PRIVACY POLICY AND PROCEDURE

PURPOSE:
The purpose of this policy is to outline Evolve College’s approach to personal information and privacy, in accordance with the Australian Privacy Principles.

1. Who does this policy and procedure apply to?

This policy and procedure applies to all staff and students of Evolve College.

2. Policy Statement

The following overarching principles apply:

a) **(Compliance with Australian Privacy Principles)** Part of Evolve College’s commitment to providing a high level of care for our students and clients includes ensuring a high level of protection for any personal information we have on our records. We view the privacy of clients as an important part of our duty of care and we seek to comply with all elements of the **Australian Privacy Principles**.

b) **(Policy)** This privacy policy and procedure explains how we handle your personal information, including the collection, storage, use and disclosure of your personal information, as well as how you can access and change your information, provide us with feedback or make a complaint. Your personal information is readily available should you require any amendments to be made.

3. Definitions

In relation to personal and sensitive information:

a) **Personal Information** refers to information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

b) **Sensitive Information** is a subset of personal information and includes information pertaining to racial or ethnic origin, political opinions or membership of a political organisation, religious belief or affiliations, membership of a professional or trade association, sexual preferences or a criminal record. Sensitive information attracts additional privacy protections compared with other types of personal information.

4. Collection of information

The following applies:

a) **(Enrolment form)** When you enrol in a course at Evolve College, you will be asked to provide certain personal information as per the Enrolment Form, including:
   a. Your name, address, phone number and email contact details; and
   b. Your gender, date of birth and age.

   As part of your enrolment, you will also be asked to accept the terms of our Student Agreement.

b) **(Other People)** The following applies:
   a. We will try to collect your personal information directly from you. However, there may be instances where we will need to collect your information from other persons or entities. Whenever possible we will request this other person to have your signed consent or email giving your permission for them to provide us with your personal information. Exceptions may be if you suddenly take ill and are incapable of providing certain information which may be important for your study, such as if you have had a recent operation, illness or an implant and what medication you are taking.
b. If you have provided us with information about another person, then you will need to tell that person that you have done so, that they have a right to access their information and that they can refer to this policy for information on how we will handle their personal information.

5. How we store your personal information

The following applies:

a) (Storage) We will take all reasonable steps to ensure that your personal information is stored securely and is protected from misuse and loss from unauthorised access, modification or disclosure. Only staff with properly authorised access may see your personal information unless you consent to other disclosure or disclosure is required by law.

b) (Duration of storage) We will keep your personal information for as long as it is required to provide you with the services you requested from us and to comply with legal requirements. We are required by law to keep some information for up to 30 years. Other files may be retained for a lesser period, as required under the relevant legislation, regulations or Standards.

c) (Destruction of information) If we no longer require your personal information for any purpose, including legal purposes, we will take reasonable steps to securely destroy or de-identify your personal information.

d) (Your responsibility to correct) It is your responsibility to advise us should your personal details change so that your record is kept up to date. (See section 9, below.)

6. How we use your personal information

The following applies:

a) (Reasonably necessary) Evolve College only collects information that it considers reasonably necessary for or directly related to its functions as an RTO.

b) (Use of personal information) Personal information is used for purposes of the RTO’s functions. This may include the following (as a non-exhaustive list):

   a. For students, to:
      i. contact you about your study or any other matter in relation to the service provided to you;
      ii. answer your enquiries and resolve complaints;
      iii. provide you with information about any course you may have enrolled in or other service we provide;
      iv. satisfy legal requirements;
      v. perform administrative duties;
      vi. keep employers informed of employees’ progress in the course of study (if relevant); and
      vii. allow Evolve College to discharge its duty of care.

   b. For job applicants, staff and contractors, to:
      i. satisfy legal requirements;
      ii. satisfy insurance purposes;
      iii. perform administrative duties in relation to the employment; and
      iv. allow Evolve College to discharge its duty of care.

c) (How we collect) We may collect personal information through a variety of means including, without limitation, interviews, feedback surveys, email correspondence, telephone calls, third party information, our website, and application forms. We upload data we collect to our Student Management System.

d) (Credit cards) Credit card information is used only for payment processing and fraud prevention. This information is not used for other purposes and not retained by us.

e) (Anonymous data) Anonymous data is aggregated for mandatory reporting requirements, as required by the national VET Regulator, ASQA, and to improve our
customer support. If you complete a questionnaire or feedback form, you may do this anonymously and you will have an option to provide your name if you have questions or are seeking further information.

f) (Newsletter) When you register for a newsletter with us, you consent to us using your personal information to send you further information relevant to that newsletter (for an indefinite period), unless you have contacted us to withdraw your consent.

