

## Purpose

The purpose of this policy is to ensure the privacy of personal information for all students and staff of Western Business School is respected, protected and maintained in a compliant manner. Our obligations under the Privacy Act 1988 (Commonwealth), Health Records Act 2001 (Victorian) and other applicable privacy laws are taken seriously and this policy outlines out how we handle personal information about individuals.

## Scope

This policy applies to all current and prospective students, employers and staff of WPC Group, trading as Western Business School.

The policy and procedure has been designed to support the Standards for NVR Registered Training Organisations 2015 including, but not limited to:

- Standard 2 – Quality Assurance
- Standard 5 – Inform and protect
- Standard 8.4 – Comply with legislation (Federal and State)

Government funded contracts:

- New South Wales - Smart and Skilled Contract
- Victoria – VET Funding Contract 2018 – 2019

## Responsibility

- The General Manager is responsible for implementation of this policy and procedure.
- The National Operations and Administration Manager is responsible for maintaining this policy and procedure.
- Administration staff are responsible for complying with this policy.
- All other staff and contractors are responsible for complying with this policy.

## Policy

1. WBS is committed to protecting staff, student and client privacy and confidentiality in line with State and Federal Privacy legislation, including the Privacy Principles.
2. Except as required under the Standards for NVR Registered Training Organisations 2015, Government Contracts or by law, information about a participant will not be disclosed to a third party without the consent of the participant.
3. We acknowledge we are bound by the Information Privacy Principles and any applicable Code of Practice with respect to any act done or practice engaged in under the VET Funding Contract. As

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such Western Business School will ensure that privacy statements to be included by other Departments will be included as required.

4. Personal information includes any information that identifies an individual or allows their identity to be readily identified from such information. If a student chooses not to provide WBS with the personal information requested, the services to be provided may not be accessible to the student.
5. WBS will inform the student if information is withheld and will make every attempt to gather the information required through continued engagement with the student.
6. Personal information referred to includes but is not limited to:
  - a person's name
  - address
  - phone numbers
  - email address
  - marital status
  - gender
  - disability
  - billing details
  - other information deemed sensitive.
7. Personal information is collected for the purposes of meeting compliance and reporting requirements to comply with the law and governing authorities, researching and developing (and improving) our services and communications and to provide the services we promise.
8. Personal information and identification will be collected for the purposes of creating and verifying the Unique Student Identifier (USI) for every student. Unnecessary identification supporting documents provided for the purposes of creating and verifying a USI will be confidentially destroyed if not required for other compliance requirements.
9. In the event WBS, through WPC Group, engages a third party contractor to perform services which involves handling personal information the contractor will be required to comply with the APPs.
10. Images used will only be done so with the written consent of the student or person whose image appears.
11. At all times any complaints in relation to privacy will be treated seriously, dealt with promptly and in a confidential manner. The WBS complaints and appeals policy applies in the event there is a complaint about privacy.
12. The policy will be reviewed and updated at least every two (2) years and or when changes to legislation, government contracts or internal policy occur.
13. Updates and changes to the policy are recorded in the continuous improvement register.

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## Procedure

### Collection of personal information

#### *Staff*

- 1.1. Personal information will be collected in accordance with the WPC group privacy policy and specific personal information relating to Western Business School. Specific personal information may include resumes, Certificates of Qualification, Police and/or Working With Children Checks if required.

#### *Students*

- 1.2. WBS is required to collect personal information from students in order to process enrolments and obtain the information required to provide suitable training and assessment services. Where applicable information may also be required to comply with AVETMISS standards as specified by government regulators.
  - 1.2.1. Personal information is collected at the time of enrolment from students to create and/or verify a USI which will be linked to the National VET collection. This personal information, once collected will be discarded by the RTO when no longer required.
  - 1.2.2. Specifically for Victorian Students, WBS collects and retains personal information to collect or create a Victorian Student Number (VSN). This personal information, once collected will be discarded confidentially when no longer required.
  - 1.2.3. Information collected includes general personal details and may include details of any disability or health issue that may affect the student's ability to undertake training and/or assessment activities.
  - 1.2.4. All personal information is collected in writing, from an enrolment form other paperwork, or directly from the person whom the information is about to enable assessment of the suitability of the student to complete the course. Where applicable information may be collected from the parent or guardian of a student under the age of 18.

### 1.3. Access to personal information

- 1.3.1. Any person has access to their own personal files at any time, upon written request.
- 1.3.2. Staff and students may access their files by submitting their written application to National Operations and Administration Manager.

