

PRIVACY POLICY

1. Purpose

Envirotech Education (Envirotech) is committed to protecting Personal Information provided by individuals. Envirotech will collect, manage, use and disclose Personal Information in accordance with its Privacy Policy and all relevant legislation and the Australian Privacy Principles.

The purpose of our Privacy Policy is to:

- 1.1. Outline how Envirotech deals with Personal Information, including health information it collects to ensure that it complies with the Privacy Act 1988
- 1.2. Clearly communicate the personal information handling practices of Envirotech
- 1.3. Give Envirotech students, staff and other individuals a better understanding of the sort of personal information that Envirotech holds and a clear understanding and guidance in the treatment and access of personal and private information collected and held by Envirotech
- 1.4. Enhance the transparency of Envirotech operations
- 1.5. Support the Australian Skills Quality Authority (ASQA) Standards for Registered Training Organisations (RTO) 2015

2. Scope

- 2.1. This policy refers to all Envirotech stakeholders including all employees, students, agents, and any other party which Envirotech collects its private information
- 2.2. The Privacy Act 1988 (Privacy Act) 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 introduced many significant changes to the Privacy Act, including 13 Australian Privacy Principles (APPs) that apply to the handling of personal information
- 2.3. Personal information is defined under the Privacy Act as information or an opinion about an identified individual, or an individual who is reasonably identifiable:
 - 2.3.1. Whether the information or opinion is true or not, and
 - 2.3.2. Whether the information or opinion is recorded in a material form or not

3. Relevant standard

- 3.1. Standard 3.6, 4.1C, 5.3b & 6.5 of the RTO Standards 2015
- 3.2. Standard 3, 6.4 and 8 of the National Code 2007

4. Associated documents

- 4.1. Terms and Conditions of Enrolment and written agreement (offer letter)
- 4.2. Agents' Terms and Conditions

5. Additional references:

[Privacy Act 1988](#)

6. Policy and procedures

Envirotech adheres to and is compliant with the 13 Australian Privacy Principles (APP) Principles that are set out in Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

These 13 principles are as follows:

Australian Privacy Principle 1 - Open and transparent management of personal information.

Australian Privacy Principle 2 - Anonymity and pseudonymity.

Australian Privacy Principle 3 - Collection of solicited personal information.

Australian Privacy Principle 4 - Dealing with unsolicited personal information.

Australian Privacy Principle 5 - Notification of the collection of personal information.

Australian Privacy Principle 6 - Use or disclosure of personal information.

Australian Privacy Principle 7 - Direct marketing.

Australian Privacy Principle 8 - Cross-border disclosure of personal information.

Australian Privacy Principle 9 - Adoption, use or disclosure of government related identifiers.

Australian Privacy Principle 10 - Quality of personal information.

Australian Privacy Principle 11 - Security of personal information.

Australian Privacy Principle 12 - Access to personal information.

Australian Privacy Principle 13 - Correction of personal information

Envirotech as an APP entity will implement the following procedures and processes to ensure compliance with the APPs including all exceptions and provisions referred to therein will be adopted:

6.1. APP 1—Open and transparent management of personal information

Envirotech will take such steps as are reasonable in the circumstances to implement practices, procedures and systems relating to Envirotech functions or activities that:

- 6.1.1.** Will ensure that it complies with the Australian Privacy Principles that binds it and
- 6.1.2.** Will enable it to deal with inquiries or complaints from individuals about the entity's compliance with the Australian Privacy Principles.
- 6.1.3.** Personal Information collected and held by Envirotech:

Envirotech collects personal information solely for the purpose of operating as a Registered Training Organisation. This includes the collection of personal information from students in order to process enrolments and obtain the information required to provide suitable training and assessment services. The requirements of the registering authority may mean the release of student and/ or employee's personal information for the purposes of external audits or regulation requirements.

Examples of personal information include but is not limited to names, addresses, phone numbers and email addresses, transactional and financial information, employment details, pre-entry testing and assessment outcomes and feedback. The definition of personal information only relates to 'natural' persons.

6.1.3.1. **How personal information is held and collected by Envirotech**

Envirotech will only collect information by fair and lawful means.

Envirotech collects information about students primarily from the students themselves, through an agent, through online or paper applications, speaking to students face-to-face or over the telephone or elsewhere in the collection of students' information when they:

- Apply to undertake a course at Envirotech or participate in other activities offered by Envirotech
- Join student associations managed by Envirotech or by affiliated third parties,
- Make enquiries by email or by telephone.

Envirotech also collects information about students from domestic and international educational institutions and organisations in which the student may have been previously enrolled and by means of an electronic qualification verification search and Department of Home Affairs (DHA) searches.

