HBA Learning Centres Pty Ltd

Privacy Policy

1300 721 503

RTO 31261 | ABN 96 003 720 483 | www.hba.edu.au
Privacy Policy

Purpose

HBA Learning Centres (HBA) adheres to the following Privacy Policy, which is applicable to all information that you provide HBA, whether the information is provided through HBA's website or through other means.

Scope

This policy relates to all information produced by or collected by the National VET Data Policy and the Australian Privacy Principles (APP).

The Australian Privacy Principles are detailed in Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012 No. 197, 2012.

HBA ensures compliance with the National VET Data Policy and the APP's at all times. This Privacy Policy explains HBA's current information management procedures.

Policy

HBA's Promise to Protect Personal Information

HBA understands the importance persons attach to personal information (such as name, address, date of birth, personal email address, etc.). HBA is committed to managing and protecting the personal information any persons (potential or existing learner) share with HBA.

Through this policy HBA seeks to ensure that all persons will be able to deal with HBA in the confidence that personal information is only used by HBA in ways that is legal, ethical and secure.

Information Collection

The information HBA collects from individuals will be dependent upon the functions that this person uses within the HBA website or other means of contact with HBA. HBA will not collect any information, which individually identifies the person unless this person knowingly provides it to HBA.

HBA will only collect personal information that is necessary to carry out legitimate activities. Information will be collected legally, fairly and in a way that is not intrusive.

HBA will take all reasonable steps to ensure prior to collecting personal information that the person is informed about HBA's identity, why HBA is collecting the information as well as the person's rights to access their personal information held by HBA.

Types of information collected

When a person enrols into an HBA course, HBA is required to collect personal information
as part of the enrolment process. This includes application for Recognition of Prior Learning (RPL), Credit Transfer (CT) or Pre-Requisite Entry Application. The enrolment form will collect details of a personal nature (e.g. date of birth, address, contact details, unique student identifier) to ensure the identity of the individual and for the collection of accurate information pertaining to the course enrolment. Further to this, personal information for Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) requirements for collecting information will be included on the enrolment form. This information is of a personal nature and will include but it not limited to details of language and cultural diversity, disability, schooling, previous qualifications and employment.

The collection of this information will also assist HBA in ensuring appropriate support needs are identified and effective training and assessment arrangements can be made on an individual basis as required. Persons visiting the HBA website may be able to access other sites by clicking on links that HBA embeds within its website. Persons should be aware that other sites may not be subject to the same privacy standards and procedures as HBA. HBA does not take responsibly for persons choosing to visit these other sites.

**Note:** HBA only collects personal information necessary for enrolment and reporting purposes.

**Provision of details**

Information submitted digitally to HBA (e.g. using an electronic enrolment form or by sending an email) is collected and used only for the purposes that it is provided for.

When a person makes an enquiry about an HBA course through the HBA website, HBA will use the information to process the enquiry. In this case the person making the enquiry may elect to use a Pseudonym (e.g. preferred name, alias, nickname etc.)

When a person makes the decision to enrol in an HBA course and completes an enrolment form (including RPL Application, CT Application or Pre-Requisite Entry Application) the person must use their full legal name for this enrolment to be processed.

HBA will only issue certificates and statements of attainment with the legal name registered and verified by HBA against the unique student identifier (USI) register.

HBA will take all reasonable steps to make sure that personal information is accurate, complete and up-to-date at the time of collection and use. It is the responsibility of the individual to ensure HBA is provided with updated personal information as it changes (e.g. change of name or address etc.).

All enrolment forms must be signed by the individual stating the information provided is true and correct at the time of submission.

If an individual’s details have changed (e.g. name change due to marriage) they will need to inform HBA in writing to request the personal information to be updated. Changes to identification will require the individual to provide acceptable ID to prove their identity (e.g. Marriage certificate).

**Use of Information**

The personal information gained during the enrolment process will not be released to any third party for marketing.
Primarily HBA will use this information to provide the person with the services available through HBA – in the case of an enquiry, or for RTO data collection and reporting requirements – in the case of an enrolment.

HBA employees will use individual’s contact details to assist in the administering of its courses. In this way, HBA is able to ensure all interested persons are informed (e.g. relevant Trainer and Assessor, Funding body etc.). In addition, HBA may use information collected as above to provide or offer further services and products. Persons not wanting to receive such information may contact HBA and request such contact be cancelled. HBA will provide reasonable opportunity for an individual to opt-out of any activity that makes use of their Personal Information (e.g. learners receiving updates from HBA regarding upcoming specials via email – will be provided with the opportunity to contact HBA and request such contact be cancelled should they not want to receive this information).

