

E EI PRIVACY POLICY

1. PURPOSE

- 1.1. EMPYREAN EDUCATION INSTITUTE is committed to providing quality training and assessment following the Standards for Registered Training Organisations (SRTOs 2015). EMPYREAN EDUCATION INSTITUTE must comply with Federal law regarding the privacy and confidentiality of employees, clients, and contractors.
- 1.2. This policy outlines how EMPYREAN EDUCATION INSTITUTE complies with Privacy Act 1988 and Australian Privacy Principles (APPs).

2. POLICY STATEMENT

- 2.1. EMPYREAN EDUCATION INSTITUTE is committed to complying with an obligation under Privacy Act 1988 and the associated Australian Privacy Principles (APPs), the way it collects, uses, secures, and discloses personal information. EMPYREAN EDUCATION INSTITUTE is committed to safeguarding any confidential information obtained by the RTO.
- 2.2. EMPYREAN EDUCATION INSTITUTE will ensure:
 - 2.2.1. It maintains and provides a current Privacy Policy
 - 2.2.2. Information gathered for the express purpose of training and assessment matters will not be disclosed to a third party unless prior written consent is provided by the individual concerned, except that required by law
 - 2.2.3. The secure storage of all records
 - 2.2.4. The confidentiality of all information is maintained on records

3. POLICY PRINCIPLES

- 3.1. *Personal information* is defined in the Privacy Act 1988 to mean "information or an opinion about an identified individual, or a reasonably identifiable individual:
 - 3.1.1. whether the information or opinion is accurate or not; and
 - 3.1.2. whether the information or opinion is recorded in a material form or not.
- 3.2. *Sensitive Personal Information* is defined in the Privacy Act 1988 to mean "information or an opinion about an individual's" that is also, personal information, such as:
 - 3.2.1. racial or ethnic origin
 - 3.2.2. political opinions

- 3.2.3.membership of a political association
- 3.2.4.religious beliefs or affiliations
- 3.2.5.philosophical beliefs
- 3.2.6.membership of a professional or trade association
- 3.2.7.membership of a trade union
- 3.2.8.sexual orientation or practices
- 3.2.9.criminal record

4. PERSONAL INFORMATION PRIVACY

4.1. EMPYREAN EDUCATION INSTITUTE will:

- 4.1.1.Ensure that personal information is managed openly and transparently.
- 4.1.2.Take reasonable steps to implement practices and procedures that will facilitate dealing with enquiries or complaints from individuals regarding compliance with the Australian Privacy Principles (APPs).
- 4.1.3.Ensure that it maintains an up-to-date policy about the management of personal information.
- 4.1.4.Ensure that EMPYREAN EDUCATION INSTITUTE Privacy Policy contains the following information:
 - 4.1.4.1. The kind of information that is collected and held
 - 4.1.4.2. How the information is collected and held
 - 4.1.4.3. The purposes for which information is collected, stored, used and disclosed
 - 4.1.4.4. How an individual may access their personal information that is held by EMPYREAN EDUCATION INSTITUTE and seek correction of such information as necessary
 - 4.1.4.5. How the individual may make a complaint about a breach of the APPs and how EMPYREAN EDUCATION INSTITUTE will deal with such a complaint
 - 4.1.4.6. Whether EMPYREAN EDUCATION INSTITUTE is likely to disclose personal information to overseas recipients, and if so, the countries in which such are likely to be located
 - 4.1.4.7. Provide the Privacy Policy free of charge and in such form as appropriate and reasonable

4.2. Anonymity and pseudonymity - EMPYREAN EDUCATION INSTITUTE will:

- 4.2.1. Respect that individuals may not wish to identify themselves when making enquiries on EMPYREAN EDUCATION INSTITUTE products and services.
- 4.2.2. However, require full personal details as required by law and for identification purposes from clients.