6.1.3.2. **Information Holding:**

Envirotech will use all reasonable measures to ensure Personal Information is stored safely to protect it from misuse, loss, unauthorised access, modification or disclosure, including electronic and physical security measures. Such measures will include:

6.1.3.2.1. ICT security

Envirotech secures the personal information collected by ICT security (such as encryption, firewalls, anti-virus software and login and password protection), secure office access, personnel security and training and workplace policies.

6.1.3.2.2. Payment security

Envirotech processes assessment, membership and other payments using EFTPOS and online technologies by ensuring that all transactions processed by Envirotech meet industry security standards to ensure payment details are protected.

6.1.3.2.3. Website security

Envirotech cannot guarantee the security of any information that you disclose online and you disclose that information at your own risk. If you are concerned about sending your information over the internet, you can contact Envirotech by phone or post.

6.1.3.3. Use of Personal Information

Envirotech will use students' personal information in a variety of ways throughout the student's time at Envirotech including, but not limited to the following purposes:

- 6.1.3.3.1. Process applications;
- 6.1.3.3.2. Manage study plans;
- 6.1.3.3.3. Manage course timetabling;
- 6.1.3.3.4. Set, receive and grade coursework, assessment and examinations;
- 6.1.3.3.5. Record course grades and outcomes;
- 6.1.3.3.6. Administering the student's enrolment or transfer to another registered training organisation or university;
- 6.1.3.3.7. Monitor academic progression including academic standing and exclusion;
- 6.1.3.3.8. Deliver student services including health and counselling services;
- 6.1.3.3.9. Manage complaints and student misconduct allegations;
- 6.1.3.3.10. Verify qualifications and USIs;
- 6.1.3.3.11. Process graduations;
- 6.1.3.3.12. Process scholarships, prizes and sponsorships;
- 6.1.3.3.13. Operate student organisations or other activities managed by Envirotech or by affiliated third parties.
- 6.1.3.3.14. Provide students with services they have requested from Envirotech or may be interested in receiving including further study options, becoming associate alumni, Internship and work placement and consessioned transport;
- 6.1.3.3.15. Provide data to government departments to fulfil mandatory reporting requirements;
- 6.1.3.3.16. Undertake reviews, questionnaires and surveys;
- 6.1.3.3.17. Invite students to participate in Envirotech organisations and activities, including student groups and other services and activities offered by the Envirotech;
- 6.1.3.3.18. To authorised external agencies for the purposes of delivering services that support the Envirotech educational activities or to conduct mail outs or debt collection activities on behalf of Envirotech;
- 6.1.3.3.19. Disclose student personal information to its education collaboration providers who deliver the Envirotech courses or to its online service delivery partners.

6.1.3.4. **Student access to information and the correction to same.**

Under the Australian Privacy Principles students can access their personal information and may request amendments of information that is incorrect or not up to date. Students who request access to their personal data will be given opportunities to review all their details. This service will be free of charge, through the Envirotech Student Portal.

Alternatively Envirotech will provide a student with access to Personal Information about them upon receipt of a written request sent to the Student Registrar details below. Envirotech will endeavour to acknowledge such requests within 7 days of its receipt and provide requested information within 14 days. A fee may be charged to cover processing of such requests.

If a student believes inaccurate or outdated information is being held about them, they should notify Envirotech Student Register in writing immediately and Envirotech will take reasonable steps to correct the information so that it is accurate, complete, up to date, relevant and not misleading.

6.1.3.5. **Overseas Recipients of student personal information.**

Envirotech will not disclose personal information to an overseas recipient, unless:

Envirotech is reasonably satisfied the recipient of the information is subject to a law, or binding scheme, that has the effect of protecting the information in a way that is at least substantially similar to the way in which the APPs protect the information, and there are mechanisms that the individual can access to take action to enforce that protection; or the individual has provided their consent to the cross-border disclosure; or Envirotech is required by law to do so.

6.2. APP 2—Anonymity and pseudonymity

Individuals must have the option of not identifying themselves, or of using a pseudonym, when dealing with an APP entity in relation to a particular matter except when required by Australian law or Court.

International students are considered to be bound by law for full and frank disclosure of their real identity. Accordingly international students, as well as domestic students, do not have any option of not correctly and accurately identifying themselves.

6.3. APP 3—Collection of solicited personal information

Envirotech will not collect personal information (other than sensitive information) unless the information is reasonably necessary for, or directly related to, one or more of its functions or activities as a registered training organisation and for those related and ancillary purposes thereto mentioned above.

6.4. APP 4—Dealing with unsolicited personal information

Envirotech may from time to time receive unsolicited personal information about a student. Unsolicited personal information is personal information Envirotech receives that it has taken no active steps to collect.

