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Policy – Privacy and Personal Information

Legislative Framework

This policy is informed by and gives effect to the following legislation:

- Privacy Act 1988 (Commonwealth)
- **Privacy and Other Legislation Amendment Act 2024 (Commonwealth)** – the most significant reform to Australia's privacy regime since its inception, effective 10 December 2024. Key changes include strengthened civil penalty powers; a new statutory tort for serious invasions of privacy (in effect from 10 June 2025); a criminal offence of doxxing; and transparency requirements for automated decision-making (effective 10 December 2026).
- Australian Privacy Principles (APPs) – 13 principles governing the collection, use, storage and disclosure of personal information
- Privacy Regulations 2025 (Commonwealth)
- Privacy (Credit Reporting) Code 2025 (Commonwealth)
- Health Records Act 2001 (Vic)
- Education and Training Reform Act 2006 (Vic)
- AQTF Essential Conditions and Standards for Continuing Registration – Standard 3.4
- Standards for Registered Training Organisations 2015 (Commonwealth) – the national standards framework governing RTO registration, quality of training and assessment, and client services
- VRQA Guidelines for VET Providers

Purpose

This policy ensures that St Joseph's College meets its legal and ethical requirements on the collection, storage and disclosure of personal information it holds in relation to its student population, staff, other clients and interactions with external organisations. The College is committed to handling personal information in a manner that respects individuals' privacy rights and builds trust in the College's operations.

Principles

In collecting and handling personal information, St Joseph's College will comply with the requirements set out in the Privacy Act 1988 (Commonwealth) as amended by the Privacy and Other Legislation Amendment Act 2024 (Commonwealth), and the 13 Australian Privacy Principles (APPs).

St Joseph's College is committed to ensuring the confidentiality, integrity and security of all personal information it holds, and to being transparent about how that information is managed.

Collection and Use of Personal Information

During its business, St Joseph's College will collect information from students, potential students, and other clients either electronically or in hard copy format; including information that personally identifies individual people.

St Joseph's College will only collect personal information by fair and lawful means which is necessary for the functions of St Joseph's College. The College collects the minimum amount of personal information needed to fulfil its obligations as a registered training organisation.

The information supplied by individuals will only be used to:

- Provide information about study opportunities
- Enable efficient administration of enrolment and training
- Maintain proper student and client records
- Meet mandatory AVETMISS reporting obligations to government authorities
- Comply with the Unique Student Identifier (USI) requirements

If an individual chooses not to provide certain information, then the College may be unable to provide some services or provide appropriate information.

Sensitive Information

Where the College collects sensitive information (including health information, disability status, or information about a person's racial or ethnic origin), it will only do so with the individual's consent and where it is reasonably necessary for the College's functions. Sensitive information is afforded a higher level of protection and will not be used or disclosed for any purpose other than the purpose for which it was collected, unless required by law.

Disclosure of Personal Information

Personal information about students studying with St Joseph's College may be shared with the Australian Government and designated authorities such as the Victorian Registration and Qualifications Authority (VRQA) and the National Centre for Vocational Education Research (NCVER). This information includes but is not limited to personal and contact details, course enrolment details and changes, competency completion and results.

St Joseph's College will not disclose an individual's personal information to another person or organisation unless:

- 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
- The individual concerned has given written consent
- St Joseph's College 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
- The disclosure is required or authorised by or under law
- 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

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Any person or organisation to whom personal information is disclosed is not permitted to use or disclose the information for a purpose other than the purpose for which the information was supplied to them.

Where personal information is disclosed for the purposes of enforcement of the criminal law or protection of the public revenue, St Joseph's College shall include in the relevant record a note of that disclosure.

Overseas Disclosure

St Joseph's College will not disclose personal information to overseas recipients unless the recipient country provides substantially similar privacy protections to Australia's APPs, or the individual has provided informed consent. Where such disclosures occur, they will be handled in accordance with the requirements of the Privacy Act 1988 (Commonwealth) as amended.

