



# Privacy Policy

## 1. Purpose

Tiwi Islands Training and Employment Board (TITEB) provides a range of employment, training and engagement services across its business units. As such, TITEB is required to comply with Federal law regarding Privacy and confidentiality of its employees, students, client's stakeholders and contractors.

The purpose of this policy is to outline how TITEB complies with the Privacy Act 1988 and the Australian Privacy Principles (APPs).

## 2. Policy Statement

TITEB is committed to complying with obligation under the Privacy Act 1988, and the associated Australian Privacy Principles, specifically in the way it collects, uses, secures and discloses personal information. TITEB is committed to safeguarding any confidential information obtained by the organisation.

TITEB will ensure:

- It maintains currency of and makes available this Privacy Policy.
- Information gathered for the express purpose of training and assessment matters will not be disclosed to a third party unless prior written consent is provided by the individual concerned, except that required by law.
- The secure storage of all records.
- The confidentiality of all employee, student, client, stakeholder and contractor information maintained on record.

## 3. Policy Principles

### Legislation

TITEB, although not required to, chooses to abide by the Privacy Act 1988 and the associated 13 Australian Privacy Principles.

The Australian Privacy Principles came into effect on 12 March 2014 and set out standards, rights and obligations for the handling, holding, accessing and correction of personal information (including sensitive information).

### Underpinning Principles for Privacy

The 13 Australian Privacy Principles have been presented in two distinguishable categories as set out below.

**Personal Information** is defined in the Privacy Act 1988 to mean "information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

**Sensitive Personal Information** is defined in the Privacy Act 1988 to mean "information or an opinion about an individual's" that is also personal information, such as:

- racial or ethnic origin; or
- political opinions; or
- membership of a political association; or
- religious beliefs or affiliations; or
- philosophical beliefs; or
- membership of a professional or trade association; or
- membership of a trade union; or



- sexual orientation or practices; or
- criminal record.

### **Consideration of Personal Information Privacy**

To ensure open and transparent management of personal information TITEB will

- Ensure that personal information is managed in an open and transparent way.
- Take reasonable steps to implement practices and procedures that will facilitate dealing with enquiries or complaints from individuals regarding compliance with the Australian Privacy Principles.
- Ensure that it maintains an up-to-date policy about the management of personal information.
- Ensure that the TITEB Privacy Policy contains the following information:
  - The kind of information that is collected and held;
  - How the information is collected and held;
  - The purposes for which information is collected, held, used and disclosed;
  - How an individual may access their personal information that is held by TITEB and seek correction of such information as necessary;
  - How the individual may make a complaint about a breach of the Australian Privacy Principles and how TITEB will deal with such a complaint;
  - Whether TITEB is likely to disclose personal information to overseas recipients, and if so the countries in which such are likely to be located.
  - Provide the Privacy Policy free of charge and in such form as appropriate, and as is reasonable.

With regards to anonymity and pseudonymity, TITEB will:

- Respect that individuals may not wish to identify themselves when making enquiries regarding TITEB products and services;
- However, require full personal details as required by law and for identification purposes from students and program clients.

### **Collection of Personal Information**

- TITEB will not collect personal information unless that information is necessary for one or more of its programs, functions or activities, or is required by law.
- TITEB advises that it is required by law to collect, hold, use and supply personal information, in accordance with the National VET Provider Collection Data Requirements Policy.
- TITEB will take reasonable steps at or before the time of collection to ensure that the individual providing the information is aware of:
  - Who we are and how to contact us;
  - How to gain access their own information;
  - The purpose for which the information is being collected;
  - Any organisation to which we would normally disclose information of that kind;
  - Any law that requires the particular information to be collected;
  - The main consequences for the individual if all or part of the information is not provided.
- TITEB collects information in the following ways:
  - When an individual registers their interest in a course or program, applies for enrolment, requests certain services or products, or otherwise makes contact or do business with us.
  - Collected from enrolment forms, certified documents, telephone calls, faxes, emails or letters provided by an individual.



- Collected from third parties, such as other training providers, regarding confirmation of training and ongoing professional development that you have attended, as permitted by you.
- Should TITEB collect information about an individual from a third party we will take reasonable steps to ensure that the individual is or has been made aware of the matters listed above except to the extent that making the individual aware of the matters would pose a serious threat to the life or health of any individual.

### **Dealing with Personal Information**

TITEB will not use or disclose personal or sensitive information for any purpose other than what it was collected for, unless the relevant person has provided written consent to use or disclose that information in circumstances that are different to those for which it was collected.

