

### 1. Purpose of Policy

Tec-NQ is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. This statement outlines the privacy policy of Tec-NQ and describes how it uses and manages personal information provided to or collected by it.

### 2. Scope

The policy applies to board members, employers, employees, volunteers, parents/guardians and students, contractors, and people visiting the school site.

### 3. Policy Statement

#### Collection of Personal Information

We usually collect personal information (including sensitive information) from you or your authorised representative when we are engaging in activities such as enrolments, processing of assessments, recruitment, marketing campaigns, financial transactions and government reporting under the Privacy Act. We sometimes collect personal information from a third party to enable us to process an activity on your behalf or to meet regulatory reporting requirements for government departments.

We also collect personal information through our websites and social networking services such as Facebook and LinkedIn. We use this information to improve our website and receive feedback from the community.

#### Disclosure

We disclose relevant information to meet regulatory reporting requirements for government departments. We will only disclose information to a third party with your consent i.e. parent for student under the age of 18 years.

We don't disclose sensitive information about you unless you agree, or would reasonably expect us to.

#### Accessing and correcting your personal information

If you ask, in most cases we must give you access to the personal information that we hold about you, and take reasonable steps to correct it if we consider it is incorrect. We will try to make the process as simple as possible.

#### How to make a complaint

Any breach of privacy must be reported in accordance with the Tec-NQ Complaints and Appeals Policy and Procedure.

### 4. Legislation

- Privacy Act 1988 (Cwth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)
- Further Education and Training Act 2014 (Qld)
- Further Education and Training Regulation 2014 (Qld)
- National Vocational Education and Training Regulator Act 2011 (Cwth)
- Standards for Registered Training Organisations (RTOs) 2015. (Cwth)
- Education (Accreditation of Non-State Schools) Act 2017 (Qld)
- Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)
- Student Identifiers Act 2014 (Cwth)

- Student Identifiers Regulation 2014 (Cwth)
- Spam Act 2003 (Cwth)
- Do Not Call Register Act 2006 (Cwth)

### **5. Related Documents**

- Privacy Register
- Standard Collection Notices
- Unique Student Identifier Privacy Notice
- Enrolment Form
- Tec-NQ website
- Information Technology Policy
- Privacy Workflow
- Employment Collection Notice
- Complaints and Appeals Policy and Procedure
- Records Management Policy and Procedure
- Closed Circuit Television Policy
- Image Release Form
  - Harassment and Bullying Policy and Procedure
  - Request for Recruitment Form
  - Staff Code of Conduct Policy and Procedure
  - Student Code of Conduct Policy and Procedure
  - Recruitment and Selection Policy and Procedure
  - Student Refund and Cancellation Policy and Procedure
  - Sexual Harassment and Discrimination Policy and Procedure
  - Student Refund Request Form
  - Marketing Request Form
  - Marketing Checklist
  - Privacy Notice NCVER
  - Digital Marketing Policy and Procedure
  - Media Policy and Procedure
  - Short Course Selection Recruitment and Enrolment Procedure
  - Marketing Policy and Procedure
  - New Employee onsite induction checklist
  - Third Party Agreement
  - School Enrolment and ASBA Sign Up Policy and Procedure
  - Student Enrolment Policy and Procedure
  - Conflict of Interest Policy and Procedure
  - Incident Management Procedure
  - Access and Equity Policy and Procedure
  - Fit for Work Policy and Procedure

### **6. Publication**

Distributed to all staff, students and parents via Tec-NQ website and DMS.

### **7. Policy Release Details**

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Recommended by: Demi Scarfone, Human Resources Advisor  
Approved by: FAR Committee, Board  
Approval Date: 26/03/2021  
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## Privacy

### 1. Personal Information we may collect

Tec-NQ collects personal information that is reasonably necessary for, or directly related to, its functions and activities pursuant to the Privacy Act. When used in this Privacy procedure, the term "personal information" has the meaning given to it in the Privacy Act. In general terms, it is any information that can be used to identify you whether or not the information is true. If the information we collect identifies you, or your identity can be reasonably ascertained from it, the information will be considered personal information.

