

PRIVACY AND DATA PROTECTION POLICY

1. Policy Purpose and Intent

Moorabbin Aviation Services Pty Ltd (MAS) is committed to protecting the privacy of all its clients. The Privacy Act 1988 is the principal piece of legislation providing protection of personal and sensitive information in the federal public sector and in the private sector. Collection of personal information by MAS is in accordance with the Privacy Act and the Australian Privacy Principles (APPs).

These principles detail how organisations such as MAS should collect, update, use, keep secure or where necessary disclose and give access to personal information, and in some circumstances how anonymity can be maintained.

MAS ensures that its staff undertake training so that they are aware of the requirements of this policy.

Our privacy policy is made publicly available and discloses the type of information we collect, hold and may disclose where required for vocational educational purpose

2. Policy Scope

This policy aims to clarify how MAS will adhere to the APPs and outlines the types and means by which personal information is collected, used and disclosed by MAS.

The Privacy Act allows a person to:

- know why their personal information is being collected, how it will be used and who it will be disclosed to
- have the option of not identifying themselves, or of using a pseudonym in certain circumstances
- ask for access to their personal information (including health information or credit report)
- stop receiving unwanted direct marketing
- ask for their personal information to be corrected
- make a complaint about an entity covered by the Privacy Act, if they think they have mishandled their personal information.

3. Definitions

Personal information is defined in The Privacy Act as information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual, or an individual who is reasonably identifiable. Common examples are an individual's name, signature, address, telephone number, date of birth, medical records, bank account details and commentary or opinion about a person.

Sensitive information means information about an individual's racial/ethnic origin, political opinion, membership of political associations, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, criminal records.

AVETMISS - the Australian Vocational Education and Training Management Information Statistical System. It is a national data standard which ensures the consistency and accuracy of vocational education and training (VET) information and covers the national VET data collections:

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NCVER – National Centre for Vocational and Educational Research is a not-for-profit company owned by the Commonwealth and state and territory ministers responsible for vocational education and training. It is a professional and independent body responsible for collecting, managing, analysing, evaluating and communicating research and statistics about vocational education and training (VET) nationally.

4. Process

MAS will take every precaution to ensure that the information provided to us remains private and is used only for the purposes agreed to.

MAS is required to obtain and retain personal information from students enrolling in our courses in order to process enrolments and provide suitable training and assessment services.

Where applicable, information may be collected from a parent or guardian of a student under the age of 18.

Collection and quality of personal information

- Personal information is gathered in the process of enrolling students. Students agree to the collection and use of this information as it is essential for their enrolment to be processed. Information is required to be reported to National Regulatory bodies and the NCVER under the requirements of the AVETMISS reporting.
- We will not collect personal information unless it is necessary for one or more of the functions or services we provide
- We will only collect personal information by fair and lawful means and not in an unreasonably intrusive manner.
- The information collected will be used for the primary purpose for which it was collected only
- Information is provided about the purposes for which we are collecting the information and consent obtained for use and/or disclosure
- Information is collected in hardcopy and by electronic submission
- We only collect information about a person from a third party when the person is informed about the collection
- We take reasonable steps to ensure that our data is accurate, complete and up-to-date

Disclosure or use of personal information

- Commercially sensitive information obtained from our clients will not be disclosed to other clients or third parties without written permission
- MAS will not reveal, disclose, sell, distribute, rent, license, share or pass personal information on to a third party, without written consent.
- MAS will not use personal information for the purpose of direct marketing unless the following circumstances apply:
 - Written consent has been collected from the individual;
 - The individual would reasonably expect MAS to use the information for that purpose;
 - The individual has not made a request for no direct marketing from MAS. *Note:* MAS provides an opt-out method that is easily accessible for individuals to request not to receive direct marketing communications from MAS

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Exception to Disclosure

We may disclose personal information in the event of an imminent threat of a person's serious illness or death, or public safety or where the disclosure is authorised or required under Australian law or a court/tribunal order

Storage and disposal of personal information

- Personal information is stored in secured locked areas and on secure servers with restricted access as a safeguard against loss, misuse, unauthorised access, modification or disclosure. All reasonable precautions are taken when using e-technology.
- Archiving and disposal is in accordance with appropriate recordkeeping standards.
- Individual password access is required to our systems and databases
- We will destroy or de-identify personal information that is no longer required to be retained for the purposes for which it was obtained

Cross-Border Disclosure of Personal Information

MAS will not disclose personal information about any person to an overseas recipient, other than a member/authorised representative of our own organisation, without the consent of the person concerned. Information communicated through its website and social media sites are disseminated to overseas locations and all information communicated by these means is subject to this Privacy Policy and any legal instrument that we are required to abide by.

Adoption, Use or Disclosure of Government Related Identifiers

MAS must not use or disclose a government related identifier of an individual unless it is in the circumstances described in this policy for disclosure of personal information.

MAS must not adopt a government related identifier of an individual as its own identifier of the individual unless:

- The adoption of the government related identifier is required or authorised by or under Australian law or a court/tribunal order; or
- The identifier is prescribed by the regulations and the adoption, use or disclosure occurs in the circumstances prescribed by the regulations.

Such government identifiers would include (but are not limited to):

- RTO Identification Numbers;
- Application Numbers;
- Legal Records and Case numbers.

Clients and students are able to raise any concerns they may have regarding our personal information Compliance Manager or Chief Executive Officer.

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Access to and correction of personal information

Clients and students are provided access to the information that is held about them, and they are encouraged to help us keep their personal information accurate, complete and up-to-date by contacting and informing us of any changes to details.

To enquire about the personal information we hold or to access this information, persons can contact our head office. We will take all reasonable steps to verify the authenticity of persons who requests access to their records. The staff member receiving these requests will ask three questions of the applicant to verify their authenticity. Access will be provided within a reasonable period and in the manner requested if it is reasonable and practicable to do so.

MAS will not charge a person to access their information in order for the person to ensure their information is accurate, complete and not misleading and/or where the person requests MAS to correct the information. Requests to correct information must be completed within a reasonable period after the request is made at no charge.

MAS may charge for giving access to data or records which is not considered personal or sensitive information. Example of this may be request by an ex-student to a transcript of their course outcomes. The charge for such access will be provided up front and will only cover the cost of accessing and providing the information, photocopying and printing, as well as postage if required.

In the event that MAS refuses access to an individual's personal information, MAS must give reasons for the refusal in writing, including the reasons for the refusal except to the extent that, having regard to the grounds for the refusal, it would be unreasonable to do so.

External Referrals

Office of the Australian Information Commissioner

Website: <https://www.oaic.gov.au/privacy-law/>

Email: enquiries@oaic.gov.au

Phone: 1300 363 992