



## **Privacy Policy & Notice**

Westbourne College Pty Ltd, in its operation as a private training company, has a Privacy Policy which ensures we are committed to and compliant with the Australian Privacy Principles (APPs) which came into effect on 12 March 2014 and were last updated July 2019.

Westbourne College complies with the Privacy Act 1988 (Commonwealth) and subsequently in accordance with the thirteen APP's outlined in Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012, which prescribe and mandate the way organisations must collect, manage, use, secure, disclose and dispose of personal and sensitive information.

Westbourne College is committed to protecting the privacy of your personal information and we treat any information collected and retained with the respect and importance it deserves. We will be honest and transparent in relation to the way we manage your information.

Our Privacy Policy explains how we handle your personal information, including how it is used and potentially disclosed, importantly how it is stored and secured and additionally how you can access and update your personal information.

This policy only applies to our databases and files and does not cover any State, Territory or Commonwealth Government database or file. You are advised to contact the relevant government agency for a copy of their privacy policy.

### **Why we collect personal information?**

We collect personal information in order to provide you as a client, with access to our training and associated services, and so we can better understand how we can improve our provision of services to you now and into the future. Additionally, a large component of what we do, requires us to collect personal information for mandatory statistical data as prescribed by government regulators.

So you understand though, you have the right not to provide us with personal information if you so choose, but if you decline to provide your personal information, unfortunately we may not be able to:

- provide the product or service you requested, or
- enter into a business relationship with you.

Westbourne College will only collect personal information that is required for the purposes of employment or education, or in meeting government reporting requirements and it will only be used for the specific purposes for which it was collected.

### What types of information do we collect in general?

So we can provide our range of services to you, we may have to collect personal information deemed necessary for us to supply you with the service you have requested.

The information we collect is defined under the current legislation as **personal** and **sensitive**, and information collected by us may fall into both categories. The following specific guidelines as defined in the Privacy Act are 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”.

In general terms, information collected from you will include:

- Solicited information: contact information such as name, organisation, position, address, telephone, and email, employment and educational histories, referees’ reports, date of birth and marital status.
- Information collected by Westbourne College which may be regarded as sensitive:
  - ‘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 NCVER statistical data elements and is collected for national data reporting requirements.
  - ‘Dietary requirements’ (health-related) should any catering be provided.
  - Biographical information, which may contain information on ‘affiliations’ and ‘membership of a professional or trade association’ are obtained from keynote speakers for event marketing purposes and for training consultants involved with service delivery for Westbourne College.
  - ‘Health and work injury information’ relating to the impact for yourself as a client using our services and our ability to provide a service to you without breaching a Duty of Care.

No sensitive information will be collected without your express consent.

### **What information do we collect using technology?**

Our website is designed to give you useful information in relation to our services and events. To track the use of our website and to continually develop it to meet your needs, we may collect information about who has accessed our site and which pages were viewed so as to determine overall use patterns. We only use such information collected for statistical purposes and do not attempt to identify individual users.

As part of this we may use 'cookies'. Cookies are used to track information about users of a website. They do not contain any information that could identify you; they identify your computer to our servers. You may set your browser to refuse cookies if you do not wish to allow their use. Some areas of our website may not perform properly if you do not accept cookies. No personal information is recorded. Where there are links on our websites to third party websites, we cannot guarantee the privacy of those sites and are not responsible for the privacy practices of the linked websites.

### **How do we collect your information?**

Westbourne College will make all endeavours where possible to collect personal information directly from you. We will collect all personal information in writing in the first instance, either from a registration or enrolment form that has come directly from you. If the case arises, some instances may require personal information to be collected indirectly from a parent or guardian for those under the age of 18.

Westbourne College also collect personal information through direct marketing on its website via:

- General enquiry email contact

We will not collect any additional personal information other than for the purpose of ensuring we can deliver our services to you and information will only be collected in a fair and lawful manner.