The type of personal information we may collect includes, but is not limited to:

- name;
- mailing and/or street address;
- email address;
- telephone contact number;
- facsimile number;
- age and/or birth date;
- sensitive information as defined by the Privacy Act (such as information about your country of birth);
- the products and services you have obtained or which you have enquired about, together with any additional information necessary to deliver those products and services and to respond to your enquiries;
- city or town of birth;
- gender;
- any additional information relating to you that you provide to us directly through our websites or indirectly through use of our websites, through our representatives or otherwise; and
- information you provide to us through our service centre or customer surveys.

We may collect information in the following ways:

- directly from you via information provide on our website;
- directly from you via conversations between you and Tec-NQ via phone or in person;
- through written correspondence both in hard and electronic format.

We may also collect information about you from third parties, such as:

- government agencies such as Department of Education.

Collection of personal information from a third party or a private source will only be carried out by Tec-NQ if you consent or if Tec-NQ is required or authorised to collect the information under an Australian law, or a court/tribunal order; or if it is reasonable or practicable for us to collect information in this way.

In limited circumstances Tec-NQ may receive personal information about third parties from individuals who contact us or supply us with personal information belonging to others in the documents they provide. This is referred to as 'unsolicited personal information'. In these circumstances

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we will consider whether Tec-NQ could have collected the information had it solicited the information, and will handle it in accordance with the Privacy Act.

### 2. Compliance

#### **Privacy Audit**

Tec-NQ will conduct its Privacy Audit on a six monthly basis to ensure compliance, rectification and early intervention (if required). The Audit will also include a compliance check of actual practices to ensure procedural implementation. All rectification actions will then be recorded on the Privacy Register.

#### **Review of Privacy Policy and Procedures**

Tec-NQ will review on an annual basis its Privacy Policy, and Procedures and any related documents i.e. collection processes and notices. At that time a review will be conducted of other legislation affecting Tec-NQ which may link to the Privacy Policy and Procedure.

#### **Breaches of Privacy practices**

Tec-NQ will identify and monitor for instances whether systemic or by particular individuals of unfair, unlawful or unreasonably intrusive collections.

If you believe that we have breached your privacy, please contact us and provide details of the incident so that we can investigate it.

### 3. Sharing and Disclosing Information

#### **Information and handling practices**

Please refer to the Privacy workflow as to how we will deal with information handling practices.

#### **Why Tec-NQ collects, uses and discloses personal information**

We collect personal information about you so that we can perform our functions and activities and to provide the best possible quality of customer service.

We collect, hold, use and disclose your personal information to:

- identify you;
- process your application for a Tec-NQ enrolment/employee application;
- resolve problems with any aspect of Tec-NQ operations;
- create an authenticated Vocational Education Training (VET) transcript;
- generally provide services to you and to send communications requested by you;
- answer enquiries and provide information or advice about existing and new services;
- provide you with access to protected areas of our website;
- assess the performance of the website and to improve the operation of the website;
- conduct business processing functions;
- update our records and keep your contact details up-to-date;
- process and respond to any complaint made by you;
- conduct planning, product or service development; program evaluation; quality control and research for the purposes of Tec-NQ;

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- comply with any Australian law; orders of courts or tribunals; any rule, regulation, lawful and binding determination, decision or direction of a regulator; or in co-operation with any governmental authority of any country (or political sub-division of a country); and
- ensure that your education records are updated correctly so that you are credited with all your achievements via Queensland Curriculum and Assessment Authority.

### **Who we may disclose your information to**

Please refer to the Third Party Contractor section within this policy.

## **4. Access and correction of information**

### **Request for information**

All requests for information must be made in writing via an Information Request/Correction Permission Form which is available at reception or on the Tec-NQ website. Upon verification of the authenticity of the requesting person i.e. production of photo identification such as a Drivers Licence, the relevant Executive Management Team Manager that the request for information relates to will decide if the information is to be released for example, school or RTO. It is important to note that all Human Resources, Safety (including child safety) and Finance information requests must be approved by the EMT. Once the form is received by Tec-NQ a response to the request for information will be made within 30 days. The response will indicate whether release of the information has been approved/denied and the reasons for the decision. Requests for information will be recorded on the Request for Information Database. Denials of any requests for access will also be included on this Request for Information Database.

In the unlikely event that we do not agree that there are grounds for supply of the information, we will give you written notice of the reasons for the refusal within 30 days of receipt of your request, together with information about mechanisms available to seek review if you do not agree with our decision.

We will not charge you for providing the information to you.

