

Privacy and Confidentiality Policy

Purpose

The purpose of this Privacy and Confidentiality Policy is to outline the general processes and procedures relating to privacy and confidentiality, ensuring compliance with relevant legislation.

This policy includes reference to Recordkeeping and Learner details.

Scope

This policy applies to all learners, staff, and stakeholders of Communicare RTO, including:

- Current and prospective learners
- Trainers, assessors, and administrative staff
- Third-party providers (if applicable)
- Volunteers and external stakeholders

Definitions

Privacy refers to the protection of personal information and the individual's right to control how their information is collected, used, and disclosed.

Confidentiality is an obligation to ensure information received is not disclosed without consent or permission for an individual. It includes the individuals' right to control their personal information and protection.

NCVER – The National Centre for Vocational Education Research (NCVER) is the national professional body responsible for collecting, managing, analysing and communicating [research](#) and [statistics](#) on the Australian vocational education and training (VET) sector.

RTO (Registered Training Organisation) – An organisation registered by TAC or ASQA to deliver nationally recognised training and assessment services.

TAC (Training and Accreditation Council) – The regulator for vocational education and training sector within Western Australia, responsible for ensuring compliance with the Standards for RTOs.

VET – Vocational Education and Training

Policy

Privacy Statement

Communicare RTO is committed to protecting the privacy of all learners, staff, and stakeholders by ensuring that personal information is collected, used, stored, and disclosed in a lawful, ethical, and secure manner. The RTO will implement appropriate systems, controls, and procedures to safeguard personal information from misuse, loss, unauthorised access, modification, or disclosure, in accordance with the Australian Privacy Principles and applicable legislation

Confidentiality Statement

Communicare RTO is committed to maintaining the confidentiality of all personal and organisational information obtained in the course of its operations. The RTO will ensure that information relating to learners, staff, and stakeholders is protected from unauthorised access, use, or disclosure by implementing appropriate controls, systems, and procedures.

Procedure

Communicare RTO will ensure that individuals are informed about the purpose of information collection, how their information will be used, and their rights to access and correct their personal information, by making this policy available to learners through the Communicare RTO website. Communicare RTO collects and reports personal information in accordance with the National VET Data Policy and AVETMISS reporting requirements. This includes the mandatory collection of statistical data required by NCVET. Consent for the collection, use and disclosure of personal information is obtained at enrolment through the completion of enrolment documentation and privacy notices. Personal information will only be used for legitimate training, assessment, administrative, and regulatory reporting purposes, and will not be disclosed without consent unless required by law.

Information will only be accessed or disclosed by authorised personnel for legitimate training, assessment, administrative, or regulatory purposes, and where consent has been provided or disclosure is required by law. All staff and relevant stakeholders are required to uphold confidentiality obligations and ensure that sensitive information is handled responsibly and securely at all times.

Individuals may request access to or correction of their personal information by emailing the RTO Administration team, rto@communicare.org.au. Requests will be responded to within 10 working days (or within legislated timeframes where applicable). If access is refused, the individual will be provided with a written explanation.

Individuals may lodge a complaint regarding privacy or confidentiality by following the Complaints and Appeals Policy and Procedure. Complaints may also be referred to the Office of the Australian Information Commissioner (OAIC) if not resolved through the RTO.

Collection and handling of personal information

Communicare RTO is required by law to collect, use and disclose personal information for the purposes of vocational education and training, including reporting data to the National Centre for Vocational

Education Research (NCVER). This data may be shared with Commonwealth and State government agencies, including the VET regulator and funding bodies.

Where personal information is stored using cloud-based systems, Communicare RTO ensures that service providers comply with Australian privacy laws or equivalent protections, including where data may be stored overseas.

Collection of personal information by Communicare RTO will be reasonable, lawful and not intrusive. Communicare RTO will be vigilant with collecting and handling of personal information. Communicare RTO ensures all personal information is handled in accordance with applicable privacy legislation and regulatory requirements.

All third-party providers must comply with Communicare RTO's privacy and confidentiality requirements and relevant legislation. Agreements with third parties will include provisions relating to the secure handling and protection of personal information.

