PRIVACY POLICY

1. Purpose

The purpose of this policy is to outline the steps PEER takes to protect the privacy of all learners, employees, third parties and stakeholders of PEER. This will ensure that PEER complies with the Standards for RTOs 2015, The Privacy Act 1988 and The Australian Privacy Principles (APPs) and the National Standards for GTO's,

2. Policy Statement

PEER takes the privacy of participants seriously and complies with all legislative requirements.

Information is only shared with external agencies such as the National VET Regulator to meet our compliance requirements as an RTO. All information is kept in the strictest confidence.

In some cases, we are required by law or required by the Standards for NVR Registered Training Organisations to make learner information available to others such as the National Centre for Vocational Education and Research or the Australian Skills Quality Authority (ASQA). In all other cases, we will seek the written permission of the learner for such disclosure.

PEER is committed to maintaining the privacy and confidentiality of its RTO personnel and participant records. PEER complies with the Privacy Act 1988 including the 13 Australian Privacy Principles (APPs) as outlined in the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

3. Definitions

Confidentiality: The process of ensuring the privacy of parties is protected as much is legally possible.

The Privacy Act 1988: Is an Australian law dealing with privacy.

The Australian Privacy Principles (APPs): The Privacy Act 1988 (Cth) sets out rules of conduct called Australian Privacy Principles (APPs) which establish standards for the collection and handling of 'personal information'

Standards for GTO's: means the regulatory standards to Group Training Providers

Standards for RTOs 2015: means the regulatory standards for training providers as set by The Council of Australian Governments' (COAG) Industry and Skills Council for endorsing vocational education and training (VET) standards

Stakeholders: a person with an interest in an organisation

4. Policy Principles

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

Purposes for information collection, retention, use and disclosure

PEER retains a record of personal information about all individuals with whom we undertake any form of business activity. PEER must collect, hold, use and disclose information from our clients and stakeholders for a range of purposes, including but not limited to:

- Providing services to clients;
- Managing employee, auspicing arrangements and contractor teams;
- Promoting products and services;
- Conducting internal business functions and activities; and
- Requirements of stakeholders

As a registered training organisation, regulated by the Australian Skills Quality Authority, PEER 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 NVR Registered Training Organisations 2012; and
- Data Provision Requirements 2012.
- Student Identifiers Act 2014

It is noted that PEER is also bound by various State Government Acts requiring similar information collection, use and disclosure (particularly Vocational Education & Training Act(s) and Traineeship & Apprenticeships Act(s) relevant to state jurisdictions of PEER operations).

It is further noted that, aligned with these legislative requirements, PEER delivers services through a range of Commonwealth and State Government funding contract agreement arrangements, which also include various information collection and disclosure requirements.

Individuals are advised that due to these legal requirements, PEER discloses information held on individuals for valid purposes to a range of entities including:

- Governments (Commonwealth, State or Local);
- Australian Apprenticeships Centres;
- Employers (and their representatives), Job Network Providers, Schools and Guardians.

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 may also be collected and held:

- Identity details;
- Employee details & HR information;
- Complaint or issue information;
- Disability status & other individual needs;
- Indigenous status; and
- Background checks (such as National Criminal Checks or Working with Children checks).

How personal information is collected

PEER'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 registration forms or enrolment forms) and the use of web based systems (such as online enquiry forms).

PEER does receive solicited and unsolicited information from third party sources in undertaking service delivery activities. This may include information from such entities as:

- Governments (Commonwealth, State or Local);
- Australian Apprenticeships Centres;
- Employers (and their representatives), Job Network Providers, Schools and Guardians.

How personal information is held

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

- Stored in secure, password protected systems, such as financial system, learning management system and student management system;
- Hard copies are stored in locked filing cabinets and archive facilities; and
- Monitored for appropriate authorised use at all times.

Retention and Destruction of Information

PEER adheres to our Records Management Policy. Specifically, for our RTO records, in the event of our organisation ceasing to operate the required personal information on record for individuals undertaking nationally recognised training with us would be transferred to the Australian Skills Quality Authority, as required by law.

Accessing and seeking correction of personal information

PEER 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 to make contact with customerservice@peer.com.au

A number of third parties, other than the individual, may request access to an individual's personal information. Such third parties may include employers, parents or guardians, schools, Australian Apprenticeships Centres, Governments (Commonwealth, State or Local) and various other stakeholders.

