Privacy Policy

PURPOSE

Mine Safety and Training is committed to maintain the privacy of personal information provided by staff and clients in accordance with the requirements of the '2025 Standards for Registered Training Organisations (RTOs) and Australian Privacy Principles of the Commonwealth Privacy Act 1988.

POLICY PRINCIPLES

This Policy will be made publicly available.

Mine Safety and Training is committed to the Australian Privacy Legislation and this policy describes how it will comply with the following and how it collects, uses, secures and discloses personal information:

- Commonwealth Privacy Act 1988
- Privacy and Other Legislation Amendment Act 2024
- Freedom of Information Act 1982
- 2025 Standards for RTOs
- Student Identifiers Act 2014
- Australian Privacy Principles (APP)

Data Collection on Website

1. Mine Safety and Training lawfully collects personal information that is necessary both for appropriate marketing and promotional information sent to potential clients.
2. We will disclose basic information that we gather about our staff or students only to third parties that we elect as having potentially relevant or useful products and services to them. We use the information collected only for the services we provide and the third parties we elect. Email addresses, phone numbers, product enquiry information, and first and last names may be shared with a third party elected by Mine Safety and Training however no other staff or student information is shared with another organisation unless required by Commonwealth and State Government authorities and agencies.

3. If staff or student information is required or requested by any third party outside of those which Mine Safety and Training elects, we will obtain written consent from the relevant staff or student prior to release of any information. 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.

Data Collection to Provide Training and Assessment Services

1. In order to provide training and assessment services, Mine Safety and Training lawfully collects personal information from students that is necessary for statistical, administrative, regulatory and research purposes.

2. Under the Data Provision Requirements 2012, Mine Safety and Training is required to disclose this personal information to the National Centre for Vocational Education Research Ltd (NCVER), and to Commonwealth and State or Territory government departments and authorised agencies.

3. Information collected may include, but is not limited to:
    - Full name
    - Address
    - Contact details (telephone and email)
    - Date of Birth
    - Gender
    - Cultural Background
    - Country of birth
    - Language spoken at home
    - Disability information
    - Highest schooling completed
    - Other qualifications completed
    - Current employment status
    - Study reasons
    - Unique Student Identifier (USI)

4. Mine Safety and Training will only collect personal information by fair and lawful means.

5. 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.

Unique Student Identifier (USI)

1. In accordance with section 11 of the Student Identifiers Act 2014, Mine Safety and Training will securely destroy personal information which we collect from individuals solely for the purpose of applying for a USI on their behalf as soon as practicable after we have made the application or the information is no longer needed for that purpose, unless we have been required by or under a law to retain this information.

2. Under Standard 3.6 (d) of this Act, we are required to ensure the security of the USI and all related documentation under our control, including information stored in our student management systems.

Unsolicited Information

1. Unsolicited information received by Mine Safety and Training is afforded the same privacy protection as solicited personal information.

2. If unsolicited information is received by Mine Safety and Training, and takes initiative to determine whether it could have collected the information through its various data collection channels. If received information is identified as deliberately obtained by Mine Safety and Training, it will, in the handling of the information, comply to the principles of this document and the relevant legislations on data privacy.

3. Information identified as not solicited by Mine Safety and Training will be destroyed or de-identified as soon as practicable, provided such actions are lawful and reasonable, and the information is not contained in a Commonwealth record.

Use and Disclosure

1. By providing personal information to Mine Safety and Training on the website, any other website promoting our products and services, or through other means, clients and potential customers agree to allow Mine Safety and Training and other third parties elected by Mine Safety and Training 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.

2. Individuals are notified every time Mine Safety and Training obtains information. Notification may be done prior to the respective channel/s, such as the website or fill-out forms, where the individual discloses relevant information prior to or immediately after data collection. The individual may opt to refuse requests for personal information through the channel where information is being obtained.

3. Mine Safety and Training will inform the individual whether information provided may be used for domestic or international audiences. Where Mine Safety and Training identifies that information may be used for cross-border or international purposes:

    - Mine Safety and Training assumes responsibility of its elected international or cross-border recipients. They are bound by the same legislations, and principles as stipulated in this document. As such, any breach of the Australian Privacy Policy by international recipients is taken to be a breach of the Australian Privacy Policy by Mine Safety and Training**.**

    - Prior to disclosing personal information to an overseas recipient, Mine Safety and Training will inform the individual of the location of these overseas recipients.