5. COLLECTION OF PERSONAL INFORMATION

- 5.1. EMPYREAN EDUCATION INSTITUTE will not collect personal information from you unless it is necessary for one or more of its functions or activities or is required by law.
- 5.2. EMPYREAN EDUCATION INSTITUTE advises that it is required by law to collect, hold, use, and supply personal information per the National VET Provider Collection Data Provision Requirements.
- 5.3. EMPYREAN EDUCATION INSTITUTE will take reasonable steps at or before the time of collection to ensure that you are aware of:
 - 5.3.1. Who we are and how to contact us
 - 5.3.2. How to gain access to your information
 - 5.3.3. The purpose for which the information is being collected
 - 5.3.4. Any organisation to which we would usually disclose information of that kind
 - 5.3.5. Any law that requires the particular information to be collected
 - 5.3.6. The main consequences for the individual are if all or part of the information is not provided
- 5.4. EMPYREAN EDUCATION INSTITUTE collects information from you in the following ways:
 - 5.4.1. When you register your interest online, apply for enrolment, request certain services or products, or contact or do business with us.
 - 5.4.2. Information may be collected from enrolment forms, certified documents, telephone calls, faxes, emails, and letters.
 - 5.4.3. Information may be collected from third parties, such as other training providers, regarding confirmation of training and ongoing professional development that you have attended, as permitted by you.
 - 5.4.4. Should EMPYREAN EDUCATION INSTITUTE collect information about you from a third party, we will take reasonable steps to ensure that the individual is or has been made aware of the matters listed above, except to the extent that making the individual aware of the issues would pose a severe threat to the life or health of any individual.

6. DEALING WITH PERSONAL INFORMATION

6.1. EMPYREAN EDUCATION INSTITUTE will not use or disclose personal or sensitive information for any purpose other than what it was collected for unless the relevant person has provided written consent to use or disclose that information in different circumstances to those for which it was collected.

6.2. *The circumstances where an exception may occur are:*

- 6.2.1. Where the use or disclosure of this information is required or authorised by or under an Australian law or a court/tribunal order
- 6.2.2. The individual would reasonably expect EMPYREAN EDUCATION INSTITUTE to use or disclose the information for a secondary purpose
- 6.2.3. A permitted health situation exists about the use or disclosure of the information by EMPYREAN EDUCATION INSTITUTE
- 6.2.4. A permitted general situation exists about the use or disclosure of the information by EMPYREAN EDUCATION INSTITUTE
- 6.2.5. EMPYREAN EDUCATION INSTITUTE reasonably believes that the use or disclosure of the information is necessary for one or more enforcement-related activities conducted by, or on behalf of, an enforcement body

6.3. EMPYREAN EDUCATION INSTITUTE collects your personal information to:

- 6.3.1. Process applications
- 6.3.2. Manage your enrolment
- 6.3.3. Record and maintain your details
- 6.3.4. Administering training programs
- 6.3.5. Record and keep details of your ongoing training and assessment
- 6.3.6. Provide you with more information regarding client services, benefits, and training opportunities
- 6.3.7. Notify you about upcoming events and opportunities
- 6.3.8. Gain feedback from you
- 6.3.9. Communicate with you
- 6.3.10. Report to relevant authorities as required by law

6.4. Direct Marketing

- 6.4.1. EMPYREAN EDUCATION INSTITUTE may use personal information (specifically your name and relevant address details) and information about your preferences for direct

marketing (i.e., the communication channels which you prefer for receiving direct marketing from us and the types of products and services in which you are interested) to let you know about our services and benefits, where we have your consent.

6.4.2. EMPYREAN EDUCATION INSTITUTE provides an opt-out and/or unsubscribe method that is easily accessible for individuals to request not to receive direct marketing communications.

6.5. Cross Border Disclosure

6.5.1. EMPYREAN EDUCATION INSTITUTE does not disclose personal information to overseas recipients unless the individual receives prior written approval to who the personal information relates.

6.6. Adoption use or disclosure of Government Related identifiers

6.6.1. EMPYREAN EDUCATION INSTITUTE by law (Student Identifier Act), it is required to collect, maintain, and report to relevant Government agencies the individual's Unique Student Identifier (USI) number following the National VET Provider Collection Data Provision Requirements.

6.6.2. EMPYREAN EDUCATION INSTITUTE will not disclose the Unique Student Identifier (USI) number for any other purpose, including on any Certification documents you receive.

6.6.3. EMPYREAN EDUCATION INSTITUTE must not adopt the Unique Student Identifier (USI) number as the individual's identifier.

7. INTEGRITY OF PERSONAL INFORMATION

7.1. Quality of Personal Information

7.1.1. EMPYREAN EDUCATION INSTITUTE will take steps, as are reasonable, to ensure that the personal information it:

7.1.1.1. Collects are accurate, up to date and complete

7.1.1.2. Uses or discloses is, having regard to the purpose of the use or disclosure, accurate, up to date, complete and relevant

7.2. Security of personal information

7.2.1. EMPYREAN EDUCATION INSTITUTE will take steps as are reasonable in the circumstances to protect the information from misuse, interference, and loss as well as unauthorised access, modification, or disclosure.

