

# Privacy and Data Procedure



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## 1.0 PURPOSE

The purpose of this procedure, together with the IUIH Privacy guidelines is to support the principle of responsible and transparent handling of personal data by explaining, what personal data we collect ,use , store and disclose.

EMPOWA Training uses and manages in accordance with the Australian Privacy Principles (APPs) which are contained in Schedule 1 of the Privacy Act 1988 (Privacy Act).

The ways in which EMPOWA Training processes and uses your personal data will vary depending on your relationship with EMPOWA. This includes the collection, use, storage, and disclosure of personal information, recorded as per the requirements of the Vocation Education and Training Quality Framework.

## 2.0 SCOPE

This procedure applies to IUIH CEO, IUIH Board Members, IUIH Executive Leaders, EMPOWA Training (EMPOWA) staff and IUIH staff affiliated with EMPOWA.

EMPOWA ensures that where a third party is registered to provide services on behalf of EMPOWA, will be subject of a written agreement, and services delivered comply with this procedure and its associated procedures.

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## 3.0 DEFINITIONS

Unless otherwise specified, all terms in this document have the same meaning assigned to them as TRG-POL-006 RTO Governance Procedure.

## 4.0 PROCEDURE CONTEXT

Legislation	<i>Privacy Act 1988 (Cth)</i> Information Privacy Act 2009 (Qld) Right to Information Act 2009 (Qld). The Privacy Amendment (Enhancing Privacy Protection) Act 2012 Student Identifier Act 2014 National Vocational Education and Training Regulator Act 2011 and associated legislative instruments. In particular, the legislative instruments: <ul style="list-style-type: none"><li>• Student Identifiers Act 2014.</li><li>• Standards for Registered Training Organisations (RTOs) 2015.</li><li>• Data Provision Requirements 2012; and</li><li>• National VET Data Procedure.</li></ul>
Standards	S2.2, 5.1-5.5, 7.5 Standards for Registered Training Organisations 2015
Related Procedure and procedures	IUIH doc 2649 HR Privacy Guideline IUIH doc 2296 IUIH ICT Security Procedure ICT TRG PRO 027 Records Management Procedure
Related Forms	
Other Associated documents and References	Unique Student Identifier (USI) NCVER AVETMISS aXcelerate student management system privacy procedure

## 5.0 PROCEDURE

EMPOWA Training manages personal information in an open and transparent way, in accordance with the Australian Privacy Principles. This is demonstrated through the implementation of practices, procedures, and systems we outline in this procedure, that ensure our compliance with the APPs and any binding registered APP code and provide suitable procedures for EMPOWA Training staff to be able to deal with related inquiries and complaints that may be received from time to time.



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The following sections of this procedure outline how EMPOWA Training manages personal information.

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

### 5.1.1 Purposes for Information Collection, Retention, Use and Disclosure.

EMPOWA Training retains a record of personal information about all individuals with whom we undertake any form of business activity. EMPOWA Training 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.
- Managing employee and contractor teams.
- Promoting products and services.
- Conducting internal business functions and activities; and
- Requirements of stakeholders.

### 5.1.2 Collection of Personal Information

EMPOWA Training ensures when collecting information (whether by verbal, written or electronic means), reasonable steps will be taken to ensure that the learner is aware of:

- The purpose of which the RTO is collecting the information.
- The fact that the learner can gain access to the information.
- To whom the information will be disclosed.
- Any law that requires the information to be collected.
- The consequences (if any) for not providing the information.

### 5.1.3 Kinds of Personal Information Collected by EMPOWA Training

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.

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- Complaint or issue information.
- Disability status & other individual needs.
- Indigenous status; and
- Background checks (such as National Criminal Checks or Working with Children checks).

Where EMPOWA Training collects personal information of a more vulnerable segment of the community (such as children), additional practices and procedures are also followed.

## **5.1.4 How EMPOWA Training Collects Personal Information**

EMPOWA Training's usual approach to collecting personal information is to collect 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) and the use of web-based systems (such as online enquires, applications, event registration, subscriptions, web portals or internal operating systems).

If the learner accesses our website, the use of cookies (small data files transferred onto devices when a website is accessed) may track what they view on our website and other websites that they visit. EMPOWA Training also collects personal information from the interactions with our social media sites.