If we receive personal information indirectly (unsolicited) from a party other than yourself, we will make a determination on whether the information needs to be retained in order to provide our services to you as previously explained, or whether the information can lawfully be destroyed or de-identified.

### **Use and disclosure of personal information**

We only disclose personal information as permitted by the NVETR Act, the Privacy Act, and other relevant legal requirements, such as the National VET Data Policy.

We will make every effort to ensure that your personal information remains confidential and secure and is only used for the primary purposes outlined in this document and only for any secondary purposes that you have been made aware of and have agreed to.

Westbourne College will not disclose, reveal, sell, share or pass your information onto a third party, without your express permission. Westbourne College does not sell its mailing lists to third parties for marketing purposes either domestically or internationally.

In some specific instances however, your information will need to be passed to a third party, these include:

- Australian Skills Quality Authority (ASQA)
- Department of Education
- Department of Human Services
- The National Centre for Vocational Education Research (NCVER)
- Employment providers: this includes agencies who employ our graduates and require pre-employment information.
- Work placement and work training hosts: these are venues that we utilise to conduct your practical work-based training and placement.

Only personal information required for complying with Federal or State based legislation for our scope of operation or Commonwealth contractual obligations, will be passed to these third parties and at no time will we disclose any of your personal information to overseas recipients.

If required to do so, we may disclose personal information to law enforcement authorities when required or authorised under an Australian law or a court/tribunal order, or where it is reasonable to do so if there has been a threat to life or we believe a criminal act or unlawful activity has been committed. We may also disclose information if a permitted health condition exists, or a health condition eventuates that may require emergency medical care for you.

### **Direct Marketing**

Westbourne College does not sell its mailing lists to third parties for marketing purposes and will not use your information for purposes of direct marketing unless you have given your permission for this to occur. We may use client testimonials on our website, but they will not identify you by name unless your express permission has been given.

Westbourne College will send out newsletters and corporate event information to existing and previous clients and to businesses aligned with our company. Anybody receiving information from us in error or who does not wish to receive such information, can contact us at [admin@westbournecollege.edu.au](mailto:admin@westbournecollege.edu.au) and request to have their name removed from our mailing lists.

### **Government related identifiers**

Westbourne College does not adopt or disclose a government related identifier of an individual as its own identifier, unless we are authorised by law and prescribed by regulations to do so.

In the course of our provision of services as a training company, we may use a government related

identifier, for example, Westbourne College uses contracted training staff who operate as sole traders, and we will collect an Australian Business Number (ABN) for the purpose of contracting services.

We may also need to collect government related identifiers, such as a Medicare Card number, passport details or a driver's licence in order to fulfil our obligations under Federal Law in the conduct of our operations as a training company.

### **Management of your personal information and its 'Quality'**

Westbourne College endeavours to ensure your personal information is accurate, up to date, complete and relevant. We will as a matter of course, routinely update personal information in our Student Management and Customer Relations Management systems.

We invite previous clients to keep their contact details up to date by requesting this through our online email contact at [admin@westbournecollege.edu.au](mailto:admin@westbournecollege.edu.au) and internal policy prescribes that anytime we contact you, we will ask if your personal information is up to date and accurate. We invite you to contact us at any time to provide us with updated personal information and you can also request access to your personal information at any time. Westbourne College does not charge a fee for accessing or correcting your personal data.

### **Retention and disposal of your information and information security**

Your personal information is held at Westbourne College in both electronic and paper format. We take all reasonable steps to protect your personal information from misuse, loss and from unauthorized access or disclosure.

Specifically, your information is retained:

- In our Student Management which hosts data externally with a third party and is secured in alignment with Commonwealth standards. The system is encrypted accordingly and secured with personalised user account passwords.
- For a period of time in hard copy archive, secured on site in locked cabinets.
- Periodically on Westbourne College systems and databases which are secured with individual user account passwords and user access privileges.
- On hard copy backup drives which are retained in the event of system failure or loss.
- Westbourne College will adopt a clear desk policy at close of business for documents containing personal information.
- Paper documents containing personal information which need to be destroyed will be sent for secure destruction with a commercial contractor.

