

POL-QA-04 Privacy Policy

GOVERNANCE

National Vocational Education and Training Regulator Act 2011
National Code 2018 – Standard 3 – Written Agreements

PURPOSE

Ironwood Institute collects information to meet its obligations under the Data Provision Requirements 2012 of [National Vocational Education and Training Regulator Act 2011](#) and [Education Services for Overseas Students \(ESOS\) Act 2000](#). Access to student records and student’s personal information may be given to identified Commonwealth and State Government Departments or other government agencies such as but not limited to Australian Skills Quality Authority ([ASQA](#)), Department of Home Affairs ([DOHA](#)) and Department of Education, Skills and Employment ([DESE](#)) and National Centre for Vocational Education Research ([NCVER](#)). The information can be disclosed without consent where authorized or required by Australian law. Ironwood will collect, hold, use, and disclose personal information in accordance with the [Privacy Act 1988](#) (Cth) as amended.

All students and staff have the right to access their personal file held by Ironwood and may also request that updates be made to information that is incorrect or out of date.

Ironwood Institute is committed to maintain the privacy and confidentiality of its personnel and participant records. Ironwood Institute complies with the Privacy Act 1988 including the 13 Australian Privacy Principles (APPs) as outlined in the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

Ironwood Institute manages personal information in an open and transparent way. This is evident in the implementation of practices, procedures, and the system we outline in this policy, that ensures our compliance with the APPs and any binding registered APP code as well as providing suitable procedures for Ironwood Institute personnel to be able to deal with related inquiries and complaints that may be received from time to time.

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

SCOPE

This policy and procedure apply to all prospective students, currently enrolled students, and past graduates at Ironwood Institute. It also applies to training and administration staff who are involved in its effective implementation.

DEFINITIONS

Personal information	<p>Personal information is defined under the Privacy Act as information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <ul style="list-style-type: none"> • whether the information or opinion is true or not, and • whether the information or opinion is recorded in a material form or not. <p>Some examples of personal information include names, addresses, phone</p>
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	<p>numbers and email addresses.</p> <p>The definition of personal information only relates to ‘natural’ persons. It does not extend to other ‘legal’ persons, such as companies.</p>
Sensitive information	<p>Under the Privacy Act, sensitive information is defined as:</p> <p>(a) information or an opinion about an individual’s:</p> <ul style="list-style-type: none"> i. racial or ethnic origin ii. political opinions iii. membership of a political association iv. religious beliefs or affiliations v. philosophical beliefs vi. membership of a professional or trade association vii. membership of a trade union viii. sexual orientation or practices, or ix. criminal record <p>that is also personal information; or</p> <p>(b) health information about an individual</p> <p>(c) genetic information about an individual that is not otherwise health information</p> <p>(d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification, or</p> <p>(e) Biometric templates</p>

POLICY PRINCIPLES

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

Purposes for information collection, retention, use and disclosure

Ironwood Institute retains a record of personal information about all individuals with whom we undertake any form of business activity. Ironwood Institute 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
- Day-to-day administration of Ironwood Institute
- Looking after student’s educational, social, cultural, and medical wellbeing
- Satisfying Ironwood Institute’s legal obligations and allow Ironwood Institute to discharge its duty of care
- Managing employee and contractor teams
- Promoting products and services
- Conducting internal business functions and activities; and
- Requirements of stakeholders.

As a registered training organisation, regulated by the Australian Skills Quality Authority, Ironwood Institute 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 are:

- Standards for NVR Registered Training Organisations 2012; and
- Data Provision Requirements 2012.
- Education Services for Overseas Students Act 2000 (ESOS) as amended

Aligned with these legislative requirements, Ironwood Institute may deliver services through a range of Commonwealth and State Government funding contract agreement arrangements, which also include various information collection and disclosure requirements. Individuals are advised that due to these legal requirements, Ironwood Institute discloses information held on individuals for valid purposes to a range of entities including:

- Governments (Commonwealth, State or Local)
- Service providers such as credit agencies and background check providers.

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; and
- Financial billing information.

The following types of sensitive information may also be collected and held:

- Identity details
- Employee details & HR information
- Complaint or issue(dispute) information
- Medical certificates
- Course progress and intervention records
- Disability status & other individual needs
- Indigenous status; and
- Background checks (such as National Criminal Checks or Working with Children checks).