### **Correction of information**

All requests for information must be made in writing via an Information Request/Correction Permission Form which is available at reception or on the Tec-NQ website. Once the form is received by Tec-NQ a response to the request to correct information will be made within 30 days. The response will indicate whether a correction has been approved/denied and the reasons for the decision.

Requests for correction of information will recorded on the Request for Information Database. Tec-NQ will notify third party contractors of information requiring updating as per the correction of information. Tec-NQ employees will assess at the time of using information as to whether that information is inaccurate, out of date, incomplete or misleading. In the unlikely event that we do not agree that there are grounds for amendment, we will give you written notice of the reasons for the refusal within 30 days of receipt of your request, together with information about mechanisms available to seek review if you do not agree with our decision.

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We will not charge you for the costs of making any corrections to your personal information.

### **Process for ensuring information is correct at time of using information**

Tec-NQ will on an annual basis organise for reconfirmation of information held for current students and employees to ensure that information is correct at the time of using the information.

### **Parental Rights (if apprentice under 18 years of age)**

Tec-NQ respects every Parent's right to make decisions concerning their child's education.

Generally, Tec-NQ will refer any request for consent and notices in relation to the personal information of an apprentice to the apprentice's Parents. Tec-NQ will treat consent given by Parents as consent given on behalf of the apprentice, and notice to Parents will act as notice given to the apprentice.

Parents may seek access to personal information held by Tec-NQ about them or their child. The request must be made in writing via an Information Request/Correction Permission Form which is available at reception or on the Tec-NQ website. However, there will be occasions when access is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of Tec-NQ's duty of care to the apprentice.

Tec-NQ may, at its discretion, on the request of an apprentice grant that apprentice access to information held by the College about them, or allow a apprentice to give or withhold consent to the use of their personal information, independently of their parents. This would normally be done only when the maturity of the apprentice and/or the apprentice's personal circumstances so warranted (for example, if the apprentice was over 16 years of age and living independently).

## **5. Marketing material**

### **Direct Marketing**

This section provides clarification of direct marketing practices for contact with individuals who have not previously had a relationship with Tec-NQ. Tec-NQ on an as needs basis engages in direct marketing practices which include:

- Mail;
- Telephone;
- Email or
- SMS.

For example, a campaign to boost enrolments is a direct marketing activity.

Tec-NQ will adhere to the following principles:

- Tec-NQ will not use sensitive information unless authorisation is received from that individual; and
- Tec-NQ electronic communications will contain a Direct Marketing Opt-out paragraph.

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This section is not intended to cover communications with existing students or employers.

### **Other marketing material**

Tec-NQ on a regular basis distributes marketing collateral to promote courses and Tec-NQ itself. This collateral includes:

- Prospectus;
- Course flyers;
- Newspaper, TV and radio advertisements;
- Advertising on public transport.

Tec-NQ will not use sensitive information unless authorisation is received from that individual.

## **6. Exemptions in the Privacy Act that apply**

### **Employee Records**

Employee records directly relating to the employment relationship for current or former employees of Tec-NQ are exempt from the provisions of the Privacy Act.

## **7. Collection Notices**

Standard Collection notices will be provided in the following manner:

- At the commencement of enrolment for Year 10 or 11 (whichever comes first), students and parents will be provided with a Standard Collection Notice, Privacy Notice (NCVER) and Unique Student Identifier Privacy Notice to sign.
- Students transitioning from Year 11 to Year 12 will be provided with a Standard Collection Notice, Privacy Notice (NCVER) and Unique Student Identifier Privacy Notice to sign indicating reconfirmation of their consent.
- Full time apprentices will be provided with a Standard Collection Notice, Privacy Notice (NCVER) and Unique Student Identifier Privacy Notice at the commencement of their apprenticeship and a Standard Collection Notice on a yearly basis thereafter.

Prospective employees will be provided with a Standard Collection Notice upon receipt of position application. Further, a Sensitive Information Collection notice is to be used in specific circumstances where sensitive information is collected. This section covers specific privacy elements that require more detailed authorisation from individuals detailed in Section 12.1 for example consent to use photographic images on marketing materials and the Tec-NQ website.

## **8. Privacy - website**

Tec-NQ will ensure that the privacy of information contained on the Tec-NQ website is adhered to in the following ways:

- Privacy Policy on the website;
- Process for complaints on the website;
- Adequate passwords for sensitive information;
- Ensure firewalls are maintained and current; and
- Consent obtained of individual's whose information or images are on the Tec-NQ website.

