

Privacy Policy

Purpose

Work Savvy is committed to maintaining the privacy and confidentiality of its Registered Training Organisation (RTO) personnel and participant records. This document is intended to inform of our commitment to respect the personal information of our stakeholders, staff and students. It outlines how we collect, store, use, dispose and disclose personal information, and your rights in relation to that personal information.

Policy

This policy applies to Work Savvy Pty Ltd (RTOID: 91778) ABN: 20 132 057 384

Work Savvy complies with the Privacy and Personal Information Protection Act 1998 (NSW), the Health Records and Information Privacy Act 2002 (NSW), the Privacy Act 1988 (Cth) and the 13 Australian Privacy Principles (APPs) as outlined in the Privacy Amendment (Enhancing Privacy Protection) Act 2012, where applicable.

As a component of our risk management practices, Work Savvy has conducted a Privacy Impact Assessment. A standard privacy notice is included with all enrolment forms to advise how student data may be provided to State and Commonwealth governments.

The following sections of this policy outline how we manage personal information.

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

Purposes for information collection, retention, use and disclosure

Work Savvy retains a record of personal information about all individuals with whom we undertake any form of business activity. Work Savvy 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 and contractor teams
- Promoting products and services
- Conducting internal business functions and activities
- Requirements of stakeholders.

As an RTO regulated by the ASQA, Work Savvy 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 Registered Training Organisations 2015*
- *Data Provision Requirements 2012.*

Work Savvy is bound by various State Government Acts requiring similar information collection, use and disclosure (particularly *Education Act(s)*, *Vocational Education & Training Act(s)* and *Traineeship & Apprenticeships Act(s)*) relevant to state jurisdictions of Work Savvy RTO operations.

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Work Savvy delivers services through a range of Commonwealth program and State Government funding contract agreement arrangements, which also include various information collection and disclosure requirements.

Due to these legal requirements, Work Savvy discloses information held on individuals for valid purposes to a range of third-party entities including:

- Governments (Commonwealth, State or Local)
- Australian Apprenticeships Support Networks
- Employers (and their representatives) where there is a financial consideration by the Employer or authorisation has been granted
- Job active providers
- Schools, for school-based apprenticeships
- Parents/guardians of minors.

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
- Financial billing information.

The following types of sensitive information will be collected and held:

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

Where Work Savvy collects personal information of more vulnerable segment of the community (such as children), additional practices and procedures are also followed. Please refer to Work Savvy's RTO's *Working with Children Policy and Procedures* for further information.

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How personal information is collected

Work Savvy'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, enrolment forms or service delivery records) and the use of web-based systems (such as online enquiry forms, web portals or internal operating systems).

How personal information is held

Work Savvy's usual approach to holding personal information always includes robust storage and security measures. Information collected is:

- As soon as practical converted to electronic means
- Stored in secure, password protected systems, such as financial system, learning management system and student management system
- Monitored for appropriate authorised use.

Only authorised personnel are provided with login information to each system, with system access limited to only those relevant to their specific role. Virus protection, backup procedures and ongoing access monitoring procedures are in place.

Destruction of paper-based records occurs as soon as practicable in every matter, using secure shredding and destruction services at all Work Savvy sites.

Individual information held across systems is linked through an allocated identification number for each individual.

Retention and Destruction of Information

Work Savvy securely disposes the documents for which personal information records are kept. 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 ASQA, as required by law.

Accessing and seeking correction of personal information

Work Savvy 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 must contact Work Savvy's CEO on 1300 764 828 and request an *Access to Records Form*.

In all cases where access is requested by a third party, Work Savvy 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)
- Only appropriately authorised parties, for valid purposes, will be provided access to the information.

Making our Privacy Policy available

Work Savvy provides its Privacy Policy to students through its Student Handbook, with this policy and procedure being publicly available from the Privacy link on our website.

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Review and Update of this Privacy Policy

Work Savvy will review 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 on a regular basis
- As a part of any external audit of our operations that may be conducted by various government agencies as a part of our registration as an RTO or in normal business activities
- As a component of each complaint investigation process where the complaint is related to a privacy matter.