EMPOWA Training receives solicited and unsolicited information from third party sources in undertaking service delivery activities. This may include information from such entities as:

- Governments (Commonwealth, State or Local).
- Australian Apprenticeships Support Networks.
- Partnered organisations.
- Employers (and their representatives), Schools, Guardians; and
- Service providers such as credit agencies.

EMPOWA Training may engage third parties to assist in marketing and advertising and may use cookies (that is, small data files transferred onto devices when a website is accessed) and other technologies to obtain information about the learners' preferences when they access online platforms or websites other than the EMPOWA Training website. Individual preferences collected in this manner may be disclosed to us.

## **5.1.5 How Personal Information is Held by EMPOWA Training**

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

- As soon as practical converted to electronic means.
- Stored in secure, password protected systems, such as financial system, learning management system and student management system; and

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- Always monitored for appropriate authorised use.

Only authorised staff are provided with login information to each system, with system access limited to only those relevant to their specific role. EMPOWA Training's ICT systems are hosted both internally and externally with robust internal security to physical server locations and server systems access. Virus protection, backup procedures and ongoing access monitoring procedures are in place.

No data transmission over the internet can be guaranteed to be secure. As a result, EMPOWA Training cannot warrant the security of any personal information transmitted by an individual to EMPOWA Training, over the internet.

## **5.1.6 Retention and Destruction of Information Held by EMPOWA**

EMPOWA Training maintains a retention of records table 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. Destruction of paper-based records occurs as soon as practicable in every matter, using secure shredding and destruction services.

## **5.1.7 How MOB can Access and Seek Correction of Personal Information**

EMPOWA Training confirms all learners 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 EMPOWA on 07 3828 3600.

Several third parties, other than the individual, may request access to an individual's personal information. Such third parties may include employers, parents or guardians, schools, Australian Apprenticeships Centres, Governments (Commonwealth, State or Local) and various other stakeholders.

In all cases where access is requested, EMPOWA Training 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); and
- Only appropriately authorised parties, for valid purposes, will be provided access to the information.

## **5.1.8 Complaints About a Breach of the APPs or a Binding Registered APP Code**

If a learner feels that EMPOWA Training may have breached one of the APPs or a binding registered APP, refer to the Privacy Complaints Procedure which will be published on our website.

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## **5.1.9 Likely Overseas Disclosures**

At this point in time, EMPOWA Training does not have any overseas partnerships.

## **5.1.10 Making our Privacy and Data Procedure Available to Everyone**

EMPOWA Training provides our Privacy and Data procedure free of charge, with all information being publicly available, which will be published on the website. This website information is designed to be accessible as per web publishing accessibility guidelines, to ensure access is available to individuals with special needs.

In addition, this Privacy and Data procedure is:

- Referenced within the EMPOWA Handbook
- Noted within the text or instructions at all information collection points (such as informing individuals during a telephone call of how the procedure 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 learner as is reasonably practical.

## **5.1.11 Review and Update of this Privacy and Data Procedure**

EMPOWA Training reviews this Privacy and Data Procedure:

- 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 every complaint investigation process where the complaint is related to a privacy matter.

Where this procedure is updated, changes are widely communicated to stakeholders through a range of mechanisms such as internal staff communications, meetings, training, and documentation, and externally through publishing on the EMPOWA Training website.

## **5.2 Australian Privacy Principle 2 – Anonymity and pseudonymity**

EMPOWA Training provides learners 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





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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.

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

EMPOWA Training only stores or 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.

Learners are advised of their opportunity to deal anonymously or by pseudonym with us where these options are possible.

## 5.2.1 Requiring Identification

EMPOWA Training must confirm identification in service delivery to learners for nationally recognised course programs. EMPOWA Training is 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 procedure, also require considerable identification arrangements.

There are also other occasions also within our service delivery where the learner may not have the option of dealing anonymously or by pseudonym, as identification is practically required for us to support the learner's request or need.

## 5.3 Australian Privacy Principle 3 — Collection of solicited personal information.

EMPOWA Training only collects personal information that is reasonably necessary for our business activities.

We only collect sensitive information in cases where the learner consents to the sensitive information being collected, except in cases where we are required to collect this information by law, such as outlined earlier in this procedure.

All information EMPOWA Training collects is done so only by lawful and fair means.





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

## **5.4 Australian Privacy Principle 4 – Dealing with unsolicited personal information.**

EMPOWA Training 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, EMPOWA Training may hold, use, and disclose the information appropriately as per the practices outlined in this procedure.