## **9. Privacy Register**

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The Privacy Officer will maintain a Privacy Register which will monitor and record the following information:

- Personal and sensitive information types collected for students, parents and employees;
- Breaches of collection;
- Direct and indirect information types collected;
- Solicited and unsolicited information types collected; and
- Responses to requests.

### **10. Staff training**

Tec-NQ employees will be provided with Privacy Policy training upon commencement and on an annual basis. Employees will also be provided with training if there is any changes to the Privacy legislation on an as needs basis.

### **11. Complaints**

Any complaints pertaining to a breach of privacy must be reported in accordance with the Tec-NQ Complaints and Appeals Policy and Procedure.

If you are not happy with the response provided by Tec-NQ, you can make a complaint to the Office of the Australian Information Commissioner (OAIC).

### **12. Information Technology**

The IT Policy specifies security measures with respect to computer, email and Internet use.

Any Privacy breaches will be thoroughly investigated and rectifications put in place. Major breaches of private information such as confidential student details being accessed by unauthorised parties would be reported to the Office of the Australian Information Commissioner (OAIC). No confidential information is stored on the Tec-NQ website. However the site is secured by SSL encryption.

Students, employees and contractors (when required) are provided with a copy of the IT Policy and acknowledge that they have read it.

Tec-NQ has a Closed Circuit Television Policy. Students and parents are advised of this policy within the Student Handbook and IT Declaration Form. Employees are notified within their Employment Contracts. In addition signs are displayed prominently throughout the campus advising of the use of CCTV.

All company laptops are password protected to ensure the privacy of information offsite.

### **13. Records Management**

Please refer to Tec-NQ's Record Management Policy and Procedure in relation to management of records.

### **14. Third Party Contractors**

The third parties we may disclose your personal information to include, but are not limited to:

- Medical Practitioners;
- People providing services to Tec-NQ;
- Parent/Guardians (if apprentice is under 18 years of age);
- Employers of Apprentices;
- Anyone the individual authorises Tec-NQ to disclose information to

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- Organisations that conduct drug and alcohol testing on behalf of Tec-NQ;
- Government agencies such as Department of Education;
- Commonwealth and State government departments and agencies, Boards of Study, specified VET-related bodies including the National Centre for Vocation Education Research for:
  - the purposes of administering and auditing Vocational Education and Training (VET), VET providers and VET programs;
  - education related policy and research purposes; and
  - to assist in determining eligibility for training subsidies.
- VET Regulators to enable them to perform their VET regulatory functions;
- VET Admission bodies for the purposes of administering VET and VET programs;
- current and former registered training organisations to enable them to deliver VET courses to you, to meet their reporting obligations under the VET standards and government contracts and assist in determining eligibility for training subsidies;
- schools for the purposes of delivering VET courses to you and reporting on these courses;
- the National Centre for Vocational Education Research for the purpose of the Registrar creating authenticated VET transcripts;
- researchers for education and training related research purposes;
- any other person or agency that may be authorised or required by law to access the information; and
- any organisation for any authorised purpose with your express consent.

Your personal information will not be shared or disclosed other than as described in this Privacy Procedure without your consent.

### **15. Job applicants**

The purposes for which Tec-NQ uses personal information of job applicants include:

- assessing suitability of an individual for a position or contract and in administering the individual's employment contract, as the case may be;
- to satisfy Tec-NQ's legal obligations, for example, in relation to child protection legislation and ASQA compliance.

### **16. Fundraising Activities**

Tec-NQ from time to time engages in fundraising activities. Information received from you may be used to make an appeal to you. Tec-NQ may disclose information to organisations that assist in Tec-NQ's fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.

### **17. Financial**

Tec-NQ will comply with the Australian Privacy Principles in relation to use of personal financial information as follows:

- Open and transparent management of credit related personal information.

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Tec-NQ will only provide information to a person authorised to receive that information. Tec-NQ will ensure that verification of the identity of the individual is established prior to providing information.

- Collection of information;

Tec-NQ will only collect information that directly relates to its business operations i.e. financial transactions;

- Use and disclosure of information;

Tec-NQ will only disclose information with the permission of the individual who the information relates to or unless required by legislation.

- Quality/correction of information;

Tec-NQ will consider any requests for corrections/amendments as per this Privacy Procedure.

