

Privacy Policy

POL 1.09



Purpose

Mining Skills Australia (MSA) ensures the best practice with regard to the collection; handling and maintenance; storage; and access, release and destruction of personal information. MSA is bound by and complies with the Privacy Act 1988 (Cth), and the Australian Privacy Principles (APPs) as outlined in the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

Privacy Statement

Your privacy is important to us. Any personal information collected from you is kept secure and confidential. All persons have the right to access their personal records.

RTO Students

Where you attend accredited courses with MSA, we have a responsibility to record and report your details and related information to the relevant government departments. This reporting is used for proof of attendance and results in compliance with national standards. It is important that we have current contact details if you are attending classes and activities. Please contact the office if you need to update your details. Other than for reporting purposes, your personal information will not be passed onto any third party without your written consent. It is your right not to give us your full personal details, on the understanding that you may not be entitled to the full services provided with our accredited training. Your information is kept secure in our archives for reporting purposes and current information is used only by MSA in our operations of providing you with appropriate, quality services.

What Information We Collect

MSA lawfully collects personal information from clients and students that is necessary both for appropriate marketing and promotional information to be sent to potential clients and for the business to be compliant with reporting regulations. The information collected and held will depend upon the products and services requested.

MSA Website

By providing the limited personal information on the MSA website, any other website promoting our products and services, or through other means, clients and potential customers agree to allow MSA to send out marketing materials including, but not limited to their promotions and special offers, product information, information about services, newsletters and other forms of communication from time to time. The types of information that we collect will vary depending on

the circumstances of collection and the kind of service that you request from us, and may likely include:

- **Contact Information and Personal Data:** Name, date of birth, age, gender, address, email address and telephone details
- **Payment Details:** Credit card, bank account details and billing information to complete purchases
- **Identification Documents:** Driver's licence, passport or other photographic identification documents
- **Photographs and Videos:** Any pictures, videos, sound recordings and other audio-visual recordings that we take of you
- **Employer and Profession:** Professional details and information about your employer or an organisation that you represent
- **Social Media Handles:** Social media handles and other personal websites and profiles
- **Locality Information:** Current or last known location through collecting your Wi-fi, Guidance Positioning System (GPS), Cellular or other technology in your electronic device or web browser
- **Cookies and Other Device Information:** Session cookies and persistent cookies when visiting the MSA website, device type, browser type, Internet Protocol (IP) address, URL information, the date and time (including time zone) of visit, pages accessed, software and hardware information concerning your mobile device or computer
- **Interaction and Behavioural Information:** Interactions, use, habits, behaviours on the MSA website, other platforms (whether embedded in our website or otherwise) and other applications
- **Employment Information:** Previous employment history, memberships or affiliations with associations, education history, details of next of kin and referee details
- **Other Information:** any other administrative and additional information provided to us.

We use the information collected only for the services we provide. If staff or student information is required or requested by any third party outside of those which Mining Skills Australia elects, we will obtain written consent prior to the release of any information.

RTO Students

In order to provide training and assessment services, MSA lawfully collects personal information from clients and students that is necessary both for appropriate marketing and promotional information to be sent to potential clients and for the business to be compliant with reporting regulations. This information is required to be reported to ASQA under the requirements of the Australian Vocational Education and Training Management Information Statistical Standards (AVETMISS). Information collected may include, but is not limited to:

- Full name

- Address
- Contact details (telephone and email)
- Date of birth
- Gender
- Cultural background (Indigenous)
- Country of birth
- Language spoken at home
- Level of English spoken
- Disability information
- Highest schooling completed
- Other qualifications completed
- Current employment status.

Additional information on the data collected and shared with regulatory authorities can be found at:

- [Australian Skills Quality Authority \(ASQA\)](#)
- [National Centre for Vocational Education Research Ltd \(NCVER\)](#)
- [The Student Identifiers Registrar.](#)

The enrolment form completed by clients contains a disclaimer outlining why the personal information is collected and how it is to be used. Clients are required to sign the disclaimer as their agreement to the use of their personal information.

MSA Employees

Employees at MSA need to supply personal information relevant to employment and their job role.

This information includes, but is not limited to:

- Employee, referee and emergency contact details
- Applications for employment and supporting documents (Resume etc.)
- Employment contracts, and other records relating to terms and conditions of employment
- Superannuation details and contributions
- Qualifications and certificates
- Medical and health related information
- Taxation details
- Identification documents.