We will retain personal information for as long as we are required to do so to conduct business activities in line with Commonwealth legislation or other legal requirements. This may include the retention of some personal information for up to 30 years.



As soon as your personal information or components of it are no longer required, and it is lawful to do so, Westbourne College will take all reasonable steps to destroy and/or de-identify the information.

### **Complaints**

If you have a complaint or concern about the way Westbourne College has managed or is managing

your personal information, you should direct this in writing to ‘Westbourne College Compliance’ electronically using [admin@westbournecollege.edu.au](mailto:admin@westbournecollege.edu.au) or via post to:

**Westbourne College  
20 Menai Road  
Woronora, Sydney, NSW 2232**

We will provide a response within 7 business days of receiving the grievance. If you do not receive a reply within this timeframe, please contact the **Westbourne College RTO Manager**.

### **Contact Information**

For all other privacy related enquiries, you can contact us on **1300 994 558**.  
or [admin@westbournecollege.edu.au](mailto:admin@westbournecollege.edu.au)

### **Review**

This policy was reviewed in January 2021 and will be reviewed periodically in line with internal Westbourne College procedure, or as required if further amendments to legislation occur.

### **Summary**

This policy relates to the operation of Westbourne College both as a business and a training company and the provision of services to you as a client. A copy of this policy is also available on our website at [Policies & Procedures - Westbourne College](#)

For further information on legislation and the APP’s please navigate to:

<https://www.oaic.gov.au/privacy/australian-privacy-principles-guidelines/>

**Note:** Please see the additional Privacy Notice and VET Data Use Statement from Schedule 1 and Schedule 2 of the [National VET Data Policy](#) . It is a requirement that RTO’s make the Schedule 1 Notice available to all VET students from 1 January 2021.

### **Inclusions**

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## Schedule 1

### Additional Privacy Notice for Students – NCVET

#### Why we collect your personal information

As a registered training organisation Westbourne College Pty Ltd, we collect your personal information so we can process and manage your enrolment in a vocational education and training (VET) course with us. If you do not provide the personal information required, we may not be able to offer you a training service with us.

#### How we use your personal information

We use your personal information to enable us to deliver VET courses to you, and otherwise, as needed, to comply with our obligations as an RTO.

#### How we disclose your personal information

We are required by law (under the *National Vocational Education and Training Regulator Act 2011* (Cth) (NVETRA Act)) to disclose the personal information we collect about you to the National VET Data Collection kept by the National Centre for Vocational Education Research Ltd (NCVER). The NCVER is responsible for collecting, managing, analysing and communicating research and statistics about the Australian VET sector.

We are also authorised by law (under the NVETRA Act) to disclose your personal information to the relevant state or territory training authority. We do not disclose any personal information to overseas recipients.

#### How the NCVER and other bodies handle your personal information

The NCVER will collect, hold, use and disclose your personal information in accordance with the law, including the *Privacy Act 1988* (Cth) (Privacy Act) and the NVETRA Act. Your personal information may be used and disclosed by NCVER for purposes that include populating authenticated VET transcripts; administration of VET; facilitation of statistics and research relating to education, including surveys and data linkage; and understanding the VET market.

The NCVER is authorised to disclose information to the Australian Government Department of Education, Skills and Employment (DESE), Commonwealth authorities, State and Territory authorities (other than registered training organisations) that deal with matters relating to VET and VET regulators for the purposes of those bodies, including to enable:

- administration of VET, including program administration, regulation, monitoring and evaluation
- facilitation of statistics and research relating to education, including surveys and data linkage
- understanding how the VET market operates, for policy, workforce planning and consumer information.