How personal information is collected

Ironwood Institute's approach to collect personal information is to gather 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), the use of web-based systems (such as online enquiry forms, web portals or internal operating systems), face to face meetings and interviews, emails, and telephone calls.

Ironwood Institute does receive solicited and unsolicited information from third party sources in undertaking service delivery activities. This may include information from such as:

- Governments (Commonwealth, State or Local)
- Service providers such as education agents, credit agencies and background check providers.

How personal information is held

Ironwood Institute's approach to holding personal information always includes robust storage and security measures. Information on collection is:

- Stored in secure, password protected systems, such as financial systems, student management systems; and always 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.
- Ironwood Institute's systems are hosted internally with robust internal security to physical server locations and server systems access. 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 Ironwood Institute sites. Individual information held across systems is linked through Ironwood Institute's allocated identification number for everyone.

Retention and Destruction of Information

Ironwood Institute maintains a Retention and Disposal Schedule documenting the periods for which personal information records are kept.

Specifically for our RTO records, 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 Australian Skills Quality Authority, as required by law.

Accessing and seeking correction of personal information

Ironwood Institute confirms all individuals have a right to request access to their personal information held and to request its correction at any time. To request access to personal records, individuals are to contact:

Ironwood Institute Student Services

08-8227 0300 or 0451 122 062

studentsupport@ironwood.edu.au

Third parties, other than the individual, may request access to an individual's personal information. In all cases where access is requested, Ironwood Institute 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.

Complaints about a breach of the Australian Privacy Principles (APPs) or a binding registered APP code

If an individual feels that Ironwood Institute may have breached one of the APPs or a binding registered APP code, see Privacy Complaints Procedure below for further information.

Likely overseas disclosures

Ironwood Institute confirms that individuals' personal information is likely to be disclosed to overseas recipients, for internal business activity purposes. Likely overseas recipients include:

- Ironwood Institute Registered education agents
- Ironwood Institute debt collection agencies
- 'CLOUD' service provider
- An organisation for exchange programs

Any type of personal information held by Ironwood Institute (as listed above) may be included in these disclosures.

Making our APP Privacy Policy available

Ironwood Institute provides our APP Privacy Policy available free of charge, with all information being publicly available from the Privacy link on our website at www.ironwood.edu.au.

In addition, this APP Privacy Policy is:

- Prominently displayed at Ironwood Institute's premises.

- Noted within the text or instructions at all information collection points (such as informing individuals during a telephone call of how the policy may be accessed, in cases where information collection is occurring); and
- Available for distribution free of charge on request, as soon as possible after the request is received, including in any format requested by the individual as is reasonably practical.

If, in the unlikely event the APP Privacy Policy is not able to be provided in a particular format requested by an individual, we will explain the circumstances around this issue with the requester and seek to ensure that another appropriate method is provided.

Review and Update of this APP Privacy Policy

Ironwood Institute reviews this APP 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 at least an annual 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; and
- As a component of each complaint investigation process where the complaint is related to a privacy matter.

Where this policy is updated, changes to the policy are widely communicated to stakeholders through internal personnel communications, meetings, training, and documentation, and externally through publishing of the policy on the Ironwood Institute website and other relevant documentation (such as our Handbook) for clients.

Australian Privacy Principle 2 – Anonymity and pseudonymity

Ironwood Institute provides individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us in relation to a particular matter, whenever practical. This includes providing options for anonymous dealings in cases of general course enquiries or other situations in which an individuals' information is not required to complete a request.

Individuals may deal with us by using a name, term or descriptor that is different to the individual's actual name wherever possible. This includes using generic email addresses that do not contain an individual's actual name or generic usernames when individuals may access a public component of our website or enquiry forms.

Ironwood Institute only stores and links pseudonyms to individual personal information in cases where this is required for service delivery (such as system login information) or once the individual's consent has been received. Individuals are advised of their opportunity to deal anonymously or by pseudonym with us where these options are possible.

Requiring identification

Ironwood Institute 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

Ironwood Institute only collects personal information that is reasonably necessary for our business activities. We only collect sensitive information in cases where the individual consents to the sensitive information being collected, except in cases where we are required to collect this information by law.

All information we collect is collected only by lawful and fair means.

We only collect solicited information directly from the individual concerned unless it is unreasonable or impracticable for the personal information to only be collected in this manner.

