

Document number	AMTP07
Version	1.1
Date of issue	Aug 2015
Date of review	Jul 2018
Reviewed by	MTDC
Approved by	CS Director

Aspen Medical Training Privacy Policy

1. Purpose

Aspen Medical Training is committed to maintaining the privacy and confidentiality of its RTO personnel and participant records to comply with the [Privacy Act 1988](#) including the [13 Australian Privacy Principles \(APPs\)](#) as described in the [Privacy Amendment \(Enhancing Privacy Protection\) Act 2012](#).

2. Background

Aspen Medical Training is committed to providing a robust framework for the management of privacy risks at each stage of the information lifecycle, including collection, use, disclosure, storage, destruction and de-identification. The following policy guidelines will be made available to all Aspen Medical Training, staff to ensure that client and learner interests are protected.

Aspen Medical Training is committed to managing personal information in an open and transparent way. The practices, procedures and systems outlined in this policy, ensure compliance with the APPs and provide suitable procedures for Aspen Medical Training staff to be able to deal with any related inquiries and complaints that may be received from time to time.

Aspen has a [Privacy policy \(AMGMP08\)](#), which is the umbrella document, for Aspen’s compliance with legislative and best practice standards in management of Privacy.

3. Scope

This policy applies to all activities associated with training provided by Aspen Medical under the RTO.

The following principles have been designed in response to the 13 Australian Privacy Principles as they relate to Aspen Medical Training operations.

4. Australian Privacy Principle 1 – Open and Transparent Management of Personal Information

4.1 Information Collection, Use, Disclosure, Storage, Destruction and De-identification

Aspen Medical Training retains a record of personal information about individuals who engage in any provided training or development business services. Aspen Medical Training may disclose this information for a range of purposes, including but not limited to:

- Providing services to clients
- Managing employee and contractor teams
- Conducting internal business functions and activities
- Responding to the requirements of stakeholders

As an RTO, regulated by the Australian Skills Quality Authority, Aspen Medical Training is required to collect, hold, use and disclose a range of personal and potentially sensitive information on participants in nationally recognised training programs. This information requirement is outlined in the National Vocational Education and Training Regulator Act 2011 and associated legislative instruments. In particular:

- Standards for NVR Registered Training Organisations 2012; and
- Data Provision Requirements 2012.

Aspen Medical Training is also bound by various State Government Acts requiring similar information collection, use and disclosure including:

- Vocational Education & Training Act
- Traineeship & Apprenticeships Act (relevant to state jurisdictions of Aspen Medical Training operations).

Individuals are advised that due to these legal requirements, Aspen Medical Training is required to disclose certain information held on individuals for valid purposes to a range of entities including:

- Governments (Commonwealth, State or Local) VET authorities
- Employers (and their representatives)

4.2 Personal Information Collected and Held

The following types of personal information are generally collected, depending on the training service provide:

- Contact details
- Employment details
- Educational background
- Demographic Information
- Course progress and achievement information
- Financial billing information

The following types of sensitive information may also be collected and held:

- Identity details
- Employee details and HR information
- Complaint or issue information
- Disability status and other individual needs
- Ethnic background, such as Aboriginal and Torres Strait Islander
- Background checks (such as National Criminal Checks or Working with Children checks)

4.3 Collection of Personal Information

Aspen Medical Training will collect any required information directly from the individual concerned. This may include the use of relevant training record forms or self-uploaded data directly onto the web based student management system

On occasion, Aspen Medical Training may also receive solicited and unsolicited information from third party sources in undertaking service delivery activities. This may include information from such entities as:

- Government (Commonwealth, State or Local) VET authorities
- Employers (and their representatives)

4.4 Storage of Personal Information

Aspen Medical Training utilises secure information storage measures at all times. Information on collection is:

- Converted to electronic means as soon as possible after collection
- Stored in secure, password protected systems, such as financial system, learning management system and student management system
- Monitored for appropriate authorised use at all times - Only authorised personnel are provided with login information to each system.
- Destruction of paper based records occurs as soon as practicable in every matter, through the use of secure shredding and destruction services

4.5 Information Retention and Destruction

Aspen Medical Training maintains a *'Retention and Disposal Schedule'*, documenting the periods for which personal information records are kept.

In the event of Aspen Medical Training ceasing to operate, any personal information on record related to individuals who have undertaken nationally recognised training will be transferred to the Australian Skills Quality Authority, as required by law.

4.6 Information Access and Correction

Aspen Medical Training confirms that all individuals have a right to request access to their stored personal information and to request correction of that information at any time.

In order to request access to personal records, individuals are to make contact with:

Manager Training Development and Communications

Aspen Head Office

PH: 02 6203 9500

Email: training@aspenmedical.com.au

When a third party such as a VET authority or employer requests access to personal information Aspen Medical Training will positively identify the third party and vet the information provided. Where relevant and legally possible, the individual to whom the information relates will be contacted to confirm consent (if consent not previously provided for the matter).