- Security of information;

All information stored by Tec-NQ will be password protected in its electronic form or kept within a locked filing cabinet in its hardcopy form.

- Access to information;

Tec-NQ will consider any requests for access to information as per this Privacy Procedure.

### **18. Security Practices**

Once Tec-NQ receives information from you, the information is maintained in a secure environment. Your personal information will not be released unless the law permits it or your permission is granted.

We take reasonable steps to ensure your personal information is protected from misuse, loss and from unauthorised access, modification or disclosure. We may hold your information in either electronic or hard copy form. Personal information is destroyed or de-identified when no longer needed in accordance with the requirements of the Records Management Policy and Procedure.

However, as our website is linked to the internet, and we cannot provide assurance regarding the security of transmission of information you communicate to us. We also cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet. Any personal information or other information which you send to us is transmitted at your own risk.

Our website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website. Third party websites are responsible for informing you about their own privacy practices. Tec-NQ encourages you to examine each website's privacy policy.

If you have concern in this regard, Tec-NQ has other ways of obtaining and providing information (e.g. mail, telephone and facsimile facilities are available).

Tec-NQ has a responsibility to ensure that all records are securely held, that they are only accessed by those staff who have a need to do so and that they are available for review and correction by the persons who provided the information. This requirement extends to:

- Information which it collects from apprentices, parents, employers or staff.

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- Confidential information obtained by the College, its committees or individuals or other organisations acting on behalf of the College.
- Records associated with any contractual, legal or accreditation requirements, which may from time to time apply to the College.

### 19. **Closed Circuit Television Systems**

Tec-NQ premises utilise a closed circuit television system. This system is used for security and safety purposes. Signage is located on buildings at the Discovery Drive Douglas site, Eyre Street North Ward site, Mulgrave Street Cairns site and the Mackay Christian College and Bowen Road Rosslea site indicating the use for CCTV. For further information please refer to the Tec-NQ CCTV Policy and Procedure.

### 20. **Unsolicited Information**

Tec-NQ will keep a register of information that is deemed to be unsolicited information. Upon determination of unsolicited information being received that could have been obtained from the individual to whom the information relates to then the information will be destroyed within 30 days of receipt of information.

### 21. **RTO Specific Privacy Processes**

Please refer to the Department of Industry for privacy information regarding the Unique Student Identifier at [Student Identifiers Registrars Privacy Policy](#).

### 22. **Definitions**

#### **Australian Privacy Principles (APP)**

The Australian Privacy Principles are a set of minimum standards which relate to the collection, security, storage, use, correction and disclosure of personal information. Thirteen (13) specific areas are covered by this legislation.

#### **Sensitive information**

Sensitive information refers to:

- racial or ethnic origin;
- political opinions;
- religion;
- trade union or other professional or trade association membership;
- criminal record, that is also personal information; and
- health information.

### 23. **Australian Privacy Principles**

#### **APP 1: Open and transparent management of personal information**

Tec-NQ must take such steps to implement practices, procedures and systems that will:

- (a) ensure that we comply with the APPs;
- (b) ensure we manage personal information in an open and transparent way
- (c) ensure we deal with inquiries or complaints from individuals about our compliance with the APPs.

#### **APP 2: Anonymity and pseudonymity**

Individuals must have the option of not identifying themselves or using a pseudonym when dealing with an organisation unless:

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- (a) the organisation is required or authorised by law to deal with individuals who have identified themselves; or
- (b) it is impractical to deal with individuals who have not identified themselves.

### **APP 3: Collection of solicited personal information**

The APPs now differentiate between solicited personal information and unsolicited personal information.

'Solicited information' is information that we have asked the individual or a third party to provide. We must not collect solicited personal information (including sensitive information) unless the information is reasonably necessary for one or more of its functions or activities.

### **APP 4: Dealing with unsolicited personal information**

- (a) If Tec-NQ receives unsolicited information it must within a reasonable period determine whether it could have collected that information under APP 3.
- (b) If it determines that it could not have collected the information under APP 3 it must, if lawful and reasonable to do so, destroy or de-identify the information.

