

## PRIVACY AND PERSONAL INFORMATION POLICY

### Purpose

Binnacle Training is required to collect, use, store and disclose a range of personal information on students, employees and a range of other stakeholders. Binnacle Training is committed to maintaining the privacy and confidentiality of all student and personnel records. Binnacle Training complies with the Privacy Act 1988 (Cth), including the 13 Australian Privacy Principles (APP) as outlined in the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth).

### Scope

This policy applies to all students, employees and contractors.

### Responsible Parties

The 'Chief Operations Officer' is responsible for the control and issuance of this policy.

### Policy

#### 1. Open and Transparent Management of Personal Information

Binnacle Training will publish this policy on its website. This policy will also be included in Binnacle Training's Participant Handbook, Staff Handbook, and made available on request.

#### 2. Collection of Solicited Personal Information

Binnacle Training collects information from a variety of sources. Information may be collected:

- when you provide details to Binnacle Training in an enrolment application form, Blue Card application form, consent form, survey, feedback form or incident report;
- when you enter personal information into, or agree to having your personal information entered into, our online Learning Management System (LMS);
- via our industry partners associations or other body which is a member or affiliated with Binnacle Training;
- when you subscribe to a Binnacle Training publication (e.g. newsletter);
- when you access the Site;
- when you contact us via email, telephone or mail or engage via social media;
- when you participate in any program, activity, competition or event run by Binnacle Training;
- when you apply for or commence employment; or
- where Binnacle Training is required to do so by law (for education, VET training, child protection, Work Health and Safety laws or other legislation in Australia).

The information that Binnacle Training collects may include:

- name (including title);
- date of birth;
- contact information, including email address;
- demographic information such as postcode;

- job titles;
- school you are attending or teaching;
- indigenous background;
- ability/disability;
- language, literacy and numeracy skills;
- other information relevant to the customisation of a document on the Site;
- information about your business or personal affairs;
- information about your vocational needs;
- any audio or video-recording of you while participating in our training programs for assessment purposes;
- next of kin or parent/guardian;
- other information relevant to client surveys and/or promotions; and
- any other information requested on this Site or otherwise required by us or provided by you.

Binnacle Training may contact you to voluntarily respond to questionnaires, surveys or market research to seek your opinion and feedback. Providing this information is optional to you.

Binnacle Training may receive personal information from third parties. In such case, Binnacle Training will protect it as set out in this Privacy Policy.

Binnacle 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.

#### **4. Dealing with Unsolicited Personal Information**

Binnacle Training only collects, uses and stores information which is directly related to the provision of training and assessment (for students) and information directly related to the employment or engagement of contractors (for employees and contractors).

Information which is received that is not related to training and assessment or employment with Binnacle Training is destroyed in a safe and secure manner.

#### **5. Notification of the Collection of Personal Information**

Students and employees are notified when information is collected or sourced from third parties. Such notifications are expressed in enrolment forms, assessment tools and other written documents or implied in such circumstances such as workplace observations.

#### **6. Use of Personal Information**

Binnacle Training collects and uses personal information for the following purposes:

- to allow account creation for students, teachers, and assessment through our custom-built LMS;
- to provide information, products and services to you and request information to manage and administer those products and services (including enrolment, assessment and issuing certificates of completion and statements of attainment);
- to deliver or facilitate the provision of training and capture assessment evidence for making assessment judgements;
- to respond to your queries relating to our Site, our products, advice and services;
- to provide information to our network of industry partners and contractors (each a Consultant) for the purposes of assisting you and managing your enquiry or needs;
- to better understand your needs, enabling us to improve our products and services;
- for internal record keeping;

- to circulate promotional emails about new products and services (including program offerings), special offers or other information which we think you may find interesting;
- to measure consumer interest in our products and services;
- to contact you for market research purposes; and
- direct marketing (Binnacle Training will only use your information if you have provided consent to use your information for this purpose and you have opted-in to this type of communication).

