relevant). This is undertaken:

- at pre-enrolment, through issuing the **Privacy Information Sheet** and **Student Handbook**
- at application and enrolment, through information made available in the **Registration Form**, and
- at induction, through the **Student Induction Handbook**.

Norgrove Training will not disclose information to a person, body or agency (other than the individual concerned) unless:

- the individual concerned is made aware that information of that kind will be passed to that person, body or agency
- the individual concerned has consented to the disclosure in writing
- Norgrove Training believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the student or of another person including a child
- the disclosure is required or authorised by or under law, or
- the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.

Kinds of personal information collected and held

The following types of personal information are generally collected, depending on the need for service delivery:

- contact details
- employment details
- educational background
- demographic Information
- course progress and achievement information, and
- financial billing information.

The following types of sensitive information will be collected and held:

- identity details
- employee details & HR information
- complaint or issue information
- disability status & other individual needs, and
- indigenous status.

How Personal Information is Collected

Norgrove Training's usual approach to collecting personal information is to collect any required information directly from the individuals concerned. This may include the use of forms (such as its **Registration Form**) and the use of web-based systems (such as internal operating systems).

How Personal Information is Held

Individual information held across systems is linked through a Norgrove Training allocated identification number for each individual.

Norgrove Training's usual approach to holding personal information includes robust storage and security measures at all times. Information on collection is:

- as soon as practical converted to electronic means
- stored in secure, password protected systems, such as in our financial system and VETtrak, Norgrove Training's student management systems, and
- monitored for appropriate authorised use at all times.

Only authorised personnel are provided with login information to each system, with system access limited to only those relevant to their specific role. Norgrove Training's ICT systems are hosted internally with robust internal security to physical server locations and server systems access. Virus protection, backup procedures and ongoing access monitoring procedures are in place.

Destruction of paper-based records occurs as soon as practicable in every matter, through the use of secure external shredding and destruction services through on-site shredding, in accordance with the timelines outlined in the **Student Records Management Policy and Procedure**.

Retention and Destruction of Information

Norgrove Training retains and destroys documents according to the legislative requirements. Specifically, for our RTO records, in the event of Norgrove Training ceasing to operate, the required personal information on record for individuals undertaking nationally recognised training would be transferred to ASQA, as required by law.

In addition, student documentation that is out of the timeframes required for retention (refer to the **Student Records Management Policy and Procedure**), are disposed of securely through placement in the on-site secure bin, supplied by an external and reputable disposal company, SHRED-X, which removes the bin from the premises and disposes of the content on a monthly basis and/or on request from the RTO Manager.

Accessing and seeking correction of personal information

Norgrove Training confirms all individuals have a right to request access to their personal information held and to request its correction at any time. In order to request access to personal records, individuals are required to complete an **Accessing Records Request Form** – specifying what information they are seeking to access. In accordance with the RTO's **Student Records Management Policy and Procedure**, no student file or information will be permitted to be taken off-site unless required by law.

In all cases where access is requested by a third party, Norgrove Training will ensure that:

- parties requesting access to personal information are robustly identified and vetted
- where legally possible, the individual to whom the information relates will be contacted to confirm consent (if consent not previously provided for the matter), and
- only appropriately authorised parties, for valid purposes, will be provided access to the information.

Complaints about a breach of the APPs or a binding registered APP code

If any individual feels that Norgrove Training may have breached one of the APPs, they are encouraged to lodge a formal complaint, using its **Complaints and Appeals Policy and Procedure** and through submission of a **Complaints and Appeals Form**.

In line with the SA Government's Agreement for funded initiatives, Norgrove Training will immediately refer any complaint to the Minister about Norgrove Training's treatment of personal information. It will also notify the Minister as soon as practical of any unauthorised

disclosure to third parties or of any breach of the Agreement or any other funding Agreement executed under the Agreement in respect to personal information.

Likely Overseas Disclosures

Norgrove Training confirms that individuals' personal information is unlikely to be disclosed to overseas recipients, for internal business activity purposes.

