

Date of Implementation

13th May 2024

Date Reviewed

May 2024

Date Due for Review

May 2025

Privacy Policy

Purpose

MiHaven Training is required to collect, use, store and disclose a range of personal information on students, employees and a range of other stakeholders. MiHaven Training complies with the *Privacy Act 1988 (Cth)*, including the 13 Australian Privacy Principles (APPs). MiHaven Training is committed to maintaining the privacy and confidentiality of its RTO employees, RTO contractors, third party and student records.

This policy specifically relates to the privacy of student, employer and other groups or individuals in the relation of training and / or assessment services. As such, this policy applies to all staff, contractors and other third parties which may be privy to sensitive information covered by the APP.

What are the APPs?

The Australian Privacy Principles (APPs) are the cornerstone of the privacy protection framework in the *Privacy Act 1988 (Cth)*. They apply to any organisation or agency the Privacy Act covers.

There are 13 Australian Privacy Principles and they govern standards, rights and obligations around:

- The collection, use and disclosure of personal information
- An organisation or agency's governance and accountability
- Integrity and correction of personal information
- The rights of individuals to access their personal information

The Australian Privacy Principles are principles-based law. This gives an organisation or agency flexibility to tailor their personal information handling practices to their business models and the diverse needs of individuals. They are also technology neutral, which allows them to adapt to changing technologies.

A breach of an Australian Privacy Principle is an 'interference with the privacy of an individual' and can lead to regulatory action and penalties.

Authorisation

MiHaven Training requires students to authorise MiHaven Training to collect and store personal information to administer their application for enrolment, to monitor academic progress and to provide services, including services delivered in partnership with relevant stakeholders and third parties beneficial to student participation, completion and gaining employment. This may include checking of migration status, work and study entitlements through VEVO (Visa Entitlement Verification Online system) for the purpose of confirming enrolment eligibility. MiHaven Training will ensure that information collected from students is not excessive and is only used for the purpose for which it is collected.

Why we collect your personal information?

As a registered training organisation (RTO), we collect your personal information so we can process and manage your enrolment into a Vocational Education and Training (VET) course with MiHaven Training. Please note if an individual does not provide their personal information to MiHaven Training, consequences could include not being able to enrol as a student of MiHaven Training.

How we use your personal information?

We use your personal information to enable us to deliver VET courses to you, and otherwise, as needed, to comply with our obligations as an RTO.

How we disclose your personal information?

We are required by law (under the *National Vocational Education and Training Regulator Act 2011 (Cth) (NVETR Act)*) to disclose the personal information we collect about you to the National VET Data Collection kept by the National Centre for Vocational Education Research Ltd (NCVER). The NCVER is responsible for collecting, managing, analysing and communicating research and statistics about the Australian VET sector.

We are also authorised by law (under the *NVETR Act*) to disclose your personal information to the relevant state or territory education departments, authorities and the RTO Australian Skills Quality Authority (ASQA).

How the NCVER and other bodies handle your personal information?

The NCVER will collect, hold, use and disclose your personal information in accordance with the law, including the *Privacy Act 1988 (Cth) (Privacy Act)* and the *NVETR Act*. Your personal information may be used and disclosed by NCVER for purposes that include populating authenticated VET transcripts; administration of VET; facilitation of statistics and research relating to education, including surveys and data linkage; and understanding the VET market.

NCVER is committed to managing personal information in an open and transparent way. Their Privacy Policy explains how NCVER complies with:

- The [Privacy Act 1988 \(Privacy Act\)](#), including the [Australian Privacy Principles \(APPs\)](#)
- Subdivision B of the [National Vocational Education and Training Regulator Act 2011 \(NVETR Act\)](#)
- Divisions 4 and 5 of the [Student Identifiers Act 2014 \(SI Act\)](#) and the [Student Identifiers Regulations](#)
- The [National Vocational Education and Training Regulator \(Data Provision Requirements\) Instrument 2020](#)
- The [National VET Data Policy](#).

NCVER only collects the information they need to do their work. They regularly review their processes to make sure the information they collect is protected in the best possible ways.

Other privacy information

NCVER also have privacy notices that explain how they will handle personal information for specific projects:

- [National Student Outcomes Survey](#)
- [Longitudinal Surveys of Australian Youth \(LSAY\)](#)
- [Survey of Employer Use and Views of the VET System](#)
- [VET Student Experience Survey](#).

How NCVET use your personal information

They only use your personal information for the purposes for which it was given to them.

If you are a VET student, they may use your personal information:

- To produce statistics and research relating to education. This may involve combining your information with other sources of data to help policy makers and researchers gain a better understanding of VET sector dynamics and performance, support critical policy and other decision making, and shed light on evolving VET sector priorities. This is known as data integration
- To understand how the VET market operates
- To invite you to participate in a survey.

If you otherwise engage with NCVET (for example, as a researcher, employee in the VET sector and so on) they may use your personal information:

- To provide you with information or services you have requested from them
- For consulting with you on their products and services.

Disclosure of your personal information

If they disclose personal information, they do so only as permitted by the NVET Act, the Privacy Act, and other relevant legal requirements, such as the National VET Data Policy.

They may disclose your personal information where:

- You have agreed
- You would reasonably expect, or have been told, that they may disclose information in a particular circumstance or to a particular person or organisation
- It is required or authorised by law.

The [NVET Act](#) authorises NCVET to disclose information to any of the following bodies for the purposes of that body:

- The Australian Government Department of Employment and Workplace Relations
- Another Commonwealth authority
- A State or Territory authority (other than a registered training organisation) that deals with, or has responsibility for, matters relating to vocational education and training
- A VET Regulator.

