

Privacy and Records Management Policy & Procedure

1. Introduction

The purpose of this procedure is to describe the way in which our records are identified, stored and maintained and how GMS complies with the Privacy Act 1988 (Commonwealth). This document describes how we collect, manage, use, disclose, protect, and dispose of personal information in accordance with the thirteen Australian Privacy Principles (APPs) outlined in Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012. This procedure includes ASQA applicable records to maintain the accuracy and integrity of our records management.

2. Privacy

Definitions

Under the Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012 (s6(1)), personal and sensitive information is defined as follows:

- Personal information: "information or an opinion about an identified individual, or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not."
- Sensitive information: "(a) information or an opinion about an individual's: (i) racial or ethnic origin, or (ii) political opinions, or (iii) membership of a political association, or (iv) religious beliefs or affiliations, or (v) philosophical beliefs, or (vi) membership of a professional or trade association, or (vii) membership of a trade union, or (viii) sexual preferences or practices, or (ix) criminal record, that is also personal information; or (b) health information about an individual; or (c) genetic information about an individual that is not otherwise health information; or (d) biometric information that is to be used for the purposes of automated biometric verification or biometric identification; or (e) biometric templates".

3. Authority to collect and store information

GMS is an approved Registered Training Organisation by the Australian Skills Quality Authority. This registration is issued under the authority of the National Vocational Education and Training Regulator Act 2011. This legislation requires GMS to collect personal and sensitive information from its learners. This requirement is specified in the Data Provision Requirements 2012 which is one of five legislative instruments that GMS must comply with as a condition of its registration. The data provision requirements require GMS to collect data from learners in accordance with the Australian Vocational Education and GMS Information Statistical Standard (AVETMISS). This is a complex information standard that defines information about who the learner is, where the training is delivered and what they are studying. The Standards for Registered Training Organisations require GMS to retain and store this information for up to 30 years and to report training activity to government agencies in accordance with mandatory reporting requirements. Together these requirements form a statutory obligation to collect, store and report information of any learner participating in nationally accredited training. The publications referred to in this section can be accessed from the ASQA website. (www.asqa.gov.au)

Collection and use

GMS collects personal information, either directly or indirectly, that is reasonably necessary for, or directly related to its delivery of the services it offers. Some of the information collected may be regarded as 'sensitive' as defined by the Privacy Act.

Solicited information

Contact information such as name, organisation, position, address, telephone, and email are collected for marketing, support services, mandatory reporting and for communicating with stakeholders as part of our day to day operation. In addition to information collected training activity, GMS will also collect, store and report information relating to satisfaction surveys, complaint handling and on our client employers. Names, addresses, phone numbers, emergency contact details, bank account details and other employment related information is collected from employees for the purpose of managing human resources. The management of staff personal information complies with this policy.

Collection methods

Learner personal and sensitive information as well as training activity information is prescribed by the AVETMISS Standard. This information is collected directly from our learners using enrolment forms which may be paper based or electronic and other administrative forms including but not limited to complaint forms, recognition application, request for refund, transfer application, etc. Much of this information is entered into our student management system. Hard copy records are retained within our learner files. Survey responses are collected using our Employer and Learner Satisfaction Surveys which are issued both in hard copy and electronic format. These survey results are returned to the main office and entered into our survey analysis software "Satisfaction Data". Survey forms once entered into Satisfaction Data are either destroyed if hard copy or permanently deleted if in electronic form. Enquiry information from prospective learners including personal contact information is collected directly from individuals who make data requests either by telephone or email in person or via our website. GMS personal information is collected from individuals on employment commencement.