How We Collect Information

We collect personal information from you in many different ways. For example, we may collect your personal information through our website or mobile sites, when you visit one of our offices or venues, when you contact us or visit one of our social media sites (such as Facebook, Twitter or Instagram). We may receive information about you that we have taken no active step to collect. If this occurs, then we may keep records of this information or choose to destroy or de-identify the information.

There are other ways in which we are likely to collect personal information, and these may include:

- Enquiring with us or signing up to our mailing list or marketing material
- If we take a photograph, video or other audio-visual recording of you
- By entering into a competition or promotional event or activity
- By submitting feedback or participating in a survey, market research or other promotional activity that we (or an agent of ours) conducts
- Through submitting any enquiry or application for employment
- Via mobile device applications, widgets and other interactive features used or owned by us (together “app”)
- Phone calls, emails and in person interactions
- Enrolment form and evidence provided as part of the enrolment process
- Induction and onboarding forms and processes
- Through using surveillance and security cameras that capture your image.

We may collect personal information about you from other sources, and these may include:

- An authorised person acting on your behalf
- Employers
- Our affiliated and related companies
- Third-party agents, suppliers and contractors who assist us in operating our business
- Recruitment service providers and any referees provided on employment applications
- Payment and debit service providers processing and managing the transaction on our behalf
- Your friends through a marketing or promotional activity that we conduct
- Marketing research service providers that we engage
- Through our social media platforms and from people that you are connected with on these platforms.

Monitoring and Surveillance

CCTV: For security purposes and the protection of staff and or students, some of MSA's locations may have CCTV. Signage is displayed if this applies in your location, this is usually displayed prior to entering the premises.

Phone Calls/Virtual Meetings: In some instances, phone calls and/or virtual meetings with MSA may be recorded. You will be informed at the beginning of your call if your call is to be recorded or monitored. This is so you have the option of either ending the call or asking to be transferred to another line where monitoring or recording does not take place, if this is available.

Reasons why we monitor or record conversations could include:

- To protect you in your dealings with MSA
- To provide a record in the event of a dispute about a transaction
- To improve customer service and for staff training.

What if I Don't Wish to Provide Personal Information?

You can always decline to give us your personal information, but that may mean that we cannot provide you with some or all of the products and services you have requested.

We are unable to distinguish the age of the people accessing and using our website or social media platforms or who attend events or activities run by another organisation or us. This may result in us collecting personal information from individuals that are under the age of eighteen years without the consent of a parent or guardian. If this occurs, then that personal information can be removed by contacting us using the contact details listed at the end of this Privacy Policy.

RTO Students

Generally, with the exception of nationally recognised training, you have no obligation to provide any personal information requested by us. However, if you choose to withhold requested personal information, we may not be able to provide you with the products and services that depend on the collection of your information.

Where a student does not wish their personal data and details reported to the third parties listed, they must first apply for an exemption from NCVET and supply a letter verifying their approval.

Employees

Information is collected relevant to your job role and employment. If you choose to withhold personal information, you may not meet employment requirements and therefore, not be able to be employed at Mining Skills Australia or complete your role.

Why We Collect Your Information

MSA only obtains information relevant to the nature of the request and and/or as stipulated by governing and regulatory authorities. Your personal information will be used in accordance with APP 6. The purposes for which we collect and use your personal information depends on the nature of your interaction with us but may include the following circumstances:

- Responding to requests for information, feedback and other general enquiries
- Communicating with you and confirming your identity
- Providing you with our services or the purpose requested
- Processing your purchases, orders, transactions or sales, including the processing of payments, arranging shipping and providing you with tax invoices or order confirmations
- Informing you about our business and service offerings, news, updates, direct marketing material and event invitations (including through our social media platforms for our convenience)
- For data and marketing research and developing and improving our product and service offering
- Processing our recruitment and employment processes (including for volunteers, internships and work experience)
- Administering activities, events, contests or promotions
- For any other purposes (including secondary purposes) that you would reasonably expect
- To enable us to comply with our obligations under the law.