Learners personal information (including the personal information contained on this enrolment form), may be used or disclosed by HBA Learning Centres (RTO 31261) for statistical, administrative, regulatory and research purposes. HBA Learning Centres (RTO 31261) may disclose your personal information for these purposes to:

- Commonwealth and State or Territory government departments and authorised agencies; and
- NCVER.

Personal information that has been disclosed to NCVER may be used or disclosed by NCVER for the following purposes:

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

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

NCVER will collect, hold, use and disclose your personal information in accordance with the Privacy Act 1988 (Cth), the National VET Data Policy and all NCVER policies and protocols (including those published on NCVER’s website at www.ncver.edu.au).

**Disclosure of Information**

HBA will not disclose Personal Information to any external company or third party unless the individual has consented to the use or disclosure (e.g. a learner requests in writing that their progress and results be provided to a potential employer) unless the learners training has been paid by their employer as detailed in the National VET Data Policy from 1 January 2018.
Personal information will not be sold to anyone and will not be used for promotions independent of HBA.

Personal information will be destroyed, if there is no longer any legitimate purpose in retaining such information and that the record retention periods imposed by the State and Federal Governments have been exceeded.

HBA will only disclose personal information when HBA are required to co-operate with investigations of alleged unlawful activities and conform to the proclamations of the law or comply with legal processes served on HBA.

HBA will also disclose personal information to fulfil a user’s request. For an individual to obtain copies of their personal information to be distributed they must request a copy in writing to HBA using the HBA Release of Information document to grant permissions.

Once HBA has received a written request the information can then be released.

**Access to Personal Records**

HBA Learners will have access to all their personal information by request but will not be allowed to access any information that may breach the privacy of other persons. Where such a situation might occur, the details will be provided to the Learner requesting the information in a format (written, verbal, statistical) that meets their needs but ensures the privacy of other individuals is maintained.

Other organisations may only have access to specific and private information where a client agrees to the release of their information unless the learners training has been paid by their employer as detailed in the National VET Data Policy from 1 January 2018. Information may be provided to statutory authorities such as the ATO where there is a legal obligation to provide it. To gain access Learner will be required to request this information in writing to HBA Learning Centres.

**Storage of Information**

HBA is required to securely retain, and be able to produce in full at audit or by the National Regulator the Australian Skills Quality Authority (ASQA) if requested to do so, all completed learner assessment items for a period of six (6) months from the date on which the judgement of competence for the learner was made. After this timeframe records will be destroyed with only the evidence of how the judgement outcome was reached by the assessor.

All records are stored on HBA’s dedicated servers, and a backup copy of the data is stored offsite and in the cloud.

Restricted access is enforced on files that hold sensitive information to ensure authorised access only. HBA will at all times, take reasonable steps to ensure the security of physical files (including learner files), computers, networks and communications are maintained.

Where sensitive information is concerned (e.g. credit card details, work related documents with confidentiality requirements) information will be shredded and then stored in security bin until destroyed by a Preferred Security Destruction Contractor when no longer needed for either primary or approved secondary purposes or when the required retention period has been met.

Should the RTO cease to trade, fail to renew its registration, etc. all relevant documents including
Learner records will be transferred to the National Regulator

The storage of records by the RTO shall include:

- All Learner records including attendance, training delivered, assessment, results, issue of certificates and qualifications, other relevant data and correspondence with Learners unless such storage contravenes the Privacy Principles and National VET Data Policy set by the National Regulator or another Regulatory Authority such as the Australian Taxation Office, etc.
- Relevant correspondence with the National Regulator, other authorities, RTO's, institutions, entities or individuals
- Financial records
- Complaint, incident, and safety registers.

The National Regulator shall:

- Have access to all records

Further Information

If any persons reading this Privacy Policy have any queries about the privacy and security procedures for HBA, please contact HBA on 1300721503.

Any persons believing their personal information has not been dealt with in accordance with any part of this Privacy Policy, the National VET Data Policy or the Australian Privacy Principles, a written complaint can be directed to HBA. Complaints should be addressed to the HBA Compliance Manager.