7. With whom we share your personal information

The following applies:

a) (No sharing with third parties unless by consent or law) We take seriously the trust you place in us and on no account will we sell, rent or lease your personal information to others. We will not share your personal information with any third party without your permission unless required by law enforcement action or subpoena. For example, we may be required to provide your personal information to the National VET Regulator, ASQA or in the case of an audit by ASQA. We may also be required to provide information about you to ASQA for RTO reporting purposes, if so required by ASQA.

b) (Disclosure) Personal information may be disclosed to anyone on an official basis to whom you have given written and signed consent to have access to this information (e.g. a solicitor, accountant or a person who has authority to act as your attorney). This could also include referees, any financial institution nominated by you (for example in a direct debit) or anyone else you request.

8. Access to your personal information

The following applies:

a) (Request for access) Once you have enrolled with Evolve College, you can request access to your personal information at any time by contacting us to make your request. If you believe that any information is incorrect or outdated, you may ask for a correction to be made. To request access, you should use the Students Records Access Form, available from the Student Services Team.

b) (Processing) A request for access will be processed within a reasonable time, usually less than a week for a straightforward request. More time may be needed, depending on the nature of the request.

c) (Fee) There is no fee for current students to request access to or correction of your personal information. There may be a fee associated with requesting duplicate or copies of records of results, statements of attainment or testamurs, in accordance with our Administration Fee Schedule, as set out in the Student Handbook.

d) (Verification) We will ask you for verification of your identity before giving you access to your personal information. At our discretion, we may request documents from you for this purpose and if so, you will need to satisfy our requests before we can grant access.

e) (No access) Access will not be provided to individuals’ information where:

   a. we no longer hold or use the information;
   b. providing access would have an unreasonable impact on the privacy of others;
   c. the request is vexatious or frivolous;
   d. providing access would be unlawful or prohibited by an Australian law or court order;
   e. the information relates to existing or anticipated legal proceedings;
   f. providing access would prejudice or be likely to prejudice the prevention, detection, investigation or prosecution of unlawful activity or any enforcement activity conducted by or on behalf of an enforcement body;
   g. providing access would reveal the intention of the RTO in relation to negotiations with the individual and would prejudice those negotiations;
h. disclosure would pose a threat to the life, health or safety of any individual,
or could pose a public health or safety risk;
i. disclosure would reveal commercially sensitive information or information in
relation to commercially sensitive decision making or processes.

f) (Refusal) If we refuse your request, we will tell you the reason why.

9. Correcting your personal information

The following applies:

a) (Your responsibility) We strive to keep your personal information accurate,
however, it is your responsibility to notify us when your details change. If you
believe any information we hold about you is inaccurate, incomplete or out-of-date,
you should contact us and following your authorisation we will change your
information.

b) (Verification of identity) To protect your privacy and security, we will take
reasonable steps to verify your identity, before granting access to your data. In some
cases we may ask you to put your request in writing.

10. Making a complaint

The following applies:

a) (Questions or concerns) You can contact us at any time if you have any questions
or concerns about this document or about how your personal information has been
handled.

b) (Our response) We value your comments and opinions. We will answer any
questions you may have, correct any error on our part or do our best to resolve any
complaint that you may have about our information handling practices.

c) (Complaint) Once you have contacted us in relation to your concerns, if you are
not satisfied with our response, or if you do not feel your complaint has been resolved,
you may lodge a complaint with our Administration office, using the Complaint and
Appeals Form, available from our Student Services Team.

11. Security of your personal information

The following applies:

a) (Limited access) We will take all reasonable steps to ensure that your personal
information is stored securely and is protected from misuse and loss and from
unauthorised access, modification or disclosure. Personal information is
maintained on our student management system, which is protected by password
access, and only authorised staff members have access. We limit access to personal
information to properly authorised staff within the organisation and take all
reasonable steps to ensure that those who do have access respect the privacy of
personal information that they are handling.

b) (Keeping of information) We keep your personal information for as long as it is
required to provide you with the products and services you requested from us and
to comply with legal requirements.