RTO Students

If you wish to undertake a Vocational Education and Training (VET) accredited course, you are required to provide specific personal information to your chosen VET approved training provider in order to undertake the training. While maintaining compliance with Privacy Act requirements, MSA has additional regulatory requirements for the collection and use of information, outlined by Commonwealth and State or Territory government departments and authorised agencies, including:

- Australian Skills Quality Authority (ASQA)
- National Centre for Vocational Education Research Ltd (NCVER)
- The Student Identifiers Registrar
- Australia Government – Department Home Affairs.

In addition to meeting the requirements mentioned above, MSA collects your information for the following reasons:

- Identifying you
- Processing your enrolment

- Issuing invoices and processing payments
- Determining funding eligibility
- Making contact with you
- Providing services to you
- Sending system generated notifications to you
- Issuing you with your VET accredited certificate or statement of attainment
- Updating and keeping our records
- Submitting data to and meeting requirements of regulating authorities
- Complying with any Australian law, orders of courts or tribunals or, in co-operation with any government authority of any country:
 - Marketing analysis
 - Strategic company planning
 - Auditing purposes.

Employees

MSA employees are required to provide MSA with appropriate information relating to their general employment requirements and the role in which they are applying. This enables MSA to:

- Identify and contact the appropriate candidate
- Determine suitability for their role
- Process and complete the employment process
- Maintain their employment.

Who May Have Access to My Information

During the conduct of our business, we may disclose your personal information in a variety of circumstances, including to the following parties:

- Our affiliates, subsidiaries and related entities
- Our engaged third-party contractors, agents and suppliers who provide or perform different products and services for us
- Commercial partners under an agreed information-sharing arrangement
- Payment and debit service providers and processors, including credit reporting agencies
- Our marketing research service providers and digital marketing agents
- Third-party website service providers and website plugin or widget service providers
- Our third-party e-commerce platform service providers engaged in offering our range of products and services to you for purchase
- Our professional advisors, such as our lawyers, accountants and financial advisers
- The relevant courts, tribunals or regulatory authorities and law enforcement bodies

- Anyone else to whom you authorise us to disclose your information or that would be reasonably expected
- Any other company or individual that it is necessary to disclose your personal information to enable us to provide you with the products or services that you have requested.

By providing personal information to MSA on the website, any other website promoting our products and services, or through other means, clients and potential customers consent to this disclosure and agree to allow MSA and other third parties elected by Mining Skills Australia to send out marketing materials including, but not limited to their promotions and special offers, product information, information about services, newsletters, and other forms communication from time to time.

We take reasonable steps to ensure that the third parties we engage take reasonable steps to protect your personal information following the APPs and in a similar manner with this Privacy Policy. Our third-party service providers are required only to use the personal information disclosed to them by us for the purpose that it was provided to them. Additionally, the third parties who we have disclosed your personal information to may contact you directly to let you know they have collected your personal information and to give you information about their privacy policies.

We also use Google Analytics to help us understand how our customers and clients use our platforms, products and services. You can read more about how Google uses your Personal Information via <https://www.google.com/intl/en/policies/privacy/>. You may also opt-out of Google Analytics here: <https://tools.google.com/dlpage/gaoptout>.

If there is a change of control of our business or a sale or transfer of business assets, we reserve 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. We would seek to only disclose information in good faith and where we have sought to maintain confidentiality.

RTO Students

MSA may disclose your personal information for these purposes to relevant third parties, including:

- School: If you are a secondary student undertaking VET, including a school-based traineeship
- Employer – if you are enrolled in training paid by your employer
- Commonwealth and State government departments and agencies
- VET-related bodies
- The National Centre for Vocational Education Research (NCVER)
- The Student Identifiers Registrar
- Australia Department Home Affairs - International Students
- International Education Agents - International Students

- State Education Departments - If student is receiving state/government funding
- Commonwealth officers and the Secretary - VET Student Loans students
- Australian Skills Quality Authority (ASQA)
- Authorised organisations conducting student surveys and researchers
- Australian Apprenticeship Centres - All apprentice / trainees
- Financial Auditors - May view only, during a financial audit
- Emergency services - If required by law or in an emergency
- Job Active Provider - Only for students where the Job Active Provider is involved in the signup - i.e. paying fees on behalf of student etc.
- Any organisation for any reason that you agree to.