The circumstances where an exception may occur are:

- Where the use or disclosure of this information is required or authorised by or under an Australian law or a court / tribunal order.
- The individual would reasonably expect TITEB to use or disclose the information for the secondary purpose.
- A permitted health situation exists in relation to the use or disclosure of the information by TITEB.
- A permitted general situation exists in relation to the use or disclosure of the information by TITEB.
- TITEB reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

TITEB collects personal information to:

- Process applications.
- Manage enrolments.
- Record and maintain details generally.
- Administering programs.
- Record and maintain details of ongoing training and assessment activities.
- Provide information and details regarding client services, benefits, and employment and training opportunities.
- Notify individuals about upcoming events and opportunities.
- Gain feedback.
- Communicate.
- Report to relevant authorities as required by law.

With regard to direct marketing activities TITEB:

- May, where we have your consent, use an individual's personal information (specifically name and relevant address details) and information about their preferences for direct marketing (i.e. the communication channels which are preferred for receiving direct marketing information and the types of products and services an individual is interested in) so as to let you know about our services and benefits.
- Will, provide an opt-out and / or unsubscribe method that is easily accessible for individuals to request not to receive direct marketing communications.

### **Cross Border Disclosure**

TITEB does not disclose personal information to overseas recipients unless prior written approval is received by the individual to whom the personal information relates.

When dealing with the adoption, use or disclosure of Government Related Identifiers, TITEB:



- Is required by law under the *Student Identifier Act* to collect, maintain and report to relevant Government agencies each student's Unique Student Identifier (USI) number in accordance with the National VET Provider Collection Data Provision Requirements.
- Must not adopt the Unique Student Identifier number as its own identifier of the student.
- Will not use the Unique Student Identifier on any Certification documents the student receives.
- Will not disclose the Unique Student Identifier number for any other purpose.

### **Integrity of Personal Information**

In maintaining the quality of personal information TITEB will take steps, as are reasonable, to ensure that the personal information it:

- Collects is accurate, up to date and complete.
- Uses or discloses, is, having regard to the purpose of the use or disclosure, accurate, up to date, complete and relevant.

To maintain the security of personal information TITEB will take steps, as are reasonable in the circumstances to:

- Protect the information from misuse, interference and loss as well as unauthorised access, modification or disclosure.
- Destroy the information or to ensure that the information is de-identified.

### **Access to, and Correction of, Personal Information**

TITEB provides all employees, students and clients with access to their own personal records, where the individual can review their personal information to ensure its accuracy and currency. An individual's personal information can only be amended and updated by authorised TITEB personnel.

In some circumstances, TITEB may not permit an individual to access their personal information. If this is ever the case, TITEB will provide full details for the legal reasons for this decision. These may include that TITEB believes

- That giving access to the information may pose a serious threat to the life, health or safety of the individual, or to public health or public safety.
- Giving access would have an unreasonable impact on the privacy of other individuals.
- The request for access is frivolous or vexatious.
- The information relates to existing or anticipated legal proceedings between TITEB and the individual, and would not be accessible by the process of discovery in those proceedings.
- Giving access would reveal the intentions of TITEB in relation to negotiations with the individual in such a way as to prejudice those negotiations.
- Giving access would be unlawful **or** denying access is required or authorised by or under an Australian law or a court / tribunal order; or both of the following apply.
  - TITEB has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to TITEB functions or activities has been, is being or may be engaged in.
  - Giving access would be likely to prejudice the taking of appropriate action in relation to the matters.
- Giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body.
- Giving access would reveal evaluative information generated within TITEB in connection with a commercially sensitive decision-making process.



When dealing with requests for access to personal information, TITEB will:

- Respond to a request from an individual for access within 30 days of the request, and within a reasonable time, if the request is from an organisation, and
- Provide access to the information in the manner requested, if it is reasonable and practicable to do so.

TITEB does not charge a fee for individuals to access personal information. The exception maybe and will be at the discretion of the RTO Manager, i.e. for re-prints of certification documentation previously supplied.

Amending or correcting personal information held:

- Should TITEB become aware that information it holds is inaccurate, out of date, incomplete, irrelevant or misleading, they will take such steps as reasonable to correct the information to ensure that, having regard to the purpose for which it is held, the information is accurate, up-to-date, complete, relevant and not misleading.
- Should TITEB refuse to correct information, written notice to the individual will be provided that sets out:
  - The reason for the refusal.
  - The mechanisms available to complain about the refusal; and
  - Any other matter prescribed by the regulations.

#### **4. Tiwi Islands Training and Employment Board Responsibilities**

The Chief Executive Officer of TITEB ensures that all employees, students, clients and contractors are made aware of this policy and its underpinning legislative requirements and that they comply with this policy at all times.

#### **5. Records Management**

All personal information and records are maintained in accordance with the TITEB Records Management Policy.

#### **6. Monitoring**

All practices for privacy are monitored by the Chief Executive Officer of TITEB and areas for improvement identified and acted upon.