Making our Privacy Policy and Procedure available

Norgrove Training provides its Privacy Policy and Procedure available free of charge, with all information being publicly available from the RTO link on its website at:

www.norgrovetraining.com.au This website information is designed to be accessible as per web publishing accessibility guidelines, to ensure access is available to individuals with special needs (such as an individual with vision impairment).

In addition, a summary of this Privacy Policy and Procedure is:

- included within Norgrove Training's **Student Handbook** (in summary form with a reference to the website for access to the full Policy and Procedure) as well as the **Privacy Information Sheet**, handed out to all applicants as part of their pre-enrolment information
- noted within the text or instructions at all information collection points (such as informing individuals during a telephone call of how the Policy and Procedure may be accessed, in cases where information collection is occurring), and
- available for distribution free of charge on request, as soon as possible after the request is received, including in any particular format requested by the individual as is reasonably practical.

The NCVER issued **Privacy Notice** is provided to all applicants and enrolling students as part of the application and enrolment process. It is made available on Norgrove Training's website and enrolling staff ensure that the individual has read and understands the Notice, as confirmed through signing the **Registration Form**.

If, in the unlikely event that this **Privacy Policy and Procedure** or **Privacy Notice** is not able to be provided in a particular format requested by an individual, we will explain the circumstances around this issue with the requester and seek to ensure that another appropriate method is provided.

Review and Update of this Privacy Policy and Procedure

Norgrove Training reviews this Privacy Policy and Procedure

- on an ongoing basis as suggestions or issues are raised and addressed, or as Government required changes are identified
- through our internal audit processes on at least an annual basis
- as a part of any external audit of our operations that may be conducted by various government agencies as a part of our registration as an RTO or in normal business activities, and
- as a component of each and every complaint investigation process where the complaint is related to a privacy matter.

Where this Policy and Procedure is updated, changes are communicated to staff through the internal **Quality Bulletin**, meetings, training and documentation, such as the Staff Handbook and externally through publishing of the updated policy on Norgrove Training's website and other relevant documentation, such as our RTO **Student Handbook**.

Australian Privacy Principle 2 – Anonymity and pseudonymity

Norgrove Training provides individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us in relation to a particular matter, whenever practical. This includes providing options for anonymous dealings in cases of general course enquiries or other situations in which an individual's information is not required to complete a request.

Individuals may deal with Norgrove Training by using a name, term or descriptor that is different to the individual's actual name wherever possible. This includes using generic email addresses that do not contain an individual's actual name, or generic usernames when individuals may access a public component of our website or **Registration Form**.

Norgrove Training only stores and links pseudonyms to individual personal information in cases where this is required for service delivery (such as system login information) or once the individual's consent has been received.

Individuals are advised of their opportunity to deal anonymously or by pseudonym with us where these options are possible through publishing this Policy and Procedure on the RTO's website.

Requiring identification

Norgrove Training must require and confirm identification however when an individual confirms interest in enrolling in a nationally recognised course program (refer to the **Application and Enrolment Policy and Procedure**). Norgrove Training is authorised by Australian law to deal only with individuals who have appropriately identified themselves. That is, it is a Condition of Registration for all RTOs under the *National Vocational Education and Training Regulator Act 2011* that we identify individuals and their specific individual needs on commencement of service delivery and collect and disclose Australian Vocational Education and Training Management of Information Statistical Standard (AVETMISS) data on all individuals enrolled in nationally recognised training programs.

All funded contract requirements also requires the confirmation of identification when an individual confirms interest in enrolling in a funded course program (refer to **Application and Enrolment Policy and Procedure**).

Other legal requirements, as noted earlier in this Policy and Procedure, also require considerable identification arrangements.

There are also other occasions also within our service delivery where an individual may not have the option of dealing anonymously or by pseudonym, as identification is practically required for us to effectively support an individual's request or need. This includes lodgement of a complaint or appeal.