The Commonwealth's Privacy Act 1988 regulates how personal information is handled by an organisation. The Privacy Act 1988 states that "any personal information collected must be kept private and confidential and individuals have the right to:

- have their privacy rights respected
- be assured their personal information will not be passed onto a third person unless it is authorised by law, or they have given their consent
- know what information will be kept and why
- be assured that information will only be used for the purpose it was supplied"

Use and Disclosure

Communicare RTO will only use or disclose information for the purpose for which it was collected unless the person has consented, or the secondary purpose is related to the primary purpose and a person would reasonably expect such use or disclosure, or the use is for direct marketing in specified circumstances, or in circumstances related to public interest such as law enforcement and public or individual health and safety.

Communicare RTO retains qualifications and transcripts of units of competency for a minimum of 30 years, in accordance with national regulatory requirements. When personal information is no longer required, it will be securely destroyed or de-identified in accordance with legislative and regulatory requirements.

Communicare RTO provides data to NCVER as part of RTO reporting requirements. NCVER will collect, hold, use and disclose personal information in accordance with Privacy Act 1988 (Cth) (Privacy Act) and the NVETR Act. NCVER is responsible for collecting, managing, analysing and providing research and statistics to VET regulator.

Surveys

Learners may receive a survey which may be run by a government department or an NCVET employee, agent, third-party contractor or another authorised agency. Learners may opt out of the survey at the time of being contacted.

Record Keeping

Communicare RTO is committed to implementing and maintaining effective records management systems that support regulatory compliance and data security. The RTO responds to requests for student information in a timely manner and in accordance with relevant privacy legislation, including the Privacy Act 1988 and associated regulations.

Student records are securely stored within the synchronised Student and Learning Management Systems, with controls in place to prevent unauthorised access, loss, or disclosure. All records are retained in line with the requirements of the 2025 Standards for Registered Training Organisations and any applicable program funding obligations.

Data Security

Communicare has policies and procedures in place to ensure information systems are secure and security controls are in place to protect information, documentation and data from being leaked, disseminated or given third-party access. Security controls include password-protected systems, role-based access, secure file storage, and restricted physical access to records.

Communicare has implemented security protocols to ensure information security, human resource security, asset management and access control are monitored. Communicare has processes in place to ensure personal information and documentation are kept safe and secure and only accessible if authorised.

Communicare RTO will take all reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure. Communicare RTO will respond to any actual or suspected data breach in accordance with the Notifiable Data Breaches (NDB) scheme. Staff must immediately report breaches to the RTO Manager. The RTO will assess the breach and, where required, notify affected individuals and the Office of the Australian Information Commissioner (OAIC). In the event of a suspected or actual data breach, Communicare RTO will:

- Contain the breach immediately
- Assess the risk of harm
- Notify affected individuals where required
- Report to the OAIC within legislated timeframes
- Implement corrective actions to prevent recurrence

Communicare RTO staff and personnel who are engaged through a third-party arrangement, have an obligation to meet the confidentiality requirements, respectively through the employment contract and the third-party arrangement agreement.

Complaints regarding Privacy or Confidentiality

Any complaints regarding privacy must be handled in accordance with the complaints and appeals procedure.

Responsible Personnel

RTO Manager: Ensures all RTO staff are aware and have read this policy.

Ensures Privacy and Confidentiality policy is made available to learners and other relevant stakeholders.

Quality and Compliance Coordinator will review the policy periodically to meet the required legislative or regulatory changes.

All staff - All staff must read and acknowledge this policy. All staff are required to maintain confidentiality of personal information during and after their engagement with Communicare RTO. Breaches of privacy or confidentiality may result in disciplinary action.

RTO Administrator is responsible for conducting quality assurance (QA) checks within the secure LMS portal to ensure the completeness and accuracy of learner records.

Related Documents

Commonwealth Parliament of Australia – Privacy Act 1988

NCVER's Privacy Policy at www.ncver.edu.au/privacy

DEWR VET Privacy Notice at www.dewr.gov.au/national-vet-data/vet-privacy-notice

2025 Standards for RTOs