Where EMPOWA Training 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).

## **5.5 Australian Privacy Principle 5 – Notification of the collection of personal information**

Whenever EMPOWA Training collects personal information about a learner, we take reasonable steps to notify the learner of the details of the information collection or otherwise ensure the learner is aware of those matters. This notification occurs at or before the time of collection, or as soon as practicable afterwards.

### **5.5.1 Our notifications to individuals on data collection**

- EMPOWA Training's 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.
- The consequences for the learner if all or some personal information is not collected.
- Other organisations or persons to which the information is usually disclosed, including naming those parties.

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- 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.
- A link to this Privacy and Data Procedure which will be published on our website, or explain how it may be accessed; and
- Advise that this Privacy and Data Procedure contains information about how the learner may access and seek correction of the personal information held by EMPOWA Training; and how to complain about a breach of the APPs, or any registered APP code, and how we will deal with such a complaint.

Where possible, EMPOWA Training ensures that the learner confirms their understanding of these details, such as through signed declarations, website form acceptance of details or in person through questioning.

## **5.5.2 Collection from Third Parties**

Where EMPOWA Training collects personal information from another organisation, we:

- Confirm whether the other organisation has provided the relevant notice above to the individual; or
- Whether the learner 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.

## **5.6 Australian Privacy Principle 6 – Use or disclosure of personal information.**

### **5.6.1 How Do We Use and Disclose your Personal Information**

EMPOWA Training uses personal information for the purposes for which it was given to us, or for purposes which are related to one of our functions or activities which include, without limitation, use of your personal information to:

- process any application for enrolment you submit to us.
- verify identity.
- deliver or facilitate the provision of training and other related products and services. and retain evidence of participation / completion.
- process a VET FEE-HELP or VET Student loan request.
- verify your identity.
- develop learner registers to enable us to communicate with the learner and any nominated parent/guardian.
- facilitate health, safety, and wellbeing at EMPOWA Training locations (including online).
- administer and manage any Learner Management System account you may hold with us.
- keep adequate records for audit, record keeping and compliance purposes.

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- keep you informed of news and information relating to EMPOWA Training, including by distributing newsletters, publications and other communication via various mediums including direct mail, email, and SMS / MMS messages.
- research and develop new programs, activities and other events relating to education and other related products and services.
- administer and manage our EMPOWA Training website, computer networks, platforms, and other applications (“systems”) and provide the learner with access to those systems, to enable those systems to function, to identify the learner as the holder of an account, to associate account activity with your identity and to allow other users to contact the learner or collaborate with you on documents or other resources.
- third party service providers (including employers and job agencies), to provide or facilitate your enrolment at EMPOWA Training.

Learners can contact us on [info@empowatraining.org.au](mailto:info@empowatraining.org.au) if you do not want to receive marketing information (such as our newsletters, publications, and other communications) or you can use the unsubscribe option within electronic communications.

***However, you cannot opt out of receiving administrative messages in relation to any course in which you are currently enrolled.***

## **5.6.2 Requirement to Make a Written Note of Use or Disclosure for this Secondary Purpose**

If EMPOWA Training 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.

## **5.7 Australian Privacy Principle 7 – Direct marketing**

### **Use of Personal Information for Direct Marketing Purposes**

EMPOWA Training may only disclose personal information for direct marketing purposes in limited circumstances, and with the consent from the learner to use or disclose for social media sites such as Facebook, Instagram, and Twitter when you contact or otherwise engage with EMPOWA Training through these social media sites.

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EMPOWA Training **will not** disclose your personal information without your permission, unless the disclosure is:

- in accordance with this Privacy and Data Procedure, or any agreement the learner enters into with us; or
- required or authorised by law; or
- for health and safety reasons, or another authorised reason under the *Information Privacy Act 2009* (Qld) or the *Right to Information Act 2009* (Qld).

On each of our direct marketing communications, EMPOWA Training provides a prominent statement that the individual may request to opt out of future communications, and how to do so.

A learner may also request EMPOWER Training, 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.

EMPOWA Training comply with any request by a learner promptly and undertake any required actions without cost to the learner.

EMPOWA Training also, on request, notify a learner 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.