## 7. Disclosure of Personal Information

Binnacle Training may disclose personal information:

- for the purpose of providing information, products and services to clients;
- for the purposes of informing teachers, assessors, and our industry partners about course progression and completion status;
- to register and administer events, promotions or competitions;
- to verify personal information details upon request from third parties, such as completion of courses, a request from a potential employer verifying a qualification and further enrolment into another institution;
- to comply with legal and regulatory obligations, including disclosure and reporting to Commonwealth, State and Territory government agencies for planning, evaluative, administrative and funding purposes. This may include:
  - disclosure and reporting to Commonwealth and State government agencies (including State Training Authorities) for the purpose of administering entitlements to financial assistance under Commonwealth and State government programs for supporting students (e.g. VETiS funded by the VET investment budget), and
  - disclosure to government agencies responsible for administering and regulating education and training providers in Australia [e.g. Australian Skills Quality Authority (ASQA)].
- 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;
- to courts, tribunals, regulatory authorities, and law enforcement officers as required by law, in connection with any actual or prospective legal proceedings, or in order to establish, exercise or defend our legal rights;
- to one or more Consultants, for the purpose of providing information and services to you;
- to the relevant third party or parties, with our client's consent, if the matter involves third parties; and
- to third parties, including agents, referral partners, contractors and sub-contractors for the purposes of providing information, products and services to you.

By providing Binnacle Training with personal information, you consent to this disclosure. Where personal information is disclosed to third parties, Binnacle Training will request or otherwise seek to get comfortable that the third party follows the Australian Privacy Principles regarding handling your personal information.

If there is a change of control of our business or a sale or transfer of business assets, Binnacle Training reserves the right to transfer to the extent permissible at law our user databases, together with any personal information and non-personal information contained in those databases. This information may be disclosed to a potential purchaser. Binnacle Training would seek to only disclose information in good faith and where we have sought to maintain confidentiality.

Binnacle Training does not typically or routinely disclose personal information to overseas recipients. Unless consent has been given, or an exception under the Australian Privacy Principles applies, Binnacle Training will only disclose personal information to overseas recipients where reasonable steps have been taken to ensure the overseas recipient does not breach the Australian Privacy Principles in relation to your personal information.

## **8. Adoption, Use or Disclosure of Government Related Identifiers**

Binnacle Training is required to collect, in some circumstances, government related identifiers. Binnacle Training will not use these identifiers for any reason or purpose except for the explicit reason it is required (e.g. Concession numbers, Unique Student Identifier, Tax File Numbers, Drivers Licence Number, etc.) and will not use these numbers as an identifier of individuals.

Binnacle Training will only disclose government related identifiers where required by law or express consent has been given to disclose this information.

## **9. Security of Personal Information**

Binnacle Training is committed to ensuring that the information you provide to us is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure that information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure. This includes:

- The Site is secured using an SSL certificate. Access to the website is not available on an insecure connection.
- All storage infrastructure is housed in highly secure data centres with redundancy in place in the event of natural disasters.
- Regular third party pen testing is conducted on our systems in addition to close monitoring by internal developers. Manual and automatic malicious code scanners are in place, including regular pen testing by a third party and internal scanning on staff computers using Sophos AV.
- Destruction of personal and sensitive information is carried out by commercial document destruction companies or secure shredding or secure electronic deletion.

All records will be kept in Australia.

## **Controlling Your Personal Information**

### **Choice and Consent**

Providing Binnacle Training with your personal information is optional to you. You can choose not to provide personal information. When you provide Binnacle Training with your personal information, you consent to the terms in this Privacy Policy, and to us disclosing or receiving your personal information for these purposes. Binnacle Training will not sell, distribute or lease your personal information to third parties unless we have your permission or are legally required to do so.

If you do not provide any personal information to Binnacle Training, it may affect your use of the Site or the products and services offered on the Site.

### **Anonymity and Pseudonymity**

Individuals have the option of remaining anonymous or using a pseudonym in their dealings with us where it is lawful and practicable (e.g. when requesting information on a course; website enquiries; anonymous complaints/feedback). Generally, it is not practicable or lawful for us to deal with individuals anonymously or pseudonymously on an ongoing basis (e.g. if the individual wishes to enrol in a Binnacle program).

Individuals who wish to undertake nationally recognised training with Binnacle Training will be required to disclose information of a personal nature as outlined in this Policy.

### **Restrict**

You may choose to restrict the collection or use of your personal information. If you have previously agreed to Binnacle Training using your personal information for direct marketing purposes, you may change your mind at any time by contacting us via the details below.

## **Access to Personal Information**

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

If we are 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.

All requests must be made to:

Melissa Bulow

Chief Operations Officer

PO BOX 2559

Ipswich QLD 4305

[melissa.bulow@binnacletraining.com.au](mailto:melissa.bulow@binnacletraining.com.au)

## **Correction of Personal Information**

If you believe that any information we hold on you is inaccurate, out of date, incomplete, irrelevant or misleading, please contact us (see details above). Binnacle Training relies in part upon clients advising us when their personal information changes. Binnacle Training will respond to any request within a reasonable time and will endeavour to promptly correct any information found to be incorrect so that the information is accurate, up-to-date, complete, relevant and not misleading.