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#### 1.4. Storage and security of personal information

- 1.4.1. All reasonable steps are taken to maintain the privacy and security of personal information.
- 1.4.2. Information stored electronically is kept on a secure server and access is restricted to authorised employees. This server is regularly backed up.
- 1.4.3. Paper-based documents containing personal information are in a locked filing cabinet and held within a secure area within the premises.
- 1.4.4. Where documents are required to be transferred to another location, personal information is transported securely in a folder or document bag.
- 1.4.5. When information is no longer required, it will be destroyed using confidential waste or by permanently de-identify personal information when it is no longer required for any purpose.
- 1.4.6. Hard copy non-active files are archived for 3 years.
- 1.4.7. Records management policy is maintained by Western Business School.

#### 1.5. Confidential Information

All reasonable efforts will be made to protect confidential information received from clients or partner organisations during the course of business operations. This information will not be disclosed without the prior consent of the client or partner organisation.

#### 1.6. Notification of Privacy arrangements

- 1.6.1. Students and clients are advised:
  - of our Privacy Policy via the website [wbs.org.au](http://wbs.org.au),
  - of our Privacy Statement via the Participant Information hand book,
  - of our Privacy Declarations and consent forms via the enrolment process,
  - we require their consent to collect and create USI information via the consent form at induction.
- 1.6.2. Students are required to read, acknowledge and understand the Privacy statements outlined on the enrolment form by signing the declaration on the enrolment form.
- 1.6.3. Students read, acknowledge, understand and consent to WBS gathering personal information which will be used for the purposes of creating a USI by signing the consent form.

#### 1.7. Privacy Statement

A privacy statement is available for all persons in contact with the RTO to identify the way in which personal information is handled by the RTO. (Appendix A)

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**Related documents:**

- Records Management
- Access and Equity policy
- Complaints policy Participant Handbook

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**Appendix A:****RTO Privacy Statement**

Western Business School is committed to protecting the privacy of your personal information. This statement explains how we handle your personal information.

This statement only applies to our databases and files and advises that where required by law and under contractual obligations to State, Territory or Commonwealth Governments, your data may be used when it is provided to these departments from our databases. You are advised to contact the relevant government agency for a copy of their privacy policy. Some policies relating to your privacy are outlined in:

**VICTORIA** - Information Privacy Act 2000

**NEW SOUTH WALES** - Privacy Act 1988(2014)

**QUEENSLAND** - Privacy Act 1988(2014)

**COMMONWEALTH** - Student Identifiers Act 2014, Student Registrars Privacy Policy

Where we use the words 'we' and 'us' in this document, it means Western Business School.

**Your Personal Information**

In order to provide you with training, employment opportunities and associated services, we collect personal information such as your name, address, driver's licence, qualifications, Unique Student Identifier, job seeker identification number, benefit card, etc.

If you decline to provide your personal information, Western Business School may not be able to:

- provide the training or service requested, or
- create a unique student identifier on your behalf, or
- enter into a training contract with you.
- issue you with a Certificate of Qualification or Statement of Attainment.

**Consequences of not providing your information**

Failure to provide your personal information may mean that it is not possible for you to enrol in a VET qualification, including traineeships and/or to obtain a government subsidised place.

**Collection of personal information**

Where practicable, we will endeavour to collect personal information directly from you.

Where services are provided on behalf of a Commonwealth and/or State Government Department, we may collect personal information from such government departments and agencies, this includes collecting information to enable us to create a Unique Student Identifier on your behalf. Western Business School will obtain your written consent before completing this process. The personal information we receive from you for the generation of a USI will not be retained, unless required for other purposes relating to your training.

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**For Victorian students**, we will collect information from you which will allow us to obtain your Victorian Student Number; a requirement by the Victorian State Government.

We may also need to collect personal information from other third parties with or without your direct involvement or consent, such as an employer. However, this will not include sensitive information.

#### **Use and disclosure**

We will use our best efforts to ensure that the information you provide to us remains private and is used only for the purposes you agree to.

We will only disclose personal information to a third party where one or more of the following apply:

- you have given consent (written),
- it is authorised or required by law, or necessary for enforcement of law,
- it will protect the rights, property or personal safety of another person,
- the assets and operations of the RTO business are transferred.

Information provided will relate to the gathering and use of your data for the purposes of legal and regulatory requirements, and survey participation.

You may be contacted to participate in a survey conducted by NCVER or a Government Department endorsed project, audit or review relating to your training. This provides valuable feedback on the delivery of VET programs across all states.

Please note, you may opt out of the NCVER Survey at the time of being contacted.

#### **Resolving privacy concerns**

If you wish to raise a concern about a privacy matter should contact the National Operations and Administration Manager.