Australian Privacy Principle 3 — Collection of solicited personal information

Norgrove Training only collects personal information that is reasonably necessary for our business activities and in line with the various Acts and funding obligations.

We only collect sensitive information in cases where the individual consents to the sensitive information being collected and in writing, except in cases where we are required to collect this information by law, such as outlined earlier in this Policy.

All information we collect is collected only by lawful and fair means.

We only collect solicited information directly from the individual concerned, unless it is unreasonable or impracticable for the personal information to only be collected in this manner.

Australian Privacy Principle 4 – Dealing with unsolicited personal information

Norgrove Training may from time to time receive unsolicited personal information. Where this occurs it promptly reviews the information to decide whether or not it could have collected the information for the purpose of its business activities. Where this is the case, Norgrove Training may hold, use and disclose the information appropriately as per the practices outlined in this Policy and Procedure.

Where Norgrove Training could not have collected this information (by law or for a valid business purpose), it immediately destroys or de-identifies the information (unless it would be unlawful to do so).

Australian Privacy Principle 5 – Notification of the collection of personal information

Whenever Norgrove Training collects personal information about an individual, it takes reasonable steps to notify the individual of the details of the information collection or otherwise ensure the individual is aware of those matters. This notification occurs at or before the time of collection, or as soon as practicable afterwards.

Notifications to individuals on data collection include:

- Norgrove Training identity and contact details, including the position title, telephone number and email address of a contact who handles enquiries and requests relating to privacy matters
- the facts and circumstances of collection such as the date, time, place and method of collection, and whether the information was collected from a third party, including the name of that party
- if the collection is required or authorised by law, including the name of the Australian law or other legal agreement requiring the collection
- the purpose of collection, including any primary and secondary purposes
- the consequences for the individual if all or some personal information is not collected
- other organisations or persons to which the information is usually disclosed, including naming those parties
- whether we are likely to disclose the personal information to overseas recipients, and if so, the names of the recipients and the countries in which such recipients are located
- a link to this **Privacy Policy and Procedure** on the website or explain how it may be accessed

- written acceptance, as evidenced by signing of the Norgrove Training Privacy Notice as part of the **Registration Form**, and
- advice that this **Privacy Policy and Procedure** contains information about how the individual may access and seek correction of the personal information held by us, and how to complain about a breach of the APPs, or any registered APP code, and how we will deal with such a complaint.

Personal information disclosed to the NCVET may be used or disclosed for the following purposes:

- issuing a VET Statement of Attainment or VET Qualification, and populating authenticated VET transcripts
- facilitating statistics and research relating to education, including surveys
- understanding how the VET market operates, for policy, workforce planning and consumer information, and
- administering VET, including program administration, regulation, monitoring and evaluation.

A **Student Release Authority**, consenting to personal information disclosure to appropriate departments, agencies and their third-party representatives, is given to students to consider and sign during the Norgrove Training application and enrolment process.

Collection from Third Parties:

Where Norgrove Training collects personal information from another organisation, it:

- confirms whether the other organisation has provided the relevant notice above to the individual or
- confirms whether the individual was otherwise aware of these details at the time of collection, and
- if this has not occurred, it will undertake this notice to ensure the individual is fully informed of the information collection.

Australian Privacy Principle 6 – Use or disclosure of personal information

Norgrove Training only uses or discloses personal information it holds about an individual for the particular primary purposes for which the information was collected, or secondary purposes in cases where:

- an individual consented to a secondary use or disclosure
- an individual would reasonably expect the secondary use or disclosure, and that is directly related to the primary purpose of collection, or
- using or disclosing the information is required or authorised by law.

Requirement to make a written note of use or disclosure for this secondary purpose

If Norgrove Training uses or discloses personal information in accordance with an ‘enforcement related activity’ we will make a written note of the use or disclosure, including the following details:

- the date of the use or disclosure

- details of the personal information that was used or disclosed
- the enforcement body conducting the enforcement related activity
- if the organisation used the information, how the information was used by the organisation, and
- the basis for our reasonable belief that we were required to disclose the information.