## **Unsubscribe**

You are welcome to unsubscribe from Binnacle Training's e-mail database, or opt out of communications, at any time. Please use the link provided in future subscriber email communications or by contacting Binnacle Training via the details below.

## **Complaints**

If you believe that Binnacle Training has breached the Australian Privacy Principles and wish to make a complaint about that breach, please email us setting out details of the breach. Binnacle Training will promptly investigate your complaint and endeavour to respond to you in writing within 28 days 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.

## **Website-Specific**

### **How we use Cookies**

Binnacle Training uses session "cookies" for keeping users logged in to the Site. A cookie is a small file supplied by Binnacle Training's web server and stored by the web browser software on your computer when you access the Site. An explanation of cookies can be found at the site of the Office of the Australian Information Commissioner. Cookies allow Binnacle Training to recognise you as an individual as you move from one of our web pages to another, and to retain data about whether you are logged in to the Binnacle Training Lounge.

This information is only used to help you use our website systems more efficiently, not to track your movements through the internet, or to record private information about you.

### **Age Limits**

Binnacle Training only partners with secondary schools. Binnacle Training's lowest age group is typically those students commencing Year 10 (14-15 years) and in the rare instance, students in Year 9 completing a First Aid or CPR course.

## Data Storage

Data is stored using obfuscation for relevant personal information and encrypted passwords.

## Application and Server Information

The server infrastructure is located in an Amazon Web Services data centre facility in Sydney, Australia.

The server is configured using best security practices. A code review and quality assurance process is undertaken prior to code being deployed into the production environment. Access to server infrastructure is through public and private key authentication with multiple access level checks.

## Links to Other Websites

The Binnacle Training Site may contain links to other websites of interest. Please note, we do not have any control over those websites. Binnacle 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.

This Privacy Policy may be amended from time to time with changes, additions and deletions, at Binnacle Training's sole discretion. You should check this Policy regularly to ensure that you are aware of any changes. Your continued use of the Site following any amendments indicates that you accept the amendments.

## Further Information

### Commonwealth Legislation

LEGISLATION	LINK
National Vocational Education and Training Regulator Act 2011	<a href="http://www.legislation.gov.au/Series/C2011A00012">www.legislation.gov.au/Series/C2011A00012</a>
National Vocational Education and Training Regulator (Data Provision Requirements) Instrument 2020	<a href="http://www.legislation.gov.au/Series/F2013L00160">www.legislation.gov.au/Series/F2013L00160</a>
Standards for Registered Training Organisations (RTOs) 2015	<a href="http://www.legislation.gov.au/Series/F2014L01377">www.legislation.gov.au/Series/F2014L01377</a>
Student Identifiers Act 2014	<a href="http://www.legislation.gov.au/Series/C2014A00036">www.legislation.gov.au/Series/C2014A00036</a>
Student Identifiers Regulation 2014	<a href="http://www.legislation.gov.au/Series/F2014L01204">www.legislation.gov.au/Series/F2014L01204</a>
Student Identifiers (Exemptions) Instrument 2018	<a href="http://www.legislation.gov.au/Series/F2018L01447">www.legislation.gov.au/Series/F2018L01447</a>
Privacy Act (1988)	<a href="http://www.legislation.gov.au/Series/C2004A03712">www.legislation.gov.au/Series/C2004A03712</a>
Australian Privacy Principles	<a href="http://www.oaic.gov.au/agencies-and-organisations/guides/app-quick-reference-tool">www.oaic.gov.au/agencies-and-organisations/guides/app-quick-reference-tool</a>

### Other

DOCUMENT NAME	LINK
AVETMISS	<a href="https://www.ncver.edu.au/rto-hub/what-is-avetmiss">https://www.ncver.edu.au/rto-hub/what-is-avetmiss</a>

## National VET Data Policy – Version Control

VERSION #	PURPOSE/CHANGE	AUTHOR	DATE
1	Endorsed by the Council of Australian Governments (COAG) Industry and Skills Council (CISC).	Kelly Fisher	24/11/2017
2	Changes to Schedule 1 and consequential amendments agreed by the Skills Senior Officials Network.	Kelly Fisher	06/12/2018
3	Updates to Schedules and other changes to the Policy following amendments to the National Vocational Education and Training Regulator legislation, and to bring terms and references up to date.	David Fintan	02/12/2020