

Data Protection & Student Privacy Policy & Procedure

Purpose

This policy ensures that Real Estate Training Solutions (RETS) meets its legal and ethical requirements regarding the collection, storage, and disclosure of the personal information it holds.

This policy and procedure also meet the compliance requirements of:

- NVR Standards for RTOs
- National Vocational Education and Training Regulator (Data Provision Requirements) Instrument 2020 (*Data Provision Requirements 2020*)
- Smart & Skilled Operating Guidelines, Standard 6
- ACT Standards for the delivery of Subsidised Training: Standard 1.2

Policy

1. Policy Principles

- RETS is committed to protecting the privacy of the personal information of students, staff, and other relevant stakeholders under its obligation to comply with Privacy Act 1988, the associated Australian Privacy Principles (APPs), specifically and in the way it collects, uses, secures and discloses personal information.
- When collecting, managing, and storing personal information, RETS complies with the requirements of the Privacy Act 1988, including Australian Privacy Principles 3 and 5, Specifically:
 - collection of solicited personal information
 - notification of the collection of personal information
- RETS collects personal information from students to carry out its functions as a Registered Training Organisation. RETS will only collect and store information that is directly related to its RTO business purposes and legal requirements.
- Personal information collected by RETS will include:
 - Name, date of birth, gender, address, contact details including emergency contact details
 - Country of birth, citizenship, passport, and visa details, if applicable
 - Academic history – schooling, qualifications achieved
 - Native language
 - Ethnic background
 - Health or disability information
 - Membership of professional or industry associations
 - Current employment details and reasons for future study

- Language, learning and literacy
- Photo identification
- Unique Student Identifier
- RETS ensures that each student:
 - Knows why personal information is being collected, how it will be used and stored, and to whom it will be disclosed
 - Understands that it is RETS legal requirement to collect their information
 - Knows that they can access their personal information on request
 - Will not receive unwanted direct marketing
 - Can ask for personal information that is incorrect to be amended
 - Can lodge a complaint about RETS if they think that their personal information has been mishandled.
 - Is aware of any consequences for not providing the requested information.
- RETS will keep evidence of the student's acknowledgement that they [student] understand and agree to the collection and use of their personal information in their Application Form and during the enrolment process.

2. Collection of information

- Personal information is collected via:
 - the Application Form at the time of enrolment
 - Electronic/On-line
 - Hard copy
 - training records
 - assessment records
- Under the *Data Provision Requirements 2020*, RETS must collect personal information about students undertaking nationally recognised training and disclose that personal information to NCVER.
- NCVER collects, holds, uses, and discloses personal information in accordance with the *Privacy Act 1988 (Cth)*, the *VET Data Policy* and NCVER policies and protocols (including those published on NCVER's website at www.ncver.edu.au).
- The *Student Identifiers Act 2014* authorises the Australian Government's Student Identifiers Registrar to collect information about USI applicants.
- When RETS applies for a USI on behalf of a student who has authorised RETS to do so, RETS must collect personal information about the student which will be released to the Student Identifiers Registrar. To create a USI on behalf of a student, RETS must verify the identity of the individual by receiving a copy of an identification document. This document will only be used for the purposes of generating the USI and confirming the identity of the individual with the Registrar. Once the USI has been generated and validated, the identity documents used or collected for this purpose will be securely destroyed.
- For the NSW Government's Smart & Skilled initiative, RETS is required to complete the notification of enrolment process for eligible prospective students. The NSW Department of Education requires RETS to obtain the consent of prospective students to the Department's use of the

student's information or the student verbally providing their consent providing that a concept statement is recited to the student or is made available for the student to read (see wording set out in Schedule 1 of the Smart and Skilled Operating Guidelines at)

<https://www.nsw.gov.au/sites/default/files/2023-05/operating-guidelines-1-jul-23-to-30-jun-24.pdf>

3. Storage and use of information

- RETS collects and stores personal information in both paper-based and electronic formats.
- RETS uses physical security, password protection, firewalls, virus protection and secure servers to ensure that all records containing personal information are stored securely and to protect the information collected from unauthorised access, misuse, or disclosure.
- Personal information held about students may only be used by RETS staff to:
 - provide its educational services
 - engage in student administration activities
 - report data
 - maintain records of student course participation and assessment outcomes
 - assist with compliance with the conditions of state training funding contracts and operational guidelines.
- RETS On-line eCampus uses secure password protection ensuring access to the site and data is restricted to verified credentials. Access to personal data is strictly limited to relevant individuals and authorised staff. SSL encryption safeguards data transmission between users and the server.
- RETS will only use personal information about staff for regular business needs including hiring, managing, or terminating an employment relationship, for audit and compliance purposes, as well as emergency situations whereby personal information may be required for the safety of the staff member or contractor.
- RETS may use the personal information provided by students to market other internal products and services to them. (Students can unsubscribe from such communications)

4. Disclosure of information

- RETS will not disclose a student's personal information to another person or organisation unless:
 - The individual has given written consent
 - RETS believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious threat to the life or health of the individual concerned or another person.
 - The disclosure is required or authorised by, or under, law.
 - 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 public revenue.
- Any person or organisation to which information is disclosed is not permitted to use or disclose the information for a purpose other than for which the information was supplied to them.
- Personal information may be used or disclosed by RETS for statistical, regulatory and research purposes. RETS may disclose personal information for these purposes to third parties, including:

- Commonwealth and State or Territory government departments and authorised agencies, such as ASQA, the Department of Education Skills and Employment,
- NSW Department of Education
- Skills Canberra
- NCVET
- Organisations conducting student surveys
- Researchers.
- Personal information disclosed to NCVET may be used or disclosed for the following purposes:
 - Issuing a VET statement of attainment or VET qualification, and creating 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
 - Administering VET, including program administration, regulation, monitoring and evaluation.
- The information provided by an individual in connection with their application for a USI:
 - may be disclosed to:
 - Commonwealth and State/Territory government departments and agencies and statutory bodies performing functions relating to VET for:
 - the purposes of administering and auditing VET, VET providers and VET programs
 - education related policy and research purposes
 - to assist in determining eligibility for training subsidies
 - VET Regulators to enable them to perform their VET regulatory functions
 - VET Admission Bodies for the purposes of administering VET and VET programs
 - Current and former Registered Training Organisations to enable them to deliver VET courses to the individual, meet their reporting obligations under the VET standards and government contracts and assist in determining eligibility for training subsidies
 - Schools for the purposes of delivering VET courses to the individual and reporting on these courses
 - State Training Services for the purposes of notifications of enrolment, submission of periodic training delivery data for the purposes of subsidy payments
 - The National Centre for Vocational Education Research for the purpose of creating authenticated VET transcripts, resolving problems with USIs and for the collection, preparation and auditing of national VET statistics
 - Researchers for education and training related research purposes
 - Any other person or agency that may be authorised or required by law to access the information
 - Any entity contractually engaged by the Student Identifiers Registrar to assist in the performance of his or her functions in the administration of the USI system
 - Will not otherwise be disclosed without the student's consent unless authorised or required by or under law.

5. Access to personal information records

- Students have the right to access or request a copy of the information that RETS holds about them including personal details, contact details and information about course attendance, progress, AQF certification documentation issued
- Requests to get copies of records must be made in writing by contacting RETS office and include proof of identity
- Access to personal records is free of charge.
- At any time should you wish to access or change your personal information you can contact us at admin@rets.com.au or call on 1300 850 980.

6. Complaints about privacy

- Any individual wishing to make a complaint or appeal about the way information has been handled by RETS can do so by following RETS Consumer Protection, Complaints & Appeals Policy & Procedure.