4.7 Complaints about a Breach of the APPs

If an individual feels that Aspen Medical Training may have breached one of the APPs they can be referred to the Privacy Complaints Procedure below for further information.

4.8 Likely Overseas Disclosures

Aspen Medical Training confirms that an individuals' personal information is not intended to be disclosed to overseas recipients, for any purpose.

4.9 Availability of the APP Privacy Policy

Aspen Medical Training will make the, *APP Privacy Policy* readily available through the training portal and a summary version will also be included in the learner enrolment documentation.

4.10 Review and Update of this APP Privacy Policy

Aspen Medical Training will regularly review this *APP Privacy Policy* as suggestions or issues are raised and addressed, or as government required changes are identified. If this policy is updated, the changes to the policy will be widely communicated to stakeholders through the Aspen Medical Training portal.

5. Australian Privacy Principle 2 – Anonymity and Pseudonymity

Aspen Medical Training only stores and 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.

This 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.

5.1 Identification Requirements

Aspen Medical Training must require and confirm personal identification details when delivering nationally recognised course programs and is authorised by Australian law to deal only with individuals who have appropriately identified themselves. This is a condition of Registration for all RTOs under the *National Vocational Education and Training Regulator Act 2011*.

Aspen Medical Training will disclose Australian Vocational Education and Training Management of Information Statistical Standard (AVETMISS) data regarding individuals enrolled in nationally accredited training programs.

6. Australian Privacy Principle 3 – Collection of Solicited Personal Information

Aspen Medical Training only collects personal information that is reasonably necessary for business activities. Sensitive information will only be collected where an individual voluntarily consents in advance to the collection of such information or where the information is required to fulfill VET reporting requirements. This information will be collected only by lawful and fair means.

7. Australian Privacy Principle 4 – Dealing with Unsolicited Personal Information

On the occasion, where Aspen Medical Training receives unsolicited personal information, the information will be reviewed to determine whether it is relevant to business services. If

the information is found to be relevant, such information will be processed according to the guidelines in this policy document. Where Aspen Medical Training could not have collected the information by law or for a valid business purpose, it will be destroyed or de-identified, unless such action would be deemed unlawful.

8. Australian Privacy Principle 5 – Notification of the Collection of Personal Information

Whenever Aspen Medical Training collects personal information about an individual, reasonable steps will be taken to ensure that the individual is aware of the details of the information collected.

8.1 Standard notifications to individuals regarding data collection include:

- Aspen Medical Training staff contact details including; name, position title, telephone number and email address
- Notification of the circumstances of where personal information will be collected through training service documentation or correspondence
- Notification of circumstances where the collection of personal information is required or authorized by law including the name of the Australian law or other legal entity requiring the collection
- The consequences for the individual if all or some personal information is not collected
- Other organisations or persons to which the information is may be disclosed
- A link to APP Privacy Policy document on the Aspen Medical Training portal, providing advice regarding the relevance and content of the policy
- Where possible, Aspen Medical Training will ensure that the individual confirms their understanding of the policy details, through a signed declarations contained within the enrolment documentation

8.2 Collection from third parties

- Where Aspen Medical Training collects personal information from another organisation, staff will confirm whether the organisation has secured permission from the individual concerned to release the required information.
- Aspen Medical Training will also endeavor to notify the individual concerned to ensure that the individual is aware of the information collection.

9. Australian Privacy Principle 6 – Use or Disclosure of Personal Information

Aspen Medical Training will only use or disclose personal information it holds about an individual for the primary purposes for which the information was collected, or secondary purposes in cases where:

- An individual consents to a secondary use or disclosure
- An individual would reasonably expect the secondary use or disclosure of the information where the information use is directly related to the primary purpose of the information collection
- Using or disclosing the information is required or authorised by law

10. Australian Privacy Principle 7 – Direct marketing

Aspen Medical Training does not use or disclose the personal information that it holds about an individual for the purpose of direct marketing, unless:

- Information has been collected directly from an individual or a third party, and the individual would reasonably expect their personal information to be used for the purpose of direct marketing.
- When undertaking marketing initiatives, Aspen Medical Training will provide a simple method for individuals to request not to receive direct marketing communications (also known as 'opting out').

11. Australian Privacy Principle 8 – Cross-border Disclosure of Personal Information

Aspen Medical Training will only disclose personal information about an individual to an Aspen Medical overseas entity following informed consent from that individual.