8. ACCESS TO & CORRECTION OF PERSONAL INFORMATION

- 8.1. EMPYREAN EDUCATION INSTITUTE provides all clients with electronic access to their records, where individuals can update and maintain their personal information.
- 8.2. In some circumstances, EMPYREAN EDUCATION INSTITUTE may not permit access to individuals for their personal information. EMPYREAN EDUCATION INSTITUTE will provide full details of the legal reasons for this decision. These may include that EMPYREAN EDUCATION INSTITUTE believes:
- 8.2.1. That giving access to the information would pose a severe threat to the life, health, or safety of the individual, or public health or public safety
 - 8.2.2. Giving access would have an unreasonable impact on the privacy of other individuals
 - 8.2.3. The request for access is frivolous or vexatious
 - 8.2.4. The information relates to existing or anticipated legal proceedings between EMPYREAN EDUCATION INSTITUTE and the individual and would not be accessible by the process of discovery in those proceedings
 - 8.2.5. Giving access would reveal the intentions of EMPYREAN EDUCATION INSTITUTE about negotiations with the individual in such a way as to prejudice those negotiations
 - 8.2.6. Giving access would be unlawful
 - 8.2.7. Denying access is required or authorised by or under an Australian law or a court/tribunal order
 - 8.2.8. EMPYREAN EDUCATION INSTITUTE has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to EMPYREAN EDUCATION INSTITUTE functions or activities has been, is being or may be engaged
 - 8.2.9. Giving access would be likely to prejudice the taking of appropriate action about the matters
 - 8.2.10. Giving access would be likely to prejudice one or more enforcement-related activities conducted by, or on behalf of, an enforcement body
 - 8.2.11. Giving access would reveal evaluative information generated within EMPYREAN EDUCATION INSTITUTE about a commercially sensitive decision-making process
- 8.3. When dealing with requests for access to personal information, EMPYREAN EDUCATION INSTITUTE will:
- 8.3.1. Respond to request for access within 30 days of the request, if from an individual, and within a reasonable time if the request is from an organisation
 - 8.3.2. Provide access to the information as requested if it is reasonable and practicable
- 8.4. EMPYREAN EDUCATION INSTITUTE does not charge a fee for access to personal information. The exception is re-prints of certification documentation previously supplied.

- 8.5. Should EMPYREAN EDUCATION INSTITUTE be satisfied that information is inaccurate, out of date, incomplete, irrelevant, or misleading, EMPYREAN EDUCATION INSTITUTE will take such steps as reasonable to correct the data to ensure that, having regard to the purpose for which it is held, the notification is accurate, up-to-date, complete, relevant and not misleading.
- 8.6. Should EMPYREAN EDUCATION INSTITUTE refuse to correct information, EMPYREAN EDUCATION INSTITUTE will give written notice to the individual that sets out:
- 8.6.1. The reason for refusal
 - 8.6.2. The mechanisms available to complain about the refusal
 - 8.6.3. Any other matter prescribed by the regulations.
- 8.7. EMPYREAN EDUCATION INSTITUTE ensures that all employees are always made aware of this policy and its underpinning legislative requirements and comply with this policy.
- 8.8. EMPYREAN EDUCATION INSTITUTE ensures that all clients have access to and awareness of this policy.
- 8.9. All personal information and records are maintained following the Records Management Policy. (See Records Management Policy)
- 8.10. EMPYREAN EDUCATION INSTITUTE monitors all practices for privacy and areas for improvement identified and acted upon. (See Continuous Improvement Policy).

9. RELATED LEGISLATION & REGULATIONS

- 9.1. The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, known as ‘the National Code 2018’
- 9.2. Standards for Registered Training Organisations (RTOs) 2015
- 9.3. Education Services for Overseas Students Act 2000
- 9.4. Education Services for Overseas Students Regulations 2001
- 9.5. Privacy Act 1988 and associated 13 x Australian Privacy Principles (APPs); see https://www.oaic.gov.au/images/documents/privacy/privacy-resources/privacy-fact-sheets/privacy-fact-sheet-17-australian-privacy-principles_2.pdf