Australian Privacy Principle 4 – Dealing with unsolicited personal information

Ironwood Institute may from time to time receive unsolicited personal information. Where this occurs, we promptly review the information to decide whether 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.

Where we could not have collected this information (by law or for a valid business purpose) we immediately destroy or de-identify the information (unless it would be unlawful to do so).

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

Whenever Ironwood Institute 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:

- Ironwood Institute 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
- 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
- Other organisations or persons to which the information is usually disclosed, including naming those parties
- Whether we are likely to disclose the personal information to overseas recipients, and if so, the names of the recipients and the countries in which such recipients are located.

Where possible, we ensure that the individual

- Confirms their understanding of this Privacy Policy, through signed declarations, website form acceptance of details or in person through questioning.
- Can access a link to this APP Privacy Policy on our website or explain how it may be accessed; and
- Provide Advice that this APP Privacy Policy contains information about how the individual may access and seek correction of the personal information held by us; and how to complain about a breach of the APPs, or any registered APP code, and how we will deal with such a complaint.

Collection from third parties

Where Ironwood Institute collects personal information from another organisation, we:

- Confirm whether the other organisation has provided the relevant notice above to the individual; or
- Whether the individual was otherwise aware of these details at the time of collection; and
- 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

Ironwood Institute 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; or
- 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 Ironwood Institute 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

Ironwood Institute 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; or
- 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; and
- We provide a simple method for the individual to request not to receive direct marketing communications (also known as 'opting out').

On each of our direct marketing communications, Ironwood Institute 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 Ironwood Institute discloses personal information about an individual to any overseas recipient, we undertake 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

Ironwood Institute 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; or
- As prescribed by regulations.

Australian Privacy Principle 10 – Quality of personal information

Ironwood Institute 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 when Ironwood Institute:

- Initially collects the personal information; and
- Uses or discloses personal information. Ironwood Institute takes steps to ensure personal information is factually correct. In cases where an opinion is used, Ironwood Institute will consider competing facts and views, and make 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 simple means to review and update their information on an ongoing basis through our online portal
- Reminding individuals to update their personal information at critical service delivery points 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; and
- Checking that a third party, from whom personal information is collected, has implemented appropriate data quality practices, procedures, and systems.

Australian Privacy Principle 11 — Security of personal information

Ironwood Institute takes active measures to consider whether we can retain the personal information we hold, and to ensure the security of the personal information we hold. This includes taking 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 Ironwood Institute administration offices and work areas is limited to Ironwood personnel only - visitors to our premises must be authorised by relevant personnel and are always accompanied. Regarding any information in a paper-based form, we maintain storage of records in an appropriately secure place to which only authorised individuals have access.

Regular staff training, and information bulletins are conducted with Ironwood Institute personnel on privacy issues, and how the APPs apply to our practices, procedures, and systems. Training is also included in our personnel induction practices.

We conduct ongoing internal audits (at least annually and as needed) of the adequacy and currency of security and access practices, procedures and systems implemented.

Australian Privacy Principle 12 — Access to personal information

Where Ironwood Institute 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 10 working days, when notifying our refusal to give access, including providing reasons for refusal in writing, and the complaint mechanisms available to the individual or
 - Within 20 working 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

Ironwood Institute 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; and
- 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
- Respond within 10 working days to these requests and
- Complete all actions free of charge.

Correcting Personal Information

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.

'Request for Records Access' Procedure

Individuals or third parties may at any stage request access to records held by Ironwood Institute relating to their personal information. The following procedure is followed on each individual request for access:

- A request for access is provided by the requester, with suitable information provided to be able to:
 - Identify the individual concerned
 - Confirm their identity; and
 - Identify the specific information that they are requesting access to.

This request may be in any form, or preferably using Ironwood Institute Records Access or Update Request Form.

- Upon receiving a request for access, Ironwood Institute then:
- Confirms the identity of the individual or party requesting access

- Confirms that this individual or party is appropriately authorised to receive the information requested
- Searches the records that we possess or control to assess whether the requested personal information is contained in those records; and
- Collates any personal information found ready for access to be provided.

Confirming identity

Ironwood Institute personnel must be satisfied that a request for personal information is made by the individual concerned, or by another person who is authorised to make a request on their behalf. The minimum amount of personal information needed to establish an individual's identity is sought, which is generally an individual's name, date of birth and last known address.