12. Australian Privacy Principle 9 – Adoption, Use or Disclosure of Government Related Identifiers

Aspen Medical Training does not adopt, use or disclose a government related identifier related to an individual except when:

- Required by Australian law or other legal requirements
- Reasonably necessary to verify the identity of the individual
- Reasonably necessary to fulfil regulatory obligations to a VET authority

13. Australian Privacy Principle 10 – Quality of Personal Information

When collecting, storing or disclosing personal information, Aspen Medical Training will take all reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete and is used for the purpose for which it has been collected. (See principle 13 and section 17.2 of this document for details regarding the correction of personal information).

13.1 Quality Measures Supporting Requirements for Information Use

Aspen Medical Training has developed quality focused information management systems to ensure that the quality and processing of personal information conforms to the Australian Privacy Principles. These systems ensure that information is:

- Recorded in a consistent format, from a primary information source when possible
- Updated or new personal information is promptly added to relevant existing records either by Aspen Medical Staff or by the individual via CRM system.
- Accurate, when a lengthy period since collection has elapsed
- Current, when the information has been collected by a third party

14. Australian Privacy Principle 11 — Security of Personal Information

Aspen Medical Training has developed quality focused information management systems that provide reasonable steps to ensure that personal information is stored securely and protected from misuse, interference, and loss as well as unauthorised access, modification or disclosure.

These systems ensure that personal information is:

- Destroyed or de-identified once the information is no longer needed for any purpose for which the information may be legally used or disclosed
- Not able to be accessed by unauthorised personnel
- Stored in a secure place whether that is in digital or hardcopy form

Aspen Medical Training takes reasonable measures to ensure that staff are aware of the Australian Privacy Principles and how those principles relate to the collection, use and storage of personal information. Internal audits will be conducted as required to review the effectiveness of the RTO's personal information management systems.

15. Australian Privacy Principle 12 — Access to Personal Information

Where Aspen Medical Training holds personal information about an individual, the individual will be provided access to the information on their request. In processing a request for access to personal information Aspen Medical Training will:

- Confirm the identity of the individual or other authorized person before access to the information is proved.
- Respond to a request for access to personal information within 14 calendar days
- Provide reasons for a refusal of information access, in writing, along with information about the *RTO's Complaints and Appeals policy*
- Provide access to personal information when deemed appropriate, free of charge.

16. Australian Privacy Principle 13 – Correction of Personal Information

Aspen Medical Training will take reasonable steps to correct personal information to ensure that the information is current, accurate, complete, not misleading, and relevant to the purpose for which it is held.

When requested by the individual or other authorised person, Aspen Medical Training will correct personal information held and when relevant notify any relevant third parties such as VET authorities or employers of the corrections made.

If there are circumstances where Aspen Medical Training deems it appropriate to refuse to update personal information, the following steps will be undertaken:

- Written notice will be given to the individual outlining the reasons for the refusal, along with information about the *RTO's Complaints and Appeals policy*
- Reasonable measures will be taken to record a note against the personal information stating the individual's concern regarding the information
- A written response will be provided within 14 calendar days, free of charge.

17. Personal Information Management Procedures

17.1 Request for Access to Personal Information Records Procedure

Individuals or third parties may at any stage request access to personal information records held by Aspen Medical Training. When such a request is made, the following procedure will be followed:

- The individual or third party requesting the personal information will be asked to submit their request in writing to Aspen Medical Training, via the RTO's email

address - training@aspenmedical.com.au Their written application should provide the following information:

- Proof of identity
- Details regarding the specific information access being requested
- This information can be submitted using the *RTO's Records Access or Update Request Form*

Once the *Records Access or Update Form* has been received, Aspen Medical Training staff will:

- Authenticate the proof of identity documentation
 - The minimum amount of personal information needed to establish an individual's identity, will be to sight documents that record an individual's name, date of birth, last known address and signature (ex. drivers licence or passport, Medicare card).
 - Visual identification can also be made, using the photograph on a drivers licence or passport.
 - A scanned photocopy of these documents, signed by a Justice of the Peace will be accepted by email or post, if the applicant is unable to visit the RTO in person.
- Confirm that the individual or third party requesting the information is appropriately authorised to receive the requested information
- Access the individuals records to confirm that the information is available for retrieval
- If the information is digital, snips / screenshots will be taken and then collated
- If the information is stored as a hardcopy, photocopies will be taken and then collated
- Ensure that access to the requested personal information is provided to the applicant within 30 calendar days from the receipt of the *Records Access or Update Form*
- Provide access to the personal information in the specific manner or format requested by the individual, wherever it is reasonable and practicable to do so, free of charge. If the requested format is not practicable or available the RTO will consult with the applicant to determine an acceptable format.