After receiving the unsolicited information Envirotech will, within a reasonable period after receiving the information, determine whether or not it could have collected the information under Australian Privacy Principle 3 if the entity had solicited the information.

Envirotech may keep records of unsolicited personal information if the Privacy Act permits it (for example, if the information is reasonably necessary for one or more of our functions or activities) or if it could have collected the information under Australian Privacy Principle 3. If not, Envirotech's policy is to destroy the information as soon as practicable, provided it is lawful and reasonable to do so.

6.5. APP 5—Notification of the collection of personal information

At or before the time or, if that is not practicable, as soon as practicable after, it collects personal information about an individual, Envirotech will take such steps (if any) as are reasonable in the circumstances:

- 6.5.1.** To notify the individual of such matters referred to in subclause 5.2 of APP as are reasonable in the circumstances; or
- 6.5.2.** To otherwise ensure that the individual is aware of any such matters.

The matters referred to above include:

- 6.5.3.** Envirotech identity and how to contact us
- 6.5.4.** The purposes for which Envirotech is collecting the information
- 6.5.5.** Whether the collection is required or authorised by or under an Australian law or a court or tribunal order
- 6.5.6.** The third parties (or types of third parties) to whom we would normally disclose information of that kind
- 6.5.7.** Whether any of those third parties are located overseas and, if practicable to specify, the countries in which they are located
- 6.5.8.** The fact that this Privacy Policy contains information about how to access and correct personal information and make privacy complaints (and how we will deal with those complaints)

Envirotech will notify individuals that information collected may be available to government agencies that govern it and its practices and procedures e.g. DHA or state government Education Department

6.6. APP 6- Use or disclosure of personal information

If Envirotech holds personal information about an individual that was collected for a particular purpose (the primary purpose), it must not use or disclose the information for another purpose (the secondary purpose) unless:

- 6.6.1.** The individual has consented to the use or disclosure of the information; or
- 6.6.2.** The individual would reasonably expect:
 - 6.6.2.1.** Envirotech to use or disclose the information for the secondary purpose and the secondary purpose is:
 - 6.6.2.1.1.** If the information is sensitive information—directly related to the primary purpose; or
 - 6.6.2.1.2.** If the information is not sensitive information—related to the primary purpose; or
 - 6.6.2.2.** The use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; or
 - 6.6.2.3.** A permitted general situation exists in relation to the use or disclosure of the information by Envirotech
 - 6.6.2.4.** A permitted health situation exists in relation to the use or disclosure of the information by the entity
 - 6.6.2.5.** Envirotech reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body

Save and except in circumstances mentioned above Envirotech will obtain consent from any individual to disclose their information for any necessary secondary purpose that may be related to the regulation requirements of Envirotech as a registered training organisation

6.7. APP 7—Direct marketing

If Envirotech holds personal information about an individual, the organisation must not use or disclose the information for the purpose of direct marketing save and except in the following circumstances:

Envirotech may use or disclose personal information (other than sensitive information) about an individual for the purpose of direct marketing if:

- 6.7.1.** The individual gave the consent to use it for direct marketing
- 6.7.2.** Envirotech collected the information from the individual; and
- 6.7.3.** The individual would reasonably expect Envirotech to use or disclose the information for that purpose; and
- 6.7.4.** Envirotech provides a simple means by which the individual may easily request not to receive direct marketing communications from Envirotech and
- 6.7.5.** The individual has not made such a request to Envirotech

Exception (Sensitive Information):

Envirotech may use or disclose sensitive information about a student for the purpose of direct marketing if the student has consented to the use or disclosure of the information for that purpose

6.8. APP 8- Cross-border disclosure of personal information

Envirotech may from time to time be likely to disclose personal information of an individual to overseas recipients and most likely government agencies of the student's country of origin.

In any event before Envirotech discloses personal information about an individual to a person (the overseas recipient):

- 6.8.1.** Who is not in Australia or an external Territory; and
- 6.8.2.** Who is not Envirotech or the individual

Envirotech will take such steps as are reasonable in the circumstances to ensure that the overseas recipient does not breach the Australian Privacy Principles (other than APP 1) in relation to the information.

Envirotech may disclose personal information about an individual to an overseas recipient if it is reasonably satisfied the recipient of the information is subject to a law, or binding scheme, that has the effect of protecting the information in a way that is at least substantially similar to the way in which the APPs protect the information, and there are mechanisms that the individual can access to take action to enforce that protection; or the individual has provided their consent to the cross-border disclosure; or Envirotech is required by law to do so.