Services Australia:

- We may disclose your personal information to Services Australia (the Agency) where this is required or authorised by Australian law
- Information about your enrolment with us may be disclosed if you are claiming or receiving a payment from Services Australia
- You are still required to notify Services Australia of any change in circumstances that may affect your payment
- Personal information disclosed to Services Australia is protected by law, including the Privacy Act 1988. More information about the way that Services Australia handles personal information can be found at <https://www.humanservices.gov.au/individuals/privacy>.

Where the student is no longer engaged with the service, department or employer; permission must be obtained from the student.

Students over 18 years of age: Information will not be released without prior consent from the student except in extraordinary circumstances.

Students under 18 years of age: Privacy laws give the student the right to consent to disclosure without parental consent and information will not be released without prior consent from the student except in extraordinary circumstances.

Where a student has an intellectual disability and is unable to judge the consequences of disclosure the guardian or parental consent will be obtained prior to information release.

Employees

Staff HR information is stored and may be disclosed to MSA's chosen HR consultant, chartered accountant and financial auditor.

How Does Mining Skills Australia Keep My Information Secure?

Mining Skills Australia ensures your personal information is kept confidential and avoids misuse, loss, unauthorised access, inaccurate modification and unauthorised disclosure through the following:

- Maintain computer and network security, i.e. use firewalls (security measures for the internet) and other security systems such as identifiers and passwords to control access to computer systems. Refer to Use of Internet section
- Information on the Student Management System has restricted user access
- Records containing personal information are kept in secure databases, and/or locked filing cabinets after hours
- Persons requesting access to their information may only be given access to their own information
- Personal information is only disclosed where necessary to carry out the service and is not to be given out to any other party (without written consent)
- During office hours, records will be kept out of public view and removed from desks when not in use
- Computer screens will be kept out of public view
- Access to computer files is assigned according to job function
- Personal information is only photocopied or printed when essential
- Emails containing personal information will only be sent to approved individuals or regulatory authorities
- Identification information and/or documents no longer needed will be disposed of securely
- Media consent forms are to be signed by individuals (and their parents, if under age) before an image of themselves or their work can appear on Mining Skills Australia' publications or on websites
- All staff are made aware of privacy laws and compliance requirements
- All individuals who have given personal information to Mining Skills Australia must be advised of availability and location of this Privacy Policy
- Secure bank payment gateways are used for payments made via phone and/or internet.
- Staff HR information is held on local servers and XXX, both of which require user and password access.

Use of Internet

The internet may be used to transmit client and participant's personal information from delivery sites to other sites and to state/federal registering bodies. Security of data transmitted to State and Federal registering bodies is managed by the respective bodies and we have taken all reasonable steps to protect and secure personal information when using the internet. Note, there is no method

of transmission over the internet or through electronic storage through our engaged providers that is fully secure. We cannot guarantee the security of your personal information. If we are required by law to inform you of any unauthorised access, use, or disclosure of your personal information, then we will notify you electronically, in writing or by telephone (if required and permitted to do so by law). Our websites do not necessarily use encryption or other technologies to ensure the secure transmission of information via the Internet. Anyone using our website is encouraged to exercise care in sending personal information via the Internet.

Third-Party Storage

Your personal information is generally usually collected in electronic form for use or storage with the third-party storage provider that we engage. We cannot ensure that your Personal Information is or will remain secure. This is due to us not having control over the third-party provider's policies and procedures concerning the handling and storing of your Personal Information. We take reasonable steps to ensure that the third parties we engage take reasonable steps to protect your personal information in accordance with the APPs and in a similar manner with this Privacy Policy.

How to Update or Correct Personal Information

We will ensure that personal information is accurate, complete, and up to date. Clients and participants are encouraged to help us keep their personal information accurate, complete, and up to date by contacting and informing us of any changes. You can update your personal information via:

- Email: rto@miningskills.com.au
- Phone: 07 3556 3982
- Visit us: Level 6, 26 Wharf St Brisbane.

When processing requests for information, Mining Skills Australia:

- Ensures, through confirmation of identity that the request is made by the individual concerned, or by another person who is authorised to make a request on their behalf. Challenge questions will be asked prior to any personal information being divulged
- Responds to a request for access:
 - Within 14 calendar days when notifying our refusal to give access, including providing reasons for refusal in writing, and the complaint mechanisms available to the individual; or
 - Within 30 calendar days, by giving access to the personal information that is requested and in the manner in which it was requested.