Australian Privacy Principle 7 – Direct marketing

Norgrove Training does not use or disclose the personal information that it holds about an individual for the purpose of direct marketing, unless:

- the personal information has been collected directly from an individual, and the individual would reasonably expect their personal information to be used for the purpose of direct marketing, or
- the personal information has been collected from a third party, or from the individual directly, but the individual does not have a reasonable expectation that their personal information will be used for the purpose of direct marketing, and
- we provide a simple method for the individual to request not to receive direct marketing communications (also known as ‘opting out’) on the **Registration Form**.

On each of our direct marketing communications whenever used, Norgrove Training provides a prominent statement that the individual may request to opt out of future communications and how to do so.

An individual may also request Norgrove Training at any stage not to use or disclose their personal information for the purpose of direct marketing. We comply with any request by an individual promptly and undertake any required actions for free.

Norgrove Training also, on request, notifies an individual of our source of their personal information used or disclosed for the purpose of direct marketing unless it is unreasonable or impracticable to do so.

Australian Privacy Principle 8 – Cross-border disclosure of personal information

Norgrove Training will rarely find itself in this situation however before any of the RTOs disclose personal information about an individual to any overseas recipient, it undertakes to take reasonable steps to ensure that the recipient does not breach any privacy matters in relation to that information.

Australian Privacy Principle 9 – Adoption, use or disclosure of government related identifiers

Norgrove Training does not adopt, use or disclose a government related identifier related to an individual except:

- in situations required by Australian law or other legal requirements
- where reasonably necessary to verify the identity of the individual
- where reasonably necessary to fulfil obligations to an agency or a State or Territory authority, or
- as prescribed by regulations.

Australian Privacy Principle 10 – Quality of personal information

Norgrove Training takes reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete. It also takes reasonable steps to ensure that the personal information we use or disclose is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant. This is particularly important:

- when we initially collect the personal information, and
- when we use or disclose personal information.

Norgrove Training takes steps to ensure personal information is factually correct. In cases of an opinion, we ensure information takes into account competing facts and views and makes an informed assessment, providing it is clear this is an opinion. Information is confirmed up-to-date at the point in time to which the personal information relates. Quality measures in place supporting these requirements include:

- internal practices, procedures and systems to audit, monitor, identify and correct poor quality personal information (including training staff in these practices, procedures and systems)
- protocols that ensure personal information is collected and recorded in a consistent format, from a primary information source when possible
- ensuring updated or new personal information is promptly added to relevant existing records
- reminding individuals to update their personal information at critical service delivery points (such as completion) when we engage with the individual
- contacting individuals to verify the quality of personal information where appropriate when it is about to be used or disclosed, particularly if there has been a lengthy period since collection, and
- checking that a third party, from whom personal information is collected (such as employers), has implemented appropriate data quality practices, procedures and systems.

Australian Privacy Principle 11 — Security of personal information

Norgrove Training takes active measures to consider whether it is able to retain personal information we hold, and also to ensure the security of personal information we hold. This includes reasonable steps to protect the information from misuse, interference and loss, as well as unauthorised access, modification or disclosure.

Norgrove Training destroys or de-identifies personal information held once the information is no longer needed for any purpose for which the information may be legally used or disclosed.

Access to Norgrove Training offices and work areas is limited to our staff only - visitors to our premises must be authorised by relevant personnel and are accompanied at all times.

With regard to any information in a paper based form, Norgrove Training maintains storage of records in an appropriately secure place to which only authorised individuals have access.

Annual staff training is conducted with Norgrove Training staff on privacy issues, and how the APPs apply to our practices, procedures and systems. Information is also included in our staff induction practices, through the Staff Handbook and confirmed through the **Staff Induction Checklist**.

Norgrove Training conducts ongoing internal audits (at least annually and as needed) of the adequacy and currency of security and access practices, procedures and systems implemented.

