ROYAL INTERNATIONAL COLLEGE

RTO Code: 46036 | CRICOS Code: 04153F

PRIVACY AND CONFIDENTIALITY POLICY AND PROCEDURE

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1.23. Privacy and Confidentiality Policy and Procedure

Policy Content

Aspect	Details
Regulator	Australian Skills Quality Authority (ASQA)
Standards Referenced	
Legislation / Requirements	

Purpose

This policy establishes the RTO's commitment to protecting the privacy and confidentiality of all personal and sensitive information collected, held, and disclosed during its operations. It outlines the processes used to ensure compliance with the Australian Privacy Principles (APPs) under the Privacy Act 1988, ensuring responsible handling of personal information throughout its lifecycle.

Objective

This policy ensures that the RTO:

- **Fully complies with the 13 Australian Privacy Principles.**
- **Manages personal and sensitive information in accordance with legal and regulatory requirements.**
- **Maintains confidentiality and restricts access to personal information.**
- **Limits information use and disclosure to intended purposes only, or as otherwise required by law or regulation.**

Scope

This policy applies to:

- **All RTO employees, contractors, and third-party service providers.**
- **All students and applicants.**
- **Any individual whose personal information is collected or stored by the RTO.**

Policy Statement

The RTO is committed to:

- **Transparent, secure, and fair handling of personal information.**
- **Implementing systems that ensure compliance with the APPs.**
- **Protecting privacy rights through secure systems and access controls.**
- **Ensuring all stakeholders are informed of their rights and how their information will be used or disclosed.**

Privacy Governance and Risk Management

- **A Privacy Impact Assessment (PIA) has been completed to identify risks and establish controls across the data lifecycle: collection, use, disclosure, storage, destruction, and de-identification.**
- **The RTO regularly reviews privacy practices as part of its continuous improvement framework.**
- **Security measures are implemented across all paper-based and electronic records to ensure authorised access and appropriate retention.**

1.23.1. Personal Information: Collection and Use

1.23.1.1. Purposes of Information Collection

The RTO collects personal information to:

- **Deliver training and assessment services.**
- **Manage enrolment, progression, and student support.**
- **Comply with AVETMISS, USI, and ASQA data reporting.**
- **Fulfil stakeholder and legal obligations.**
- **Undertake workforce and business operations.**

1.23.2. Types of Information Collected

1.23.2.1. Commonly Collected Data:

- **Contact and demographic details**
- **Enrolment, course participation, and academic records**
- **Employment and billing details**
- **USI and TFN where applicable**

1.23.2.2. Sensitive or Confidential Data:

- **Identity documentation**
- **Background checks (e.g., WWCC, police checks)**
- **Health and disability support information**
- **Complaint or grievance records**

1.23.2.3. Collection Methods and Consent

- **Personal data is obtained primarily from individuals through online or physical forms, phone calls, and electronic systems.**
- **Third-party information may be received from:**
    - **Employers and schools**
    - **Apprenticeship networks**
    - **Government departments and training partners**
- **Individuals are notified about the data being collected and the reason for collection at or before the time of collection.**

1.23.2.4. Information Storage and Security

- **Information is secured in encrypted databases (e.g., SMS, LMS, financial systems).**
- **Paper-based files are digitised and shredded securely where practical.**
- **System access is restricted to authorised users only, governed by secure login credentials and user role permissions.**
- **All data is linked by unique RTO-issued identification numbers.**

1.23.2.5. Retention and Destruction of Information

- **The RTO maintains a Retention and Disposal Schedule in accordance with:**
    - **SRTO 2025 requirements (e.g., 2 years for assessment records)**
    - **ASQA directions (e.g., 30 years for qualification issuance records)**
    - **ATO requirements (e.g., 7 years for financial records)**
- **In the event of RTO closure, records are securely transferred to ASQA as required by law.**

- **Destruction is performed via secure shredding or digital erasure after the expiry of the mandatory retention period.**

1.23.2.6. Access to and Correction of Records

- **Individuals may request access to or correction of their personal data through a formal Records Access or Update Request.**
- **Requests must include sufficient identity verification.**
- **Responses are provided:**
    - **Within 30 calendar days for access or correction**
    - **Free of charge, unless an alternative format is required**
- **If a request is denied, a written explanation and complaint procedure is provided.**

1.23.3 Privacy Principles and Compliance Procedures

APP	Requirement	Compliance Approach
APP 2	Anonymity and Pseudonymity	Individuals may use pseudonyms or remain anonymous when making general enquiries, where practical. Identification is mandatory where required for service delivery (e.g., nationally recognised training).
APP 3	Collection of Solicited Personal Information	RTO only collects information that is necessary for its operations. Sensitive information is only collected with consent or legal requirement.
APP 4	Unsolicited Information	Unsolicited data is reviewed to determine whether it could have been lawfully collected. If not required, it is securely destroyed or de-identified.
APP 5	Notification of Collection	Individuals are informed at the time of collection or shortly after, including the reasons for collection, intended use, and access rights.
APP 6	Use or Disclosure	Information is used strictly for the purpose it was collected, or as required by law. Any secondary use requires consent or legal basis.