6.9. APP 9- Adoption, use or disclosure of government related identifiers

Envirotech will not adopt a government related identifier of an individual as its own identifier of the individual unless:

- 6.9.1.** The adoption of the government related identifier is required or authorised by or under an Australian law or a court/tribunal order;
- 6.9.2.** Permitted under the Privacy Act

6.10. APP 10- Quality of personal information

Envirotech must take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that it collects, uses or discloses is having regard to the purpose of the use or disclosure, accurate, up to date, complete and relevant.

6.11. APP 11- Security of personal information

If Envirotech holds personal information, it must take such steps as are reasonable in the circumstances to protect the information:

- 6.11.1.** From misuse, interference and loss; and
- 6.11.2.** From unauthorised access, modification or disclosure.

All reasonable measures will be taken to ensure Personal Information is stored safely to protect it from misuse, loss, unauthorised access, modification or disclosure, including electronic and physical security measures.

Envirotech will ensure that Personal Information is kept for no longer than is necessary for the purposes for which it may lawfully be used. Records will be disposed of securely and in accordance with any requirements for the retention and disposal of Personal Information.

Envirotech must take such steps as are reasonable in the circumstances to destroy the information or to ensure that the information is de-identified

6.12. APP 12- Access to personal information

If it holds personal information about an individual, Envirotech must, on request by the individual, give the individual access to the information save and except in the following exceptional circumstances:

- 6.12.1.** Envirotech reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
- 6.12.2.** Giving access would have an unreasonable impact on the privacy of other individuals; or
- 6.12.3.** The request for access is frivolous or vexatious; or
- 6.12.4.** The information relates to existing or anticipated legal proceedings between Envirotech and the student, and would not be accessible by the process of discovery in those proceedings; or
- 6.12.5.** Giving access would reveal the intentions of Envirotech in relation to negotiations with the student in such a way as to prejudice those negotiations; or
- 6.12.6.** Giving access would be unlawful; or
- 6.12.7.** Denying access is required or authorised by or under an Australian law or a court/tribunal order; or
- 6.12.8.** Both of the following apply:
 - 6.12.8.1.** Envirotech has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the Envirotech functions or activities has been, is being or may be engaged in;
 - 6.12.8.2.** Giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or

- 6.12.9. Giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- 6.12.10. Giving access would reveal evaluative information generated within the entity in connection with a commercially sensitive decision-making process.

6.13. APP 13- Correction of personal information

If:

- 6.13.1. Envirotech holds personal information about an individual; and
- 6.13.2. Either:
 - 6.13.2.1. it 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
 - 6.13.2.2. The individual requests the entity to correct the information;

Envirotech 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.

6.14. General:

While students are undertaking their training program, there will be times when Envirotech and/or its Training Consultant, Business Development Consultant or Administration Officer may need to discuss student related situations with others. Envirotech ensures that it respects the privacy of students, prospective students and employers by implementing the National Privacy Principles.

The Australian Privacy Principles (APPs) in the Privacy Act (Privacy Amendment (Private Sector) Act 2000) sets out how private sector organisations should collect, use, keep secure and disclose personal information. The principles give individuals the right to know what information an organisation holds about them and the right to amend that information if it is incorrect or out of date.

Envirotech operates in conjunction with the Australian Privacy Principles and only collects the personal information that is necessary for the conduct of the business, in order to use the information solely for a specific purpose it is intended for.

Envirotech permit student's access to all their information. Students, clients, agents and employer information is stored and used appropriately and access is limited only to those who have a legal reason to access the information, or whom the student has given permission to do so.

Student information will not be provided to anyone else unless Envirotech has the permission from the student or are specifically allowed or required to provide the information by law. During the pre-enrolment and the induction process, students are given Envirotech consent to release information to specified third parties.

For example upon request, student information will be given to the following bodies (but not limited to):

- 6.14.1.** DHA Department of Home Affairs
- 6.14.2.** CRICOS Commonwealth Register of Institutions and Courses for Overseas Students through PRISMS
- 6.14.3.** ASQA Australian Skills Quality Authority
- 6.14.4.** ETTE Employment Training & Tertiary Education
- 6.14.5.** STA State Training Authorities
- 6.14.6.** TPS Tuition Protection Service
- 6.14.7.** NCVET National Centre for Vocational Education Research
- 6.14.8.** Apprentice Centres
- 6.14.9.** Employers - where the student is a Trainee/Apprentice or when approved by the students
- 6.14.10.** Education agents – when the students are being referred to or Recruited by an education agent

All information obtained will be treated as “commercial in confidence” whether it is marked as so or not.

All privacy information enquiries will be handled by the Student Registrar at: students@envirotech.edu.au