Sensitive information

Personal information collected by GMS that may be regarded as 'sensitive' under the Privacy Act includes:

- 'Disability' and 'long-term impairment status' (health); and 'indigenous status', 'language spoken at home', 'proficiency in spoken English', 'country of birth' (implies ethnic/racial origin). This information is specified in the AVETMISS data elements and is collected for the national VET data collections, national VET surveys, and may be collected for VET-related research.
- 'Dietary requirements' (health-related) are collected for event catering purposes only.
- Biographical information, which may contain information on 'affiliations' and 'membership of a professional or trade association' are obtained from key note speakers for event marketing purposes.
- 'Memberships of professional associations' and 'health and work injury information' is collected from GMS employees for HR management purposes.

Direct marketing

GMS respects an individual's right not to receive marketing material, and provides an option within communications and on its website for individuals to unsubscribe from receiving marketing material. GMS conducts its marketing communications and dissemination of service information in accordance with Australian Privacy Principle 7 (Direct marketing), the Spam Act 2003 (in respect of electronic communications), and the Do Not Call Register Act 2006. It is not, however, GMS practice to 'cold call' for the purpose of marketing its products and services.

Google Analytics and cookies

Google Analytics is a web service provided by Google Inc. Cookies are used to generate data on website activity and usage. The cookies, which include IP addresses, are transmitted to and stored in Google servers in the United States where they are used to compile web-use reports. Google may transfer this information to third parties, where required by law, or for information processing on its behalf. Google will not associate IP addresses with any other data held by Google. More information on Google's privacy policy can be found at: <https://www.google.com.au/intl/en/policies/privacy/>. It is possible to disable cookies by adjusting web-browser setting and to opt-out of Google Analytics (<https://tools.google.com/dlpage/gaoptout>). Doing so, however, may affect web-site functionality. GMS web servers automatically log information such as server address, date and time of visit and web pages accessed. No personal information is recorded. These logs are used for website management and improvement.

Unsolicited personal information

If GMS should receive unsolicited personal information, it will be treated and managed according to the Australian Privacy Principles.

4. Notification of collection

GMS aims to notify individuals of the collection of their personal information before, or at the time of collection, or as quickly as possible thereafter. Notifications are usually in writing, but may be verbal for telephone help-desk services, or research conducted by telephone interview.

- Marketing – notification is provided on our website course application page. Individuals are also notified at the time of collecting personal information for events. A privacy notice is provided in all GMS marketing communications.
- Quality Indicator surveys – notification is provided in the letter of invitation to participate in the surveys and also at the time of collecting the information (online or by telephone)
- GMS staff – Notification is provided on employment commencement.

5. Disclosure of personal information

GMS does not disclose personal information other than for the purpose for which it was collected, or an individual has consented to a secondary purpose, or an individual would reasonably expect this (such as receiving communications about upcoming events), or if required by law. GMS may share personal information with the Commonwealth government in accordance with Commonwealth contractual obligations. In these circumstances, GMS will take reasonable steps to inform and seek consent from the individuals concerned and take all reasonable steps to ensure that the recipient handles the personal information according to the APPs. GMS does not sell its mailing lists to third-parties for marketing purposes. GMS does not disclose personal information to overseas recipients. While people around the world can access material published on our website, no statistical or research publications contain identifiable personal information.

6. Management of personal information

GMS endeavours to ensure the personal information it collects and uses or discloses is accurate, up to date, complete and relevant. GMS routinely updates the information held in its customer relationship management system. This includes confirming with learners who are returning for a new enrolment if their personal contact details have changed.

Access to and correction of personal information

Individuals may, subject to the exceptions prescribed by the Australian Privacy Principles, request access to and correction of their personal information where this is collected directly from individuals by GMS. GMS does not charge for giving access to or for correcting personal information. Requests for access to or correction of personal information should be made in accordance with the learner access to records policy.

7. Assessment-Related Workplace and Organisational Information

As part of its training and assessment services, GMS may collect information relating to external organisations, workplaces, systems, processes, or practices that are referenced by students in assessment submissions (including audit reports, case studies, compliance reviews, and reflective tasks).

This information may include de-identified or contextual details about business operations, management systems, risks, or compliance activities. GMS collects such information solely for the purpose of assessment, validation, moderation, continuous improvement, and regulatory compliance.

