

RTO Privacy Policy

PURPOSE

The purpose of this policy is to ensure that Music SA meets its legal and ethical requirements in regard to the collection, use, storage and disclosure of personal information.

SCOPE

This policy and procedure applies to all personal information collected from stakeholders of the Music SA RTO i.e. current, potential and previous students and staff.

DEFINITIONS

Personal information is defined under the Privacy Act 1988 as 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 is recorded in a material form or not.

Some examples of personal information include names, addresses, phone numbers and email addresses.

The definition of personal information only relates to 'natural' persons. It does not extend to other legal persons e.g. companies.

Sensitive information is defined under the Privacy Act 1988 as information or an opinion about an individual's:

- a) racial or ethnic origin
- b) political opinions
- c) membership of a political association
- d) religious beliefs or affiliations
- e) philosophical beliefs
- f) membership of a professional or trade association
- g) membership of a trade union
- h) sexual orientation or practices, or
- i) criminal record

that is also personal information, or health, genetic, or biometric information.

REFERENCES

- Privacy Act 1988
- Privacy Amendment (Enhancing Privacy Protection Act) 2012

DOCUMENTS

Not applicable.

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POLICY STATEMENT

The Privacy Act (1988) is an Australian law that regulates the handling of personal information about individuals. This includes the collection, use, storage and disclosure of personal information.

The Privacy Amendment (Enhancing Privacy Protection) Act 2012 made significant changes to the Privacy Act (1988), including 13 Australian Privacy Principles (APPs) that apply to the handling of personal information.

Music SA is committed to protecting an individual's right to privacy and to full compliance with the legislation.

Collection

In respect to the collection of personal information, Music SA will only collect information that the organisation requires to meet its legal and contractual obligations as a Registered Training Organisation (RTO). This information may be collected in hard copy or electronic formats, and will identify individual people. Information includes, but is not restricted to:

- student enrolment information collected by the RTO Enrolment Form and via an online Expression of Interest. This includes an individual's:
 - Name
 - Residential/postal address
 - Telephone/mobile numbers
 - Emergency contact
 - Age and gender
 - Date of birth
 - Place of birth
 - Aboriginal/Torres Strait Islander origin
 - Language(s) spoken at home
 - Disability, impairment or long term medical condition
 - Support services required
 - Education achievement
 - Qualifications
 - Employment status; and
 - Reason for study.
- Unique Student Identifier(USI). All students completing nationally recognised training with an RTO must have a USI, and this USI must be reported whenever the RTO submits AVETMISS data as part of the National VET Provider Data Collection process. This initiative means that Music SA is obligated to:
 - collect a USI from each student
 - verify a USI supplied by a student
 - ensure a student has a valid USI before conferring a qualification or Statement of Attainment on that student
 - ensure the security of USIs and related documentation
 - destroy any personal information which is collected solely for the purpose of applying for a USI on behalf of a student; and
 - adhere to all USI legislative requirements.

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Collection Cont.

Music SA will not collect sensitive information about an individual unless:

- the individual consents to the collection of this information; and
- the collection is reasonably necessary for, or directly related to, any of the purposes outlined in this policy.

Use and Disclosure

Music SA will only use and disclose personal information for the primary purposes for which it was collected unless:

- the individual has consented to the information being used for a secondary use or disclosure
- the individual could reasonably expect the RTO to use or disclose the information for a secondary purpose, and that purpose is related to its primary purpose
- it is required or authorised by or under Australian law or a court/tribunal order; and
- a situation exists where the RTO believes that use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual.

Data Quality

In respect to data quality, Music SA will take all reasonable steps to ensure that the data it collects is accurate, up-to-date, and complete. These steps include maintaining and updating personal organisation where it is advised by individuals that their information has changed, and at other times as necessary.

Data Security and Retention

In respect to data security and retention, Music SA will:

- safeguard the soft copy of personal information it collects and securely store to prevent misuse, loss, unauthorised access and modification through the use of password protection, servers and back-ups
- safely and securely store all student assesment items for a period of no less that six months from the time of completion
- retain records of AQF certification documents issued for a period of 30 years, and make these records accessible to current and past students
- keep hard copies of RTO staff records securely stored in the Music SA General Manager's office
- make available for inspection by individuals any of their personal information held by the RTO, provided reasonable notice is given; and
- only destroy records in accordance with the RTO Administration & Records Management Policy.

Openness

In respect to openness, Music SA will ensure that all stakeholders are aware of Music SA's RTO Privacy Policy and its purpose, by including appropriate statements in email signatures, on the RTO Portal of the Music SA website, and in all other relevant documentation.

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Access and Correction

In respect to access and correction, Music SA will:

- ensure that individuals are able to access information held about them. To access their information, individuals will need to:
 - send a formal written request to Music SA advising what information they would like to access and in what format
 - provide two acceptable proofs of their identity
 - pay any reasonable administrative fees associated with providing access to archival information and producing copies of documentation; and
 - allow up to 15 working days (three weeks) for access to, or correction of personal information.
- ensure that individuals are given the opportunity to correct personal information if it is inaccurate, incomplete, misleading or not up-to-date, at no cost
- ensure that corrected information provided by students, is updated in all relevant data management systems.

Anonymity

In respect to anonymity, Music SA will, where legal and practical, give stakeholders the option of not identifying themselves when participating in some activities e.g. completing evaluation forms or opinion surveys.

Making Information Available to Other Service Providers

Music SA will only release personal information about an individual with that person's written permission, or at their written request.

Complaints

Individuals wishing to lodge a complaint about Music SA in relation to privacy matters, should do so in accordance with the Music SA RTO Complaints Policy and Procedure.

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RESPONSIBILITIES

The **Music SA Board** is responsible for:

- ensuring that all Board members understand their roles and responsibilities in relation to this policy and procedure; and
- approving all revisions to the RTO Privacy Policy.

The **Music SA General Manager (GM)** is responsible for:

- monitoring changes to Privacy legislation and reviewing this RTO Privacy Policy in relation to these changes
- presenting any revised versions of this RTO Privacy Policy to the Music SA Board for approval
- ensuring that all RTO staff understand their legal and ethical responsibilities in respect to the privacy of personal information; and
- dealing with any complaints relating to the privacy of personal information in accordance with the Music SA RTO Complaints Policy and Procedure.

All **Music SA Training Staff** are responsible for:

- ensuring that all students are aware of this RTO Privacy Policy and understand their legal and ethical rights in respect to the privacy of their personal information; and
- only engaging in practices that comply with this RTO Privacy Policy.

STATUS AND DETAILS

Reference Code:	MSA-RTO-POL-LSP:4-V1.0
Version No:	V1.0
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Commencement Date:	29/10/2018
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Accountable Officer:	Music SA General Manager