## 5.8 Australian Privacy Principle 8 – Cross-border disclosure of personal information

### When does EMPOWA Training disclose your personal information?

EMPOWA Training may disclose your personal information to:

- Other regulatory bodies, such as Workplace Health and Safety Qld
- Learner Student Surveys to obtain feedback from individuals about their experiences, with the RTO, Government Departments not limited to NCVER, agent, third-party contractor, or another authorised agency. Individual/s may opt out of the survey and refuse to participate at the time of being contacted.
- Learners undertaking training courses with EMPOWA Training which are funded by the State Government will be compulsory to complete survey.
- if you are a school-based apprentice or VET in Schools student - your school or GTO
- if you are enrolled in training paid for by your employer or another third party (such as a job agency) - to your employer or that third party.
- if you are enrolled with EMPOWA Training and undertaking training with another organisation (including other training providers, community organisations or schools) - the organisation with which you are undertaking training.

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- if you are enrolled with EMPOWA Training in a program eligible for articulation through a higher education delivery partner and/or intend to continue study via a prearranged articulation pathway (for example you are studying a dual qualification with EMPOWA Training and a higher education delivery provider) - the higher education delivery provider.
- if you are under the age of 18 - your parent/guardian (unless you have formally advised EMPOWA Training not to provide this information).
- if you are an international student - the parties outlined in the terms and conditions agreed upon accepting a place with EMPOWA Training.
- Government Authorities and Agencies including but not limited to The Department of Employment, Small Business & Training, Centrelink, Australian Tax Office, the National Centre for Vocational Education and, for VET FEE-HELP and VET Student Loans purposes.
- third parties that EMPOWA Training may have engaged to carry out functions and activities on our behalf (such as other education providers, placement providers, our EMPOWA Training website hosts, trade suppliers, independent contractors, and other third-party service providers) or that EMPOWA Training otherwise work with to provide our education programs. EMPOWA ensures that where a third party is registered to provide services on behalf of EMPOWA, will be subject of a written agreement, and services delivered comply with this procedure and its associated procedures. At this point, EMPOWA Training does not have any third-party arrangements.
- third parties to whom you have expressly given consent.
- other persons as required or authorised by law.

Before EMPOWA Training 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. At this point in time, EMPOWA does not have any overseas partnerships.

## **5.9 Australian Privacy Principle 9 – Adoption, use or disclosure of government related identifiers.**

### **5.9.1 When does EMPOWA Training use your personal information?**

EMPOWA Training does not adopt, use, or disclose a government related identifier related to the learner except:

- In situations required by Australian law or other legal requirements.
- Where reasonably necessary to verify the identity of the learner.



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- Where reasonably necessary to fulfil obligations to an agency or a State or Territory authority; or
- As prescribed by regulations.

## 5.9.2 Sensitive Information

In some situations, it is necessary for EMPOWA Training to collect or receive information about a learner's health. In this circumstance, EMPOWA Training will advise why the information is being collected and whether and to whom it will be released.

## 5.10 Australian Privacy Principle 10 – Quality of personal information

### Data Quality

EMPOWA Training 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 where:

- When we initially collect the personal information; and
- When we use or disclose personal information.

EMPOWA Training takes steps to ensure personal information is factually correct. In cases of an opinion, we ensure information considers competing facts and views and makes 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 learners with a simple means to review and update their information on an on-going basis through our online portal.
- Reminding learners to update their personal information at critical service delivery points (such as completion) when we engage with the individual.
- Contacting learners 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

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- Checking that a third party, from whom personal information is collected, has implemented appropriate data quality practices, procedures, and systems.

## 5.11 Australian Privacy Principle 11 — Security of personal information

### Data Security

EMPOWA Training takes active measures to consider whether we can retain the personal information we hold, and to ensure the security of personal information we hold. This includes reasonable steps to protect the information from misuse, interference, and loss, as well as unauthorised access, modification, or disclosure.

EMPOWA Training destroys 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 EMPOWA Training's offices and work areas is limited to our staff only - visitors to our premises must be authorised by relevant staff 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.

Where possible, staff training and meetings are conducted with EMPOWA Training's staff on privacy issues, and how the APPs apply to our practices, procedures, and systems. Training is also included in our staff induction practices.

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

## 5.12 Australian Privacy Principle 12 — Access to personal information

### How can MOB access the personal information we hold about you?

Where EMPOWA Training holds personal information about a learner, we provide that learner and /or another person who is authorised to make a request on their behalf.