Australian Privacy Principle 2 – Anonymity and pseudonymity

For general enquiries, Work Savvy provides individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us in relation to a matter, whenever practical.

Requiring identification

Work Savvy must require and confirm identification of 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

Work Savvy only collects personal information that is reasonably necessary for our business activities. All information we collect is collected by lawful and fair means.

Australian Privacy Principle 4 – Dealing with unsolicited personal information

Work Savvy may from time to time receive unsolicited personal information. Where this occurs, we promptly review the information to decide if 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, otherwise it is destroyed.

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

Whenever Work Savvy 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:

- Work Savvy'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

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- 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
- 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, website form acceptance of details or in person through questioning.

Collection from third parties

Where Work Savvy collects personal information from another organisation, we:

1. Confirm whether the other organisation has provided the relevant notice above to the individual
2. Whether the individual was otherwise aware of these details at the time of collection
3. If this has not occurred, we will undertake this notice to ensure the individual is fully informed of the information collection.

Australian Privacy Principle 6 – Use or disclosure of personal information

Work Savvy only uses or discloses personal information it holds about an individual for the primary purposes for which the information was collected, or secondary purposes in cases where:

- An individual consented to a secondary use or disclosure
- An individual would reasonably expect the secondary use or disclosure, and that is directly related to the primary purpose of collection
- 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 Work Savvy 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

Work Savvy 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
- 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
- We provide a simple method for the individual to request not to receive direct marketing communications (also known as ‘opting out’).

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On each of our direct marketing communications, Work Savvy provides a prominent statement that the individual may request to opt out of future communications, and how to do so.

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 Work Savvy 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

Work Savvy 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
- As prescribed by regulations.

Australian Privacy Principle 10 – Quality of personal information

Work Savvy 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
- When we use or disclose personal information.

Work Savvy takes steps to ensure personal information is factually correct. In cases of an opinion, we ensure information considers competing facts and views and makes an informed assessment, providing it is clear this is an opinion. Information is confirmed up-to-date at the point in time to which the personal information relates.

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
- Providing individuals with a process to review and update their information
- Reminding individuals to update their personal information at critical service delivery points (such as from application to enrolment and completion) when we engage with the individual
- Contacting individuals to verify the quality of personal information where appropriate when it is about to be used or disclosed, particularly if there has been a lengthy period since collection
- Checking that a third party, from whom personal information is collected, has implemented appropriate data quality practices, procedures and systems.

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Australian Privacy Principle 11 — Security of personal information

Work Savvy takes active measures to consider whether we can retain personal information we hold, and 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.

Access to Work Savvy offices and work areas is limited to our personnel only - visitors to our premises must be authorised by relevant personnel and are always accompanied. Any information in a paper-based form, is maintained in an appropriately secure place to which only authorised individuals have access.

Regular staff training and information bulletins are conducted with Work Savvy personnel on privacy issues, and how the Australian Privacy Principles apply to our practices, procedures and systems. Training is also included in our personnel induction practices.

We conduct internal audits as to the adequacy and currency of security and access practices, procedures and systems implemented.

Australian Privacy Principle 12 — Access to personal information

Where Work Savvy 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
 - Within 30 calendar days, by giving access to the personal information that is requested in the way it was requested.
- Provide information access free of charge.

Australian Privacy Principle 13 – Correction of personal information

Work Savvy 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
- Notify any third parties of corrections made to personal information, if this information was previously provided to these parties.

In cases where we refuse to update personal information, we:

- Give a written notice to the individual, including the reasons for the refusal and the complaint mechanisms available to the individual
- Upon request by the individual whose correction request has been refused, take reasonable steps to associate a statement with the personal information that the individual believes it to be inaccurate, out-of-date, incomplete, irrelevant or misleading

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- Respond within 14 calendar days to these requests
- Complete all actions free of charge.

Correcting at Work Savvy'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.

How to contact us to make a privacy complaint

If you have a query or concern about this Privacy Policy or how we manage your personal information, or wish to make a complaint in relation to a breach of your privacy, you can contact our Chief Executive Officer by email at ceo@stridelearning.com.au.

We take all privacy complaints seriously and will investigate your complaint in a confidential manner. We will inform you of the outcome of the investigation within a reasonable timeframe.