If the identity of the individual or third party or the authorisation to access the required information cannot be confirmed, or there is another valid reason why Aspen Medical Training is unable to provide the personal information, Aspen Medical staff will:

- Issue a *Refusal to Provide Access to Records Notification*
- Ensure that the notification documents any reasons for the refusal, along with information about the [RTO's Complaints and Appeals policy](#)
- Ensure that the *Refusal to Provide Access to Records Notification* is provided to the applicant within 30 calendar days from the receipt of the *Records Access or Update Form* free of charge

17.2 'Request for Records Update' Procedure

Individuals or third parties may at any stage request that the information contained in their personal records held by Aspen Medical Training be updated. When such a request is made, the following procedure will be followed:

- The individual or third party requesting the update to personal information will be asked to submit their request in writing to Aspen Medical Training, via the RTO's email address - training@aspenmedical.com.au Their written application should provide the following information:
 - Proof of identity
 - Details regarding the specific information access being requested
 - This information can be submitted using the *RTO's Records Access or Update Request Form*

Once the Records Access or Update Form has been received, Aspen Medical Training staff will:

- Authenticate the proof of identity documentation
 - The minimum amount of personal information needed to establish an individual's identity, will be to sight documents that record an individual's name, date of birth, last known address and signature (ex. drivers licence or passport, Medicare card).
 - Visual identification can also be made, using the photograph on a drivers licence or passport.
 - A scanned photocopy of these documents, signed by a Justice of the Peace will be accepted if the applicant is unable to visit the RTO in person.
- Confirm that the individual or third party requesting the information update is appropriately authorised to alter the requested information
- Access the individual's records to confirm that the information is available for retrieval. A search will be done to check the uniformity of the individual's personal details across the different areas of the RTO's information storage and determine the most recent information.
- Update the personal information records as requested by the applicant
- Ensure that action to update the personal information is taken within 14 calendar days from the receipt of the *Records Access or Update Form*
- Provide notification to any third parties such as VET authorities or employers regarding the corrections made to personal information, if this information was previously provided to these parties.

If the identity of the individual or third party or the authorisation to access the required information cannot be confirmed or there is another valid reason why Aspen Medical Training is unable to update the personal information, Aspen Medical staff will:

- Issue a *Refusal to Update Personal Records Notification*
- Ensure that the Refusal to Update Personal Records Notification, documents any reasons for the refusal, along with information about the RTO's Complaints and Appeals policy
- Ensure that the Refusal to Update Personal Records Notification, is provided to the applicant within 14 calendar days from the receipt of the Records Access or Update Form, free of charge
- Take reasonable measures to record a note against the personal information stating the individual's concern regarding the information

17.3 Privacy Complaints Procedure

An individual, who feels that Aspen Medical Training has breached its obligations in the handling, use or disclosure of their personal information, shall have access to the RTO's complaints and appeals procedure.

During the initial stage of any complaint (or feedback) the individual will be encouraged to communicate directly with the relevant operational representative of Aspen Medical Training, to try and resolve the matter informally. If the individual is dissatisfied with the response to their informal feedback or complaint they may then initiate a formal complaint.

If a formal complaint is lodged, Aspen Medical staff will:

- Ask the individual to submit their complaint in writing to training@aspenmedical.com.au ; providing a detailed description of their concerns.
- Investigate and validate the complaint
- Provide a formal, written response to the individual, within 30 calendar days, detailing the investigative findings as well as any required reparative response or actions

If the individual is still not satisfied after considering the RTO's response, they may escalate their complaint directly to the Information Commissioner for investigation:

Office of the Australian Information Commissioner

www.oaic.gov.au

Phone: 1300 363 992

When investigating a complaint, the OAIC will initially attempt to conciliate the complaint, before considering the exercise of other complaint resolution powers.

Alternatively, if the complaint relates to training matter, the individuals can choose to lodge their complaint with the ASQA complaints handling service for complaints against RTOs:

Australian Skills Quality Authority

www.asqa.gov.au

Phone: 1300 701 801

18. Related Documents / Resources

- [Policy on RTO Complaints and Appeals](#)
- [Privacy Act 1988](#)
- 13 Australian Privacy Principles (APPs) as outlined in the [Privacy Amendment \(Enhancing Privacy Protection\) Act 2012](#).
- [National Vocational Education and Training Regulator Act 2011](#)
- Standards for NVR Registered Training Organisations 2012 and Data Provision Requirements 2012.
- Vocational Education & Training Act

- Traineeship & Apprenticeships Act (relevant to state jurisdictions of Aspen Medical Training operations)
- [Aspen Privacy policy](#)

FURTHER DEVELOPMENT ACTIONS (Office Use Only)

- *Working with Children Policy* – to be developed
- Unique Student Identification Number
- *'Retention and Disposal Schedule,'* - Do we have this document?
- Summary version of this document to be included in the learner enrolment documentation.
- *Records Access or Update Request Form*
- *Refusal to Provide Access to Records Notification*