### **APP 5: Notification of the collection of personal information**

At or before the time (or, if not practicable, as soon as practicable after) Tec-NQ collects personal information about an individual from the individual, Tec-NQ must take such steps (if any) as are reasonable in the circumstances to notify or make the individual aware of such of the following matters that are reasonable in the circumstances:

- (a) Tec-NQ's identity and contact details;
- (b) if the individual may not be aware that the information has been collected, the fact that it has been collected and the circumstances of the collection;
- (c) if collected under or authorised by law, the fact that the collection is so required or authorised (including details of the law requiring or authorising collection);
- (d) the purposes for which it is collected;
- (e) the main consequences if it is not collected;
- (f) any other entities or types of entities to whom the information may be disclosed;
- (g) that the Privacy Policy contains information about how an individual can access and seek correction of information;
- (h) that the Privacy Policy sets out how complaints may be made, how an individual may complain about a breach of their privacy and how the complaint may be dealt with; and
- (i) whether information is likely to be disclosed overseas and, if so, to which countries, if practicable to specify.

### **APP 6: Use or disclosure of personal information**

Tec-NQ will not use or disclose personal information about an individual other than in specified circumstances including:

- (a) for the primary purpose for which it was collected;
- (b) with the individual's consent;

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- (c) for a secondary purpose which is related to the primary purpose of collection (or directly related in the case of sensitive information), and which the individual would reasonably expect;
- (d) where required or authorised by or under law;
- (e) where Tec-NQ reasonably believes that the use or disclosure is necessary to prevent threats to life, health or public safety;
- (f) where Tec-NQ has reason to suspect that unlawful activity or misconduct of a serious nature relating to its functions or activities has been engaged in and the use or disclosure is necessary in order for it to take appropriate action;
- (g) where Tec-NQ reasonably believes the use or disclosure is reasonably necessary to assist with locating a person reported as missing.

### **APP 7: Direct marketing**

Tec-NQ must not use or disclose personal information it holds for the purpose of direct marketing, unless:

- (a) it collects the information from the individual;
- (b) the individual would reasonably expect Tec-NQ to use or disclose the information for direct marketing; and
- (c) there is a simple means by which the individual can request not to receive direct marketing, of which the individual has not availed him or herself.

If we use or disclose personal information for the purpose of direct marketing the relevant individual may request:

- (a) not to receive direct marketing communications;
- (b) that their personal information not be used by or disclosed to other entities for the purpose of facilitating direct marketing; and
- (c) to be provided with the source of the information received (unless it is impracticable or unreasonable to do so).

Sensitive information may not be used or disclosed for the purpose of direct marketing unless the individual has consented. Instruments such as the Spam Act 2003 (Cth) and Do Not Call Register Act 2006 (Cth) will displace the requirements of APP 7.

### **APP 8: Cross-border disclosure of personal information**

If we disclose the personal information of an individual to a person outside Australia (other than internally or to the individual themselves) it must take reasonable steps to ensure that the overseas recipient does not breach the APPs.

Please note that Tec-NQ does not disclosed information to overseas entities.

### **APP 9: Adoption, use or disclosure of government related identifiers**

APP 9 requires that identification devices provided by a government agency, such as a Medicare number, a Social Security number, a drivers licence number or a tax file number, cannot be:

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- (a) adopted by Tec-NQ as its own identifier to identify an individual unless required or authorised by law; and
- (b) used or disclosed unless it is reasonably necessary to verify identification of the individual or to fulfil its obligations to an agency or State or Territory authority.

### **APP 10: Quality of personal information**

We must take reasonable steps to ensure that personal information that we:

- (a) collect is accurate, complete and up-to-date; and
- (b) use or disclose is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant.

### **APP 11: Security of personal information**

Tec-NQ will take reasonable steps to protect personal information it holds from misuse, interference, loss and unauthorised access, modification or disclosure.

Where personal information is no longer required for an authorised purpose, Tec-NQ will take reasonable steps to destroy or permanently de-identify the personal information.

### **APP 12: Access to personal information**

Tec-NQ must on request provide the individual with access to his or her own personal information. However, there are some exceptions, including where:

- (a) Tec-NQ reasonably believe that providing access would pose a serious threat to the life, health or safety of any individual, or to public health or safety;
- (b) this would unreasonably impact on the privacy of other individuals;
- (c) the request is frivolous or vexatious;
- (d) the information relates to existing or anticipated legal proceedings between the parties, and the information would not be accessible through discovery;
- (e) access would reveal the intentions of Tec-NQ in relation to negotiations with the individual in such a way as to prejudice those negotiations;
- (f) this would be unlawful;
- (g) denying access is required or authorised by or under law;
- (h) Tec-NQ has reason to suspect that unlawful activity or misconduct of a serious nature that relates to its functions or activities has been engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter;
- (i) providing access is likely to prejudice enforcement related activities conducted by or on behalf of an enforcement body;
- (j) providing access is likely to reveal evaluative information generated within Tec-NQ in connection with commercially sensitive decision-making processes.