Security of Personal Information

St Joseph's College will take all reasonable steps to ensure that any personal information collected is:

- Relevant to the purpose for which it was collected
- Up to date
- Complete
- Accurately recorded

St Joseph's College will securely store all records containing personal information and take all reasonable technical and organisational security measures to protect such personal information from unauthorised access, misuse, interference, loss, or disclosure.

In the event of a data breach that is likely to result in serious harm to any individual, St Joseph's College will comply with the Notifiable Data Breaches (NDB) scheme under the Privacy Act 1988 (Commonwealth), including notifying affected individuals and the Office of the Australian Information Commissioner (OAIC) as required.

Right to Access Records

Students can access their own training records at any time by contacting the Head of Pathways. Depending on the nature of the request, students will either be provided with the information immediately or will be advised that the information will be provided after it has been extracted from the College's recording systems. Records that have been securely archived off-site may take some days to access.

Only the individual concerned will be given access to their records; proof of identification will be required. No other person or party will have access without written authorisation from the individual.

In some cases, individuals may be required to submit a request for information in writing to the Principal, depending on the nature of the information being sought.

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Amendment to Records

If a student considers the personal information that St Joseph's College holds about them to be incorrect, incomplete, out of date or misleading, they can request that the information be amended.

Where a record is found to be inaccurate, a correction will be made. Where a student requests that, a record be amended because it is inaccurate, but the record is found to be accurate, the details of the request for amendment will be noted on the record.

The College will respond to all requests for amendment within a reasonable timeframe and will not charge a fee for making corrections.

Privacy Complaints

Any individual who believes their privacy has been breached by St Joseph's College may lodge a complaint in accordance with the College's Complaints and Appeals Policy. Complaints will be handled fairly, promptly and confidentially.

If a complaint is not resolved to the individual's satisfaction, they may escalate the matter to the Office of the Australian Information Commissioner (OAIC) at www.oaic.gov.au or by phoning 1300 363 992.

Note: Under the Privacy and Other Legislation Amendment Act 2024 (Commonwealth), individuals now have a statutory right to take direct legal action for serious invasions of privacy (effective from 10 June 2025). The College is committed to handling all personal information in a manner that prevents such situations from arising.

Policy Review

This policy will be reviewed annually in February by the RTO Management Team to ensure ongoing compliance with the Privacy Act 1988 (Commonwealth) and any subsequent amendments, the Australian Privacy Principles, VRQA Guidelines for VET Providers, and AQTF Essential Conditions and Standards for Continuing Registration. Reviews will also be triggered by changes to privacy legislation, regulatory requirements, or a notifiable data breach event.

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Documentation Modification

The College will maintain a history of updates to this policy.

Date	Version	Comment
January 2014	V1.0	Developed by the RTO Management Team.
February 2015	V1.1	Annual review by RTO Management Team – No Change.
February 2016	V1.2	Annual review by RTO Management Team – No Change.
February 2017	V1.3	Annual review by RTO Management Team – No Change.
February 2018	V1.4	Annual review by RTO Management Team – No Change.
February 2019	V1.5	Annual review by RTO Management Team – No Change.
February 2020	V1.6	Annual review by RTO Management Team – No Change.
February 2021	V1.7	Annual review by RTO Management Team – No Change.
February 2022	V1.8	Annual review by RTO Management Team – No Change.
February 2023	V1.9	Annual review by RTO Management Team – No Change.
February 2024	V1.10	Annual review by RTO Management Team – No Change.
February 2025	V1.11	Annual review by RTO Management Team – No Change.
February 2026	V2.0	Major review by RTO Management Team. Updated to reflect the Privacy and Other Legislation Amendment Act 2024 (Commonwealth) (Royal Assent 10 December 2024), including: statutory tort for serious invasions of privacy; notifiable data breaches; overseas disclosure requirements; sensitive information handling; and privacy complaints process. Legislative Framework, Overseas Disclosure, Security, Privacy Complaints and Policy Review sections added.