When meeting the requesting party in person, identification may be sighted. If confirming details over a telephone conversation, questions regarding the individual's name, date of birth, last known address or service details may be confirmed before information is provided.

Once identity and access authorisation is confirmed, and personal information is collated, access is provided to the requester within 20 working days of receipt of the original request. We will provide access to personal information in the specific manner or format requested by the individual, wherever it is reasonable and practicable to do so, free of charge. Where the requested format is not practical, we consult with the requester to ensure a format meets the requester's needs.

If the identity or authorisation access cannot be confirmed, or there is another valid reason why Ironwood Institute is unable to provide the personal information, refusal to provide access to records will be provided to the requester, in writing. Our notification will include reason(s) for the refusal, and the complaint mechanisms available to the individual. Such notifications are provided to the requester within 20 working days of receipt of the original request.

'Request for Records Update' Procedure

Individuals or third parties may at any stage request that their records held by Ironwood Institute relating to their personal information be updated. The following procedure is followed on each individual request for records updates:

- A request for records update is provided by the requester, with suitable information provided to be able to:
 - Identify the individual concerned
 - Confirm their identity; and
 - Identify the specific information that they are requesting be updated on their records. This request may be in any form, or preferably using Ironwood Institute Records Access or Update Request Form.
- Upon receiving a request for records update, Ironwood Institute then:
 - Confirms the identity of the individual or party to whom the record relates
 - Searches the records that we possess or control to assess whether the requested personal information is contained in those records; and
 - Assesses the information already on record, and the requested update, to determine whether the requested update should proceed.

Assessing Update

Ironwood Institute personnel assess the relevant personal information we hold, and the requested updated information, to determine which version of the information is considered accurate, up-to-date, complete, relevant, and not misleading, having regard to the purpose for which it is held.

This may include checking information against other records held by us, or within government databases, to complete an assessment of the correct version of the information to be used.

- Once identity and information assessment is confirmed, personal information is:
 - Updated, free of charge, within 10 working days of receipt of the original request and
 - Notified to any third parties of corrections made to personal information if this information was previously provided to these parties.

If the identity of the individual cannot be confirmed, or there is another valid reason why Ironwood Institute is unable to update the personal information, refusal to update records will be provided to the requester in writing, free of charge, within 10 working days. Our notification will include the reasons for the refusal and the complaint mechanisms available to the individual.

Upon request by the individual whose correction request has been refused, we will also 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. This statement will be applied, free of charge, to all personal information relevant across Ironwood Institute systems within 20 working days of receipt of the statement request.

Privacy Complaints Procedure

If an individual feels that Ironwood Institute has breached its obligations in the handling, use or disclosure of their personal information, they may raise a complaint. Ironwood Institute encourages individuals to discuss the situation with their representative in the first instance, before making a complaint.

The complaints handling process is as follows:

The individual should make the complaint including as much detail about the issue as possible, in writing to Ironwood Institute:

Ironwood Institute student administration
Email: studentsupport@ironwood.edu.au
Level 3, 112 Rundle Mall, Adelaide 5000, or
PO Box 3440, Rundle Mall, Adelaide 5000

Ironwood Institute will investigate the circumstances included in the complaint and respond to the individual as soon as possible (and within 20 working days) regarding its findings and actions following this investigation.

Should after considering this response, if the individual is still not satisfied, they may escalate their complaint directly to the Information Commissioner for investigation:

Office of the Australian Information Commissioner
www.oaic.gov.au
Phone: 1300 363 992

When investigating a complaint, the OAIC will initially attempt to conciliate the complaint, before considering the exercise of other complaint resolution powers.

Alternatively, if the complaint relates to a non-privacy matter, or should individuals choose to do so, a complaint may also be lodged with the ASQA complaints handling service for complaints against RTOs:

Australian Skills Quality Authority
Phone: 1300 701 801
www.asqa.gov.au

Notifiable Data Breach

In the event of a potential breach incident Ironwood Institute will ensure:

- The potential breach incident is assessed

- All individuals affected will be notified about the breach within 30 days if there is suspicion of serious harm
- Individuals affected will be advised about what steps they should take in response
- If after the assessment it is determined that a Notifiable Data Breach has occurred, this will be reported to the Australian Information Commissioner

IRONWOOD INSTITUTE RESPONSIBILITIES

CEO/Delegate – for Authorisation

Marketing Manager/Student Services Officer – for dissemination