How to Access Information

Mining Skills Australia will not disclose information that we gather about our student to any third party (apart from those exceptions previously stated). If student information is requested by a third-party, we will require authority from the relevant student prior to release of any information. Students will be asked to supply their name, date of birth and address as identification before this authority can be given. This authority will be kept on the Student Profile for as long as the student endorses it.

Access to student personal information is available on application through the Administration Team of Mining Skills Australia. Access to personal information will always be controlled. If you require access to your personal information you can contact Mining Skills Australia via:

- Website: [Contact Us – Mining Skills Australia](#)
- Email: rto@miningskills.com.au
- Phone: 07 3556 3982
- Visit us: Level 6, 26 Wharf St Brisbane.

Should staff or students seek access to their information, they will be asked to supply their name, date of birth and address as identification before this can occur.

On occasions, we may decline your request to access or correct your Personal Information in accordance with the APPs. If we do refuse your request, we will provide you with a reason for our decision and in the case of a request for correction, we will include a statement with your Personal Information about the requested correction.

Delete Information

Your personal information is kept in our records until you request us to delete this information or as long as necessary to provide our products and services to you and for legitimate and essential business purposes, such as complying with our legal obligations or settling disputes. This means that your personal information can be held for some time. You can contact MSA as per the contact details provided below to request your Personal Information be destroyed or de-identified. We may not be able to entertain your request if it is unlawful to do so or is otherwise impractical or unreasonable to do so.

Privacy Concerns

Clients can raise any concern they may have regarding personal information handling practices by contacting our administration staff. If you are not satisfied with the outcome of your complaint, you may refer the matter to the Office of the Australian Information Commissioner (OAIC):

- Telephone: 1300 363 992.

- OAIC email address: enquiries@oaic.gov.au
- OAIC complaints page: <http://www.oaic.gov.au/privacy/privacy-complaints>

What Do I Do if I Think My Privacy Was Breached

If you think we have breached your privacy, please tell us about the problem so that we can investigate it. Mining Skills Australia has policies and procedures in place to work through complaints, these can be accessed and used when needed by staff and students:

- Student see [Complaints, Appeals and Consumer Protection Information](#)
- Staff see [Staff Complaints and Grievance Policy and Procedure.](#)

Data Breaches Through Unauthorised Access

A data breach is an unauthorised access or disclosure of personal information, or loss of personal information. In the unlikely event of an occurrence, Mining Skills Australia will ensure fast and effective action is taken to reduce the impact and limit any negative consequences. If the data breach is likely to result in serious harm to one or more individuals, Mining Skills Australia will inform all relevant parties and individuals involved.

Monitoring and Improvement

Mining Skills Australia is responsible for all continuous improvement process in relation to the Privacy Policy and ensuring that all staff, including those from third party providers are complying with the provisions of this Policy.

Changes to this Privacy Policy

We may amend this Privacy Policy occasionally, with or without notice to you. We recommend you visit our website regularly to keep updated with any changes. If there are any material changes to our Privacy Policy, then we will take reasonable steps to notify you of any changes by either sending you an email to your last known email address that we hold.

Relevant Standard(s):

Standards for Registered Training Organisations (RTOs) 2015 Standard 8.5 and 8.6.



Graeme Bradshaw
Managing Director
Mining Skills Australia

18.6.2024.

Date



Andrew Holder
Managing Director
Mining Skills Australia

18/06/2024

Date

Version Control

DATE	SUMMARY OF MODIFICATIONS	MODIFIED BY	VERSION
18/10/2018	Policy creation	360RTO	1.0
02/02/2021	Policy placed into MSA format	K Percival	1.01
03/03/2021	Updated document name & footer formatting	Z Nash	1.02
01/07/2022	Updated Signature Name & Header/Footer Version Number	N Pergaris	1.03
05/07/2022	Anne Thomas	Anne Thomas	1.04
07/07/2022	Updated formatting and spacing	A Earl	1.05
12/07/2022	Insert date into footer	A Earl	1.06
15/07/2022	Added policy number under the heading	T Maris	1.07
20/06/2023	Review, no changes	P White	1.08
27/05/2024	Review, merged with MSA Privacy Policy and updated Cyber security requirements	D Smallwood	2.0
18/06/2024	Formatting and document control	P White	2.01