

## AMS RTO Privacy Policy

### 1 Purpose

Aerodrome Management Services Pty Ltd (AMS) is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (SRTOs 2015). As such, AMS is required to comply with Federal law regarding the privacy and confidentiality of its employees, students, and contractors.

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

### 2 Policy Statement

AMS is committed to complying with its obligations under Privacy Act 1988, and the associated Australian Privacy Principles (APPs), specifically in the way it collects, uses, secures, and discloses personal information. AMS is committed to safeguarding any confidential information obtained by the RTO.

AMS will ensure:

- a) it provides current privacy policy information to learners prior to enrolment,
- b) personal information gathered for training and assessment purposes will not be disclosed to a third party unless prior written consent is provided by the learner concerned, except that required by law,
- c) all learner records will be securely stored and managed,
- d) the confidentiality of all student information is maintained.

### 3 Policy Principles

#### 3.1 Legislation

- a) AMS will abide by the Privacy Act 1988 and associated Australian Privacy Principles (APPs),
- b) AMS will operate in accordance with ASQA Standards for Registered Training Organisations.

#### 3.2 Underpinning Principles

- a) *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:
  - i. whether the information or opinion is true or not; and
  - ii. whether the information or opinion is recorded in a material form or not.

- b) *Sensitive Personal Information* is defined in the Privacy Act 1988 to mean information or an opinion about an individual that is also personal information, such as:
- 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 orientation or practices, or
  - ix. criminal record.

## 4 Consideration of personal information privacy

### 4.1 Open and transparent management of personal information

AMS will:

- a) ensure that all student personal information is managed in an open and transparent way,
- b) 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 (APPs),
- c) ensure that it maintains an up-to-date policy about the management of personal information,
- d) ensure that the AMS Privacy Policy contains the following information:
  - the type of student information that is collected and held by AMS,
  - 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 AMS and seek correction of such information as necessary,
  - how the individual may make a complaint about a breach of this policy, and
  - how AMS will deal with a student privacy complaint.
- e) make this policy available in the public domain (available via the Student Information section of the AMS website).

### 4.2 Anonymity and pseudonymity

AMS will:

- a) respect that individuals may not wish to identify themselves when making enquiries on AMS products and services, however,
- b) AMS will require full personal details at enrolment, as required by law and for identification purposes from students.

## 5 Collection of personal information

- a) AMS will not collect personal information from students unless that information is necessary for one or more of its functions or activities or is required by law.

- b) AMS will provide potential students with a PDF link to [the Privacy Notice](#) (Schedule 1) associated with the National VET Data Policy **prior** to collecting information during the online enrolment process (stage 2 - terms and conditions of enrolment).
- c) AMS will seek written permission from a student prior to sharing information with any third party not associated with the Privacy Policy from Clause 5(b).
- d) AMS will provide potential students with an abridged version of this Privacy Policy via the AMS Student Handbook (available via the Student Information section of the AMS website).
- e) AMS will take reasonable steps at or before the time of collection to ensure that individuals are aware of:
  - who we are,
  - how to contact us,
  - how to gain access to their student records and personal information,
  - the purpose for which their personal information is being collected,
  - any organisation to which we would normally disclose information of that kind,
  - any laws that require particular information to be collected,
  - the main consequences for the individual if all or part of the information is not provided.
- f) AMS collects information from students in the following ways:
  - when students and/or potential students:
    - register their interest online,
    - apply for enrolment in a course,
    - request certain services or products, or
    - otherwise contact or do business with us.

## 6 Dealing with personal information

- a) AMS will not use or disclose personal or sensitive information for any purpose other than what it was collected for, unless the individual (student) has provided written consent to use or disclose that information in circumstances that are different to those for which it was collected.
- b) The circumstances where an exception may occur are:
  - i where the disclosure of this information is required or authorised by or under an Australian law or a court/tribunal order,
  - ii a permitted health situation exists in relation to the use or disclosure of the information by AMS,
  - iii AMS 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.
- c) c) AMS collects personal information to:
  - i process and manage course enrolments,
  - ii record and maintain student details,
  - iii administer training programs,
  - iv record and maintain details of ongoing training and assessment,
  - v provide details regarding student services, benefits, and training opportunities,

- vi notify students about upcoming training events and opportunities,
- vii collect feedback,
- viii communicate,
- ix report to relevant authorities as required by law.

## 7 Direct marketing

Where AMS is given consent by the student, we will:

- a) use personal information (specifically student name and relevant email address) to send direct marketing for the types of products and services that the student has subscribed to, and
- b) provide an easily accessible unsubscribe option for individuals that wish to opt-out of our direct marketing communications.

## 8 Adoption, use or disclosure of Government related identifiers (USI)

- a) AMS is required by law (under the Student Identifier Act) to collect, maintain, and report to relevant Government agencies the individual's Unique Student Identifier (USI) number in accordance with the *National VET Provider Collection Data Provision Requirements*,
- b) AMS will not use the Unique Student Identifier (USI) number for any other purpose, including on any certification documents issued,
- c) AMS will not adopt the Unique Student Identifier (USI) number as its own identifier of the individual.

## 9 Integrity and quality of personal information

AMS will take steps to ensure that the personal information it collects, uses, or discloses are accurate, up-to-date and complete.

## 10 Security of personal information

AMS will take steps (where possible) to:

- a) protect student information from misuse, interference and loss as well as unauthorised access, modification or disclosure,
- b) destroy the information or to ensure that the information is de-identified.

## 11 Access to, and correction of, personal information

AMS:

- a) asks students (via the Student Handbook) to email, or phone administration should their personal details change,

- b) will not permit third party access to individuals for their personal information. If this is ever the case, AMS will provide full details for the legal reasons for this decision. These may include that AMS believes:
- i that giving access to the information would pose a serious threat to the life, health or safety of the individual, or to public health or public safety; or
  - ii giving access would have an unreasonable impact on the privacy of other individuals; or
  - iii the request for access is frivolous or vexatious; or
  - iv the information relates to existing or anticipated legal proceedings between AMS and the individual, and would not be accessible by the process of discovery in those proceedings; or
  - v giving access would reveal the intentions of AMS in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
  - vi giving access would be unlawful; or
  - vii denying access is required or authorised by or under an Australian law or a court/tribunal order; or
  - viii both of the following apply:
    - AMS has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to AMS 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; or
  - ix Giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
  - x Giving access would reveal evaluative information generated within AMS in connection with a commercially sensitive decision-making process.
- c) When dealing with requests for access to personal information, AMS will:
- i Respond to requests for access within 30 days of the request, if from an individual, and within a reasonable time, if the request is from an organisation, and
  - ii Provide access to the information in the manner requested if it is reasonable and practicable to do so.
- d) AMS does not charge a fee for access to personal information. The only exception to this rule is for re-prints of certification documentation previously supplied.
- e) With regard to the correction of personal information held:
- i Should AMS be satisfied that information is inaccurate, out of date, incomplete, irrelevant or misleading, AMS 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.
  - ii Should AMS refuse to correct information, AMS will give written notice to the individual that sets out:

- The reason for refusal,
- The mechanisms available to complain about the refusal, and
- Any other matter prescribed by the regulations.

## 12 Responsibilities

The RTO & Training Lead ensures that the training team are made aware of this policy and its underpinning legislative requirements, and the requirement to comply with this policy at all times.

## 13 Records management

All personal information and records are maintained in accordance with Records Management Policy (see Records Management Policy).

## 14 Monitoring and improvement

All practices for privacy are monitored by the CEO of AMS and areas for improvement identified and acted upon (see Continuous Improvement Policy).