The NCVER may also disclose personal information to persons engaged by NCVER to conduct research on NCVER's behalf. The NCVER does not intend to disclose your personal information to any overseas

recipients. For more information about how the NCVER will handle your personal information please refer to the NCVER's Privacy Policy at [www.ncver.edu.au/privacy](http://www.ncver.edu.au/privacy).

If you would like to seek access to or correct your information, in the first instance, please contact your RTO using the contact details listed below. DESE is authorised by law, including the Privacy Act and the NVET Act, to collect, use and disclose your personal information to fulfil specified functions and activities. For more information about how the DESE will handle your personal information, please refer to the DESE VET Privacy Notice at <https://www.dese.gov.au/national-vet-data/vet-privacy-notice>.

If you are unable to access the DESE link, Westbourne College will provide you a hard copy on request from administration.

In some cases State or Territory government departments may also require and access some personal information, for the purpose of managing schemes including funded training initiatives. This does not currently apply with Westbourne College.

### **Surveys**

You may receive a student survey which may be run by a government department or an NCVER employee, agent, third-party contractor, or another authorised agency. Please note you may opt out of the survey at the time of being contacted.

### **Contact information**

At any time, you may contact *Westbourne College* to:

- request access to your personal information
- correct your personal information
- make a complaint about how your personal information has been handled
- ask a question about this Privacy Notice

#### **Westbourne College**

**20 Menai Road**

**Woronora, Sydney, NSW 2232**

[admin@westbournecollege.edu.au](mailto:admin@westbournecollege.edu.au)



## Schedule 2

### VET Data Use Statement

Under the *Data Provision Requirements 2012* and National VET Data Policy (which includes the National VET Provider Collection Data Requirements Policy at Part B), Registered Training Organisations are required to collect and submit data compliant with AVETMISS for the National VET Provider Collection for all Nationally Recognised Training. This data is held by the National Centre for Vocational Education Research Ltd (NCVER), and may be used and disclosed for purposes that include:

- populating authenticated VET transcripts
- administering VET, including program administration, regulation, monitoring and evaluation
- facilitating statistics and research relating to education, including surveys and data linkage
- understanding how the VET market operates, for policy, workforce planning and consumer information.

NCVER is authorised by the *National Vocational Education and Training Regulator Act 2011* (NVETR Act) to disclose to the following bodies, personal information collected in accordance with the Data Provision Requirements or any equivalent requirements in a non-referring State (Victoria or Western Australia), for the purposes of that body:

- a VET regulator (the Australian Skills, Quality Authority, the Victorian Registration and Qualifications Authority or the Training Accreditation Council Western Australia)
- the Australian Government Department of Education, Skills and Employment
- another Commonwealth authority
- a state or territory authority (other than a registered training organisation) that deals with or has responsibility for matters relating to VET.

NCVER may also disclose personal information to persons engaged by NCVER to conduct research on NCVER's behalf.

### RTO Declaration and Understanding

I declare that the information provided in this data submission is accurate and complete.

I understand that information provided in this data submission about client training and outcomes may appear on authenticated VET transcripts.

I understand that:

- information provided in this data submission will only be used, accessed, published and disseminated according to the [National VET Data Policy](#)
- if that information also includes personal information, the [Privacy Act 1988](#), the [Australian Privacy Principles](#) and the [National Vocational Education and Training Regulator Act 2011](#) regulate the collection, use or disclosure of personal information.

I understand that:

- information provided in this data submission may be used for the purposes outlined above, and



- identified RTO level information that supports consumer information (on My Skills for example), transparency and understanding of the national VET market may be published in reports, tables and a range of other data products, including data cubes and websites.

<b>Signature [or electronic acknowledgement]</b>	
<b>Date</b>	12 <sup>th</sup> of September 2022
<b>Name</b>	Robert Gillespie
<b>Position in RTO</b>	Principal CEO

**Note:**

Copies of this Privacy Notice should be printed out and be available at reception. A copy will also be sent online as part of online enrolment information. A copy will also be available on the Westbourne College website.