In all cases where access is requested, PEER 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

If an individual feels that PEER may have breached one of the APPs please make contact with customerservice@peer.com.au

Making our Privacy Policy available

PEER ensures our Privacy Policy is made publically available and as such is accessible on our website www.peer.com.au

Review and Update of this Privacy Policy

PEER reviews this Privacy Policy:

- On an ongoing basis, as suggestions or issues are raised and addressed, or as government required changes are identified;
- Through our internal audit processes
- Through our yearly policy and procedure review
- As a component of each and every complaint investigation process where the compliant is related to a privacy matter.

Where this policy is updated, changes to the policy are widely communicated to stakeholders through internal personnel communications, meetings, training and documentation, and externally through publishing of the policy PEER's website.

Australian Privacy Principle 2 – Anonymity and pseudonymity

PEER 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.

Individuals may deal with us by using a name, term or descriptor that is different to the individual's actual name wherever possible.

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

Requiring identification

PEER must require and confirm identification, however in service delivery to individuals for nationally recognised course programs we are 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.

Other legal requirements, as noted earlier in this policy, also require considerable identification arrangements.

There are also other occasions 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.

Australian Privacy Principle 3 — Collection of solicited personal information

PEER only collects personal information that is reasonably necessary for our business activities. We only collect sensitive information in cases where the individual consents to the sensitive information being collected, except in cases where we are required to collect this information by law, such as outlined earlier in this policy.

Australian Privacy Principle 4 – Dealing with unsolicited personal information

PEER may from time to time receive unsolicited personal information. Where this occurs we promptly review the information to decide whether or not we could have collected the information for the purpose of our business activities. Where this is the case, we may hold, use and disclose the information appropriately as per the practices outlined in this policy.

Where we could not have collected this information (by law or for a valid business purpose) we immediately destroy or de-identify the information (unless it would be unlawful to do so).

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

Whenever PEER collects personal information about an individual, we take 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.

Our notifications to individuals on data collection include:

- PEER's 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; and
- Other organisations or persons to which the information is usually disclosed, including naming those parties

Where possible, we ensure that the individual confirms their understanding of these details, such as through signed declarations or in person through questioning.

Australian Privacy Principle 6 – Use or disclosure of personal information

PEER 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 (such as the learner consent form);
- 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 PEER 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;
- The basis for our reasonable belief that we were required to disclose the information.

Australian Privacy Principle 7 – Direct marketing

PEER 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').

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

We also, on request, notify 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

Before PEER discloses personal information about an individual to any overseas recipient, we undertake 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

PEER 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;
- Where required under the Standards for NVR Registered Training Organisations 2012; Data Provision Requirements 2012: and Student Identifiers Act 2014; or
- As prescribed by regulations

Australian Privacy Principle 10 – Quality of personal information

PEER takes reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete. We also take 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 where:

- When we initially collect the personal information; and
- When we use or disclose personal information.

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 used or disclosed, particularly if there has been a lengthy period since collection;
- Requesting individuals enrolled in nationally recognised qualifications complete an updated enrolment form each year; and
- Checking that a third party, from whom personal information is collected, has implemented appropriate data quality practices, procedures and systems.

Australian Privacy Principle 11 — Security of personal information

PEER takes active measures to consider whether we are 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.

We destroy or de-identify personal information held once the information is no longer needed for any purpose for which the information may be legally used or disclosed. Refer to Records Management Policy.

Access to PEER offices and work areas is limited to our personnel 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, we maintain storage of records in an appropriately secure place to which only authorised individuals have access.

Regular staff training is conducted with PEER personnel on privacy issues, and how the APPs apply to our practices, procedures and systems.

Australian Privacy Principle 12 — Access to personal information

Where PEER holds personal information about an individual, we provide 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 14 calendar days, when notifying our refusal to give access, including providing reasons for refusal in writing, and the complaint mechanisms available to the individual;
  Or
  - Within 30 calendar days, by giving access to the personal information that is requested in the manner in which it was requested.

- Provide information access free of charge.

Australian Privacy Principle 13 – Correction of personal information

PEER 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.

Individual Requests

On an individual's request, we:

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

Correcting at PEER's initiative

We take reasonable steps to correct personal information we hold in cases where we are 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.