GMS takes reasonable steps to ensure that workplace and organisational information provided within assessment submissions is handled confidentially and is not used or disclosed beyond its intended educational and regulatory purposes.

In particular:

- students are encouraged to anonymise organisation names, individuals, and commercially sensitive information wherever possible;
- assessment materials are accessed only by authorised trainers, assessors, moderators, and auditors;
- assessment submissions are not shared externally except where required by law or regulatory audit (e.g. ASQA); and
- GMS does not use student assessment submissions for marketing or third-party consulting purposes.

8. Information retention and disposal

Personal information is held in electronic and paper format:

- Information collected from learner enrolment applications and survey responses is held in databases.
- Names and contact details of stakeholders are held within the student management system and email contact lists.
- Names and contact details collected during the delivery of services may be held either in electronic form in GMS document management system or in paper documents which are locked in cupboards and filing cabinets.
- Personal staff information is held within the student management system and HR management, pay roll database.
- Backup copies of all electronic files held in GMS systems are kept in the event of system failure/loss. All backup copies of system files are secured. GMS retains personal information for 30 years. When personal information is no longer necessary for GMS business functions, and it is lawful to do so, GMS destroy the information.

Assessment submissions that contain workplace or organisational information are retained in accordance with RTO record-keeping requirements and are securely stored within GMS systems. Access is restricted to authorised personnel only, and records are disposed of securely once retention requirements are met.

9. Information security

GMS takes active steps to protect personal information from misuse, interference and loss, and from unauthorised access, modification or disclosure.

- GMS systems and internal network are protected from unauthorised access using appropriate technologies. Most system data transferred over the internet is protected by Secure Socket Level protocol (SSL). The inherent risks associated with data transmission over the internet are, however, commonly acknowledged. Individuals, who do not wish to provide their personal information via the online website forms have the option of mailing this information to GMS.
- Access to the student management system is protected through user log-on and password, and assignment of user access rights.
- Third-party providers used by GMS for the delivery of services are all located within Australia and are required to be compliant with the Australian Privacy Principles and offer appropriate safeguards to protect personal information.
- GMS premises and data storage systems are fully secured. GMS practices clean-desk policy and locking workstations when working with personal information. Paper documents containing names and addresses are required to be locked away and shredded when destroyed. All hardware is properly 'sanitised' before disposal.

10. Complaints and concerns

Complaints or concerns are encouraged and should be directed to the GMS Director in email (loren@grayms.com.au). GMS will respond in writing within 3 business days and managed in accordance with the Complaints Policy and Procedure.

11. Records Management

Records are maintained by the Company to demonstrate compliance to ASQA requirements and the effectiveness of the Management System. Examples of these records may include, but are not limited to:

- registration forms, student enrolment forms
- client/student records
- complaints/appeals & non-conformance reports
- sub-contractor records

- training records
- internal audit reports, management review minutes
- course assessment forms
- student assessment records
- RPL records
- Continuous improvements

All records relating to our systems are clearly legible and are appropriately titled to identify them with the training program concerned.

The holders responsible for records ensure that records required for the operation of the Management System are properly maintained.

The Director & Office Manager maintains a Records Control Sheet (F9A).

It is the responsibility of the holder to be able to readily recover the relevant records when required and to keep them in such a manner as to minimise deterioration over the retention period. Confidential client records are to be restricted from public access.

In the absence of any specified agreement between the Company and the client, or statutory requirement, all client records are retained by the holder for a minimum of one year. All other records to be retained as per F9A.

The Director has the authority to determine appropriate retention periods. Where requested, records are made available to the student.

Once the retention period has been reached, the nominated holder determines what disposition action is taken. Where there are a large quantity or complexity of records pertaining to the same type, a method of indexing is described in the location column of F9A.

12. DOCUMENTATION

Records Control Sheet

Student Handbook

Continuous Improvement Register