Tec-NQ must respond to the request within a reasonable period after the request is made, and give access to the information in the manner

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requested by the individual where it is reasonable and practicable to do so.

Where access is denied, Tec-NQ will take such steps (if any) as are reasonable in the circumstances to give access in a way that meets the needs of Tec-NQ and the individual.

Where access is desired, Tec-NQ may consider whether the use of mutually agreed intermediaries would allow sufficient access. Tec-NQ will not charge excessive fees for providing access.

Where access is denied, Tec-NQ will give written notice of the reasons for refusal (except where unreasonable to set that out) and the mechanisms available to complain about the refusal.

### **APP 13: Correction of personal information**

If Tec-NQ holds personal information and either:

- (a) Tec-NQ is satisfied that, having regard to a purpose for which the information is held, the information is inaccurate, out-of-date, incomplete, irrelevant or misleading; or
- (b) the individual requests the entity to correct the information, Tec-NQ will take such steps (if any) as are reasonable in the circumstances to correct that 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.

If Tec-NQ corrects personal information about an individual that we previously disclosed to another entity and the individual requests that other entity be notified of the correction, then Tec-NQ will take such steps (if any) as are reasonable in the circumstances to give that notification, unless it is impracticable or unlawful to do so.

Where correction is denied, Tec-NQ will give written notice of the reasons for refusal and the mechanisms available to complain about the refusal. If a request is made, Tec-NQ will respond to the request within a reasonable period after the request is made, and will not charge the individual for making the request, for correcting the information or for associating the statement with the information.

## **24. Legislation**

- Privacy Act 1988 (Cwth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)
- Further Education and Training Act 2014 (Qld)
- Further Education and Training Regulation 2014 (Qld)
- National Vocational Education and Training Regulator Act 2011 (Cwth)
- Standards for Registered Training Organisations (RTOs) 2015. (Cwth)
- Education (Accreditation of Non-State Schools) Act 2017 (Qld)
- Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)
- Student Identifiers Act 2014 (Cwth)
- Student Identifiers Regulation 2014 (Cwth)
- Spam Act 2003 (Cwth)
- Do Not Call Register Act 2006 (Cwth)

## **25. Related Documents**

- Privacy Register
- Standard Collection Notices

# PROCEDURE

## Privacy

- Unique Student Identifier Privacy Notice
- Enrolment Form
- Tec-NQ website
- Information Technology Policy
- Privacy Workflow
- Employment Collection Notice
- Complaints and Appeals Policy and Procedure
- Records Management Policy and Procedure
- Closed Circuit Television Policy
- Image Release Form
  - Harassment and Bullying Policy and Procedure
  - Request for Recruitment Form
  - Staff Code of Conduct Policy and Procedure
  - Student Code of Conduct Policy and Procedure
  - Recruitment and Selection Policy and Procedure
  - Student Refund and Cancellation Policy and Procedure
  - Sexual Harassment and Discrimination Policy and Procedure
  - Student Refund Request Form
  - Marketing Request Form
  - Marketing Checklist
  - Privacy Notice NCVER
  - Digital Marketing Policy and Procedure
  - Media Policy and Procedure
  - Short Course Selection Recruitment and Enrolment Procedure
  - Marketing Policy and Procedure
  - New Employee onsite induction checklist
  - Third Party Agreement
  - School Enrolment and ASBA Sign Up Policy and Procedure
  - Conflict of Interest Policy and Procedure
  - Incident Management Procedure
  - Access and Equity Policy and Procedure
  - Fit for Work Policy and Procedure
  - Fulltime Student Enrolment Policy and Procedure

### **26. Publication**

Distributed to all staff, students and parents via Tec-NQ website and DMS

### **27. Procedure Release Details**

Date of Procedure Release: 23/10/2019  
Review Date: 09/02/2021  
Recommended by: Demi Scarfone, Human Resources Advisor  
Approved by: FAR Committee, Board  
Approval Date: 26/03/2021  
Version: 5  
CIR Number: 4125