Australian Privacy Principle 12 – Access to personal information

Where Norgrove Training holds personal information about an individual, Norgrove Training provides that individual access to the information on their request. In processing requests, we:

- ensure through confirmation of identity that the request is made by the individual concerned, or by another person who is authorised to make a request on their behalf
- respond to a request for access within 5 calendar days and when notifying our refusal to give access, including providing reasons for refusal in writing, and the complaint mechanisms available to the individual, and
- provide information access free of charge.

Australian Privacy Principle 13 – Correction of personal information

Norgrove Training takes reasonable steps to correct personal information we hold, to ensure it is accurate, up-to-date, complete, relevant and not misleading, having regard to the purpose for which it is held. Students are advised of the importance of ensuring that Norgrove Training has current information about each individual, through the **Student Handbook** and as part of the student induction process.

Individual Requests

On an individual's written request (via completion and submission of a **Change in Student Details Form**), Norgrove Training:

- corrects personal information held, and
- notifies any third parties of corrections made to personal information if this information was previously provided to these parties.

In cases where we refuse to update personal information, Norgrove Training:

- gives a written notice to the individual, including the reasons for the refusal and the complaint mechanisms available to the individual
- upon request by the individual whose correction request has been refused, takes reasonable steps to associate a statement with the personal information that the individual believes it to be inaccurate, out-of-date, incomplete, irrelevant or misleading
- responds within 14 calendar days to these requests, and
- completes all actions free of charge.

Correcting at Norgrove Training's initiative

Norgrove Training take reasonable steps to correct personal information which it holds in cases where it is satisfied that the personal information held is inaccurate, out-of-date, incomplete,

irrelevant or misleading (that is, the information is faulty). This awareness may occur through collection of updated information, in notification from third parties or through other means.

Links to other Websites

This Norgrove Training Privacy Policy and Procedure does not apply to external links, social media or non-Norgrove Training web pages. Such third party websites may collect student, staff and other Norgrove Training stakeholder personal information.

Norgrove Training does not accept responsibility for any content contained on external websites.

How to Contact Us about Privacy Matters

Norgrove Training's Privacy Officer is the RTO Manager, who is available by phone:

- 08) 8361 9969 between 8.30am – 5.00pm Monday to Friday.

SOUTH AUSTRALIAN FUNDING REQUIREMENTS

In line with APP 1, Norgrove Training is aware of and adheres to the SA Government Information Privacy Principles (www.dpc.sa.gov.au) as if the Recipient were an 'agency' for the purposes of the IPPs.

Norgrove Training also ensures that if required, it will allow that the Minister to undertake and will cooperate with any audit or investigation which the Minister deems necessary to verify that it is complying with the Privacy requirements within the funding agreement.

Norgrove Training's Director will notify the Minister within 5 working days and in writing, if it is identified that Norgrove Training has failed to comply with its Privacy obligations or if it becomes aware of any actual or threatened disclosure of or unauthorised access to personal information.

SUPPORTING DOCUMENTS

PP003/01	Privacy Information Sheet
D003/02	Privacy Notice (gov issued) 2021 version
D002/07	Change in Student Details Form
D017/02	Accessing Records Request Form
D002/01	Student Handbook
D002/12	Student Induction Handbook
D022/01	Staff Handbook
D002/14	Student Release Authority
D002/07	Change in Details Form
D002/05	Registration Form
D011/01	Complaints and Appeals Form
D018/03	Quality Bulletin Template

SUPPORTING CHECKLISTS

C002/01	Pre-Enrolment Checklist
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C002/03 Student Induction Checklist
C022/01 Staff Induction Checklist

RELATED POLICIES AND PROCEDURES

PP019 Cooperating with the Regular and Meeting all Regulatory and Funding Requirements
PP017 Student Records Management Policy & Procedure
PP011 Complaints and Appeals Policy and Procedure
PP002 Application and Enrolment Policy and Procedure