Further to this, the [National VET Data Policy](#) authorises NCVET to share personal information for:

- (a) Populating authenticated VET transcripts
- (b) Administering VET, including program administration, regulation, monitoring and evaluation
- (c) Facilitating statistics and research relating to education, including surveys and data linkage
- (d) Understanding how the VET market operates, for policy, workforce planning and consumer information.

The NCVET does not intend to disclose your personal information to any overseas recipients.

Unique Student Identifier (USI)

In accordance with Section 11 of the *Student Identifiers Act 2014 (Cth)*, MiHaven Training will securely destroy personal information which we collect from individuals solely for the purpose of applying for a USI on their behalf as soon as practicable after we have made the application or the information is no longer needed for that purpose. <https://www.usi.gov.au/documents/privacy-notice>

Personal Information

Sensitive personal information will only be collected, as required, from students. Such information is treated as confidential within MiHaven Training and is used for the purpose for which it was collected or for a related purpose.

This includes:

- Providing the training services;
- Informing students about additional or upcoming courses available; and
- Gathering feedback from students regarding services provided by MiHaven Training for continuous improvement opportunities

Information submitted digitally to our organisation (i.e. electronic data, using an electronic form or application or by sending an email) is collected and used for the purposes that it has been provided for. For example, if you request information about a course, the RTO will use the information to process your enquiry.

Security of Personal Information

MiHaven Training shall take reasonable steps to ensure personal information is safe from misuse, loss, and unauthorised access, alteration or disclosure. Information shall be destroyed or identifiers removed when it is no longer needed for either the primary purpose, approved secondary purpose or the required retention period set by Commonwealth and State legislation.

MiHaven Training shall take reasonable steps to ensure the security of physical files, computers, networks and communications are maintained at all times. All filing cabinets are kept locked; data systems are restricted with passwords and the office building is accessed via swipe cards out of office hours. During standard business hours (8.30am-5.00pm) the campus is managed by a full time receptionist and all site visitors are escorted to the appropriate department.

Disclosure

MiHaven Training shall only use or disclose information for the primary purpose (original reason for information being collected) it was collected. MiHaven Training shall not use or disclose information for a secondary purpose (any other purpose than the primary purpose).

MiHaven Training will not disclose student's personal information to another person or organisation unless:

- a) The individual concerned is reasonably likely to have been aware, or made aware that information of that kind is usually passed to that person or organisation;
- b) The individual concerned has given written consent to the disclosure;
- c) MiHaven Training believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or of another person;
- d) The disclosure is required or authorised by or under law; or
- e) The disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.

Third Parties

MiHaven Training may receive personal information from third parties. In such case, MiHaven Training will protect it as set out in this Privacy Policy. MiHaven Training will take all reasonable steps to ensure that the information provided from individuals is correct and any third-party information received can be verified for accuracy, currency and completeness.

Students may nominate third parties they wish to have access to their records, a Consent to Discuss Form must be completed and signed by all parties. Any MiHaven Training staff member who receives a request for information from a person claiming to be authorised third party must verify this authorisation and any related conditions through a check on the students file prior to releasing any information.

MiHaven Training shall not disclose personal information to an external company or third party without prior permission. Personal information shall not be sold to anyone and shall not be used for promotions independent of MiHaven Training. Personal information shall 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.

MiHaven Training shall not transfer personal information to a foreign company or organisation unless required to do so under relevant legislation and government directive and with the notification being provided to the individual concerned.

For students under 18, information regarding attendance, progress and general well-being may be provided in order to keep parent(s) and/or guardian(s) adequately informed.

Rights to Access Information

Under the Privacy Act, students have the right to access personal and course progression information held about them. If the information is incorrect, they have the right to require MiHaven Training to amend the information.

Students may at any time request details of personal information that MiHaven Training holds about them in accordance with the provisions of the *Privacy Act 1988 (Cth)*. All requests for access to personal information, the individual must be able to identify themselves and verify their identity prior to any information being disclosed.

If MiHaven Training is required or authorised by law to do so, we may refuse to provide you with access to this information. We will either provide you with access or inform you of our decision to refuse access within 28 days of receiving your request.

Correction

If a student believes that any information MiHaven Training holds is inaccurate, out of date, incomplete, irrelevant or misleading, please contact us, MiHaven Training relies in part upon our students to advise us when their personal information changes. MiHaven Training will respond to any request within a reasonable time and will endeavour to promptly correct any information found to be incorrect so that our information is accurate, up-to-date, complete, relevant and not misleading.

Other Websites

The MiHaven Training website may contain links to other websites of interest. Please note, we do not have any control over those websites. MiHaven Training is not responsible for the protection and privacy of any information which you provide whilst visiting such websites and such websites are not governed by this Privacy Policy. You should exercise caution when accessing such websites and look at the Privacy Policy applicable to the website in question.

Receiving Marketing Information

With student's consent, MiHaven Training may provide them with information from time to time about new courses available to them. Student's consent to this will be implied unless they notify MiHaven Training that they do not wish to receive this information. You may do this by advising the administration staff in writing that you do not wish to receive marketing information.

Changes to our Privacy Statement

This information relates to the MiHaven Training's current privacy policy and standards. MiHaven Training may vary its privacy standards from time to time. MiHaven Training will not separately notify individuals of any changes.

Complaints

If you believe that MiHaven Training has breached the Australian Privacy Principles and wish to make a complaint about that breach, please contact the RTO Director, James Mort (07 4041 0407), setting out details of the breach. MiHaven Training will promptly investigate your complaint and endeavour to respond to you in writing, setting out the outcome of our investigation, what steps we propose to take to remedy the breach and any other action we will take to deal with your complaint. For further information, MiHaven Training's Complaints and Appeals Policy can found on our website.