APP 7	Direct Marketing	Marketing is only conducted with prior consent or where reasonably expected. Individuals may opt-out at any time.
APP 8	Cross-border Disclosure	Reasonable steps are taken to ensure overseas recipients do not breach privacy obligations before disclosure.
APP 9	Government Identifiers	Government-related identifiers (e.g., TFN, USI) are only used where legally required or for identity verification.
APP 10	Data Quality	Information is kept accurate, complete, and up to date. Individuals are prompted to review their records during major service points.
APP 11	Security of Personal Information	Data is secured through encryption, access control, audits, and regular staff training. Physical access is restricted. Records are securely destroyed when no longer required.
APP 12	Access to Personal Information	Individuals have the right to access their information. Requests are processed within 30 days, subject to identity verification.
APP 13	Correction of Personal Information	Individuals may request updates to their records. Changes are made within 14 days. Refusals must be justified in writing, with complaint avenues provided.

1.23.4. Request for Records Access - Procedure

1. The requestor must submit a written request or use the RTO's Records Access Request Form.
2. The RTO:
    - Verifies the identity of the requester.
    - Confirms legal authorisation to access the information.
    - Retrieves relevant data from secure systems.
    - Provides access in the requested format where practicable within 30 calendar days.

3. **If access is denied:**
    - **A written explanation with reasons and complaint mechanisms is provided within 30 calendar days.**

1.23.5. Request for Records Update - Procedure

1. **Requests must be submitted in writing or using the RTO's Records Update Request Form.**
2. **The RTO:**
    - **Verifies identity.**
    - **Reviews the data in question.**
    - **Updates records where justified and notifies third parties, if applicable, within 14 calendar days.**
3. **If an update is denied:**
    - **A written notice is issued with an explanation.**
    - **A statement from the individual can be added to the record upon request.**

1.23.6. Privacy Complaints Procedure

1. **Complaints should be submitted in writing to the RTO Manager/PEO.**
2. **The RTO will investigate and respond within 30 calendar days.**
3. **If unsatisfied, the individual may escalate the matter to:**
    - **Office of the Australian Information Commissioner (OAIC): www.oaic.gov.au, Phone: 1300 363 992**
    - **ASQA Complaints Service: www.asqa.gov.au, Phone: 1300 701 801**
    - **National Training Complaints Hotline: 1800 000 674**

Continuous Improvement

- **All privacy concerns, complaints, and feedback are reported during management meetings as part of the Continuous Improvement Cycle.**
- **Issues are reviewed for:**
    - **Emerging trends**

- Recurring concerns
- Compliance gaps

Updates to this policy or its implementation are:

- **Logged in the Continuous Improvement Register (CIR)**
- **Communicated via staff meetings and internal notices**

Confidentiality and Staff Obligations

- **All staff sign a Confidentiality Agreement upon induction.**
- **Staff are trained in privacy compliance and expected to uphold all legislative and procedural requirements.**
- **Information is disclosed only with proper authority or legal obligation.**

Publication and Access

- **This policy is made available to:**
  - **All students via the Student Handbook and website**
  - **All staff via the intranet and induction materials**
- **Copies are provided free of charge upon request.**

Retention of Privacy and Confidentiality Records

Record Type	Minimum Retention Period	Justification / Compliance Reference
Privacy Complaints and Investigations	5 years from date of resolution	SRTO 2025 - Standard 4.4; OAIC Guidelines
Records Access and Update Requests	2 years from date of request or correction	SRTO 2025 - Standard 4.1(c); APP 12 & 13
Consent Declarations (e.g. media, data use)	2 years after student ceases enrolment	Privacy Act 1988 APP 6; Audit evidence
Privacy Notices and Collection Statements	Until superseded + 2 years	APP 5; SRTO 2025 - Document control and transparency obligations

Staff Confidentiality Agreements	**7 years after cessation of employment**	**Fair Work Act; Privacy Act 1988 – APP 11**
Data Breach Notifications	**7 years**	**Notifiable Data Breaches Scheme; APP 11**
Privacy Policy Version History and Updates	**Until superseded + 5 years**	**SRTO 2025 - Standard 4.4; Evidence of policy management**

Policy Review and Amendment

- **This policy is reviewed annually by the RTO Manager or upon changes to legislation or regulation.**
- **Any revisions are:**
  - **Communicated internally**
  - **Updated on the RTO website and Student Handbook**
  - **Version-controlled and archived in accordance with the Records Management Policy**