#### 5.12.1 Request for Records Access

The following procedure is followed on each individual learner's request for access:

A request for access is provided by the learner, with suitable information provided to be able to:

- Identify the learner concerned.
- Confirm their identity; and
- Identify the specific information that they are requesting access to.





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This request can be made by contacting EMPOWA Training on 07 3828 3600.

## **5.12.2 Upon Receiving a Request for Access, EMPOWA Training then:**

- Confirms the identity of the learner or party requesting access.
- Confirms that the learner 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**

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

When meeting the requesting party in person, identification may be sighted.

If confirming details over a telephone conversation, questions regarding the learner's name, date of birth, last known address or service details may be confirmed before information is provided.

Once identity and access authorisation are confirmed, and personal information is collated, access is provided to the requester within 30 calendar days of receipt of the original request. EMPOWA Training will provide access to personal information in the specific manner or format requested by the learner, wherever it is reasonable and practicable to do so, free of charge.

If the identity or authorisation access cannot be confirmed, or there is another valid reason why EMPOWA Training 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 30 calendar days of receipt of the original request.

## **5.13 Australian Privacy Principle 13 – Correction of personal information**

### **How does EMPOWA Training correct your personal information?**

EMPOWA Training 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.



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## 5.13.1 Correcting at EMPOWA Training Initiative

EMPOWA Training takes 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.

In cases where EMPOWA Training refuses to update personal information, we:

- Give a written notice to the learner, including the reasons for the refusal and the complaint mechanisms available to the learner.
- Upon request by the learner whose correction request has been refused, take reasonable steps to associate a statement with the personal information that the learner believes it to be inaccurate, out of-date, incomplete, irrelevant, or misleading.
- Respond within 14 calendar days to these requests; and
- Complete all actions free of charge.

## 5.13.2 Request for Records Update Procedure

The learner or third parties may at any stage request that their records held by EMPOWA Training 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 learner concerned.
- Confirm their identity; and
- Identify the specific information that they are requesting be updated on their records.

This request can be made by contacting EMPOWA Training on 07 3828 3600.

Upon receiving a request for records update, EMPOWA Training will then:

- Confirm the identity of the learner or party to whom the record relates.
- Search the records that we possess or control to assess whether the requested personal information is contained in those records; and
- Assess the information already on record, and the requested update, to determine whether the requested update should proceed.



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## Assessing Update

EMPOWA Training staff 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 or 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 are confirmed, personal information is:

- Updated, free of charge, within 14 calendar 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 EMPOWA Training is unable to update the personal information, refusal to update records will be provided to the requester in writing, free of charge, within 14 calendar days.

Our notification will include the reasons for the refusal and the complaint mechanisms available to the individual.

Upon request by the learner whose correction request has been refused, EMPOWA Training will also take reasonable steps to associate a 'statement' with the personal information that the learner 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 EMPOWA Training systems within 30 calendar days of receipt of the statement request.

## **5.14 Privacy Complaints Procedure**

If the learner feels that EMPOWA Training has breached its obligations in the handling, use or disclosure of their personal information, they may raise a complaint.

EMPOWA Training encourages the learner to discuss the situation with their representative in the first instance, before making a complaint.

Please contact EMPOWA Training immediately if you have any concerns.

# Privacy and Data Procedure



## 5.15 How to Contact EMPOWA Training

If you:

- have any questions in relation to this Privacy and Data Procedure or Personal information handling processes.
- wish to make a complaint in relation to a breach of your privacy.
- would like to correct your Personal Information held by us.
- opt out of direct marketing.

You can contact EMPOWA Training by

Our website

Telephone 07 3828 3600 or

Email [info@empowatraining.org.au](mailto:info@empowatraining.org.au)

This procedure will be stored in EMPOWA's Quality management system, SharePoint and will be published on our website.

## 6.0 RESPONSIBILITIES

Position	Responsible for:
RTO Manager	Approval of the procedure
Quality Coordinator	Drafting the procedure; Review and consultation

## 7.0 VERSION CONTROL & DOCUMENT HISTORY

Ver.	Approved by:	Approval Date	Summary of Modifications	Next Review Date
1.0	RTO Manager	30/11/2023	New Procedure	30/11/2024
1.1	RTO Manager	08/04/2025	Minor changes for website	08/04/2026



## Privacy and Data Procedure

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