    - Mine Safety and Training will follow reasonable steps to ensure that the recipient does not breach the Australian Privacy Principles and the stipulations of this policy.

    - Mine Safety and Training may choose not to apply the provisions of the cross-border disclosure following consent from the individual.

    - Regardless of Mine Safety and Training or the individual's (i.e. student/potential students) discretion, cross-border disclosure is imposed if required by Australian law, or a court/tribunal order.

4. Mine Safety and Training uses the limited information collected for either marketing and promoting our products and services, for the purpose disclosed at the time of collection and other purposes as set out in this Privacy Policy. Mine Safety and Training will not use personal information for any other purpose without first seeking consent, unless authorised or required by law. Generally, Mine Safety and Training will only use and disclose personal information:
    - to establish and maintain the relationship to Mine Safety and Training
    - to promote and market its products and services
    - to provide the products and services requested from Mine Safety and Training and other learning providers in which you enrol or apply to enrol
    - to promote and market the products and services of third parties elected by Mine Safety and Training that may have products and services of interest to clients and potential customers
    - to administer and manage those products and services
    - to comply with Commonwealth and State Government laws and regulations
    - to report to National Registering Bodies in relation to training services provided
    - Mine Safety and Training will only use or disclose personal information for direct marketing purposes where the individual has either consented to their personal information being used for direct marketing or has a reasonable expectation that their personal information will be used for this purpose, and conditions relating to opt-out mechanisms are met.

5. Access to student personal information beyond that shared with third parties for promotional purpose (email addresses, phone numbers products, product enquiry information and first and last names) is available on application through the Administration Team of Mine Safety and Training. Access to personal information will be controlled at all times. A person requesting any information will be accompanied for the entire time they are in possession of their personal information by the Administration Team of Mine Safety and Training.

6. Students have the option to request no further contact from Mine Safety and Training or one of Mine Safety and Training's elected third parties by clicking the "UNSUBSCRIBE" link provided on emails received.

7. Where the potential student, student prefers anonymity, we permit an individual to interact with Mine Safety and Training without identifying themselves or by using a pseudonym. Exceptions apply, however, in situations where anonymous interaction may be deemed as impracticable. In such cases, Mine Safety and Training will inform the individual that, for purposes of clarity, accuracy and the like, communication may be resumed in more exclusive channels, such as emails, SMS, telephone, or whichever the individual finds suitable.

Agents, Contractors and Other Third Parties

Our agents, contractors and other third parties, who require personal information to provide a legitimate service, are also bound by these terms of privacy to ensure that client and participant personal information remains protected at all times

Use of Internet

The internet may be used to transmit client and participant 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.

Data Quality

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.

Access to Records

1. All students who have provided a verified USI (unless exempt), and whose results have been reported into the national VET provider collection, will be able to access their records through the USI system (for units and awards obtained after 1 January 2015). If a student's achievements have not been recorded through the USI system, they may access their records through written request with Mine Safety and Training's Student Services Team.

2. Mine Safety and Training will not disclose information that we gather about our student to any third party (apart from those exceptions previously stated.)

3. If student information is requested by 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.

4. 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. Access to student personal information is available on application through the Administration Team of Mine Safety and Training. Access to personal information will be controlled at all times.

Correction of Records

Mine Safety and Training follows reasonable steps to correct information, without additional charge and within 10 business days of request, to ensure that information held serves its purpose, that it is accurate, up-to-date, complete, relevant and not misleading. Mine Safety and Training may initiate amendment of personal information held if:

1. Mine Safety and Training is satisfied that the information held is inaccurate, out-of-date, incomplete, irrelevant or misleading.
2. The individual to whom the personal information relates to requests the organisation to correct the information.

If Mine Safety and Training corrects personal information about an individual that it has previously disclosed to another APP entity, Mine Safety and Training will take reasonable steps to notify the other APP entity of the correction, where that notification is requested by the individual will likewise notify other entities.

Where Mine Safety and Training refuses to correct personal information of an individual, Mine Safety and Training will send a written notice to the individual requesting the amendment indicating the reason for refusal, the mechanism available to complain about the refusal and any other matter prescribed by regulation.

Mine Safety and Training will likewise indicate in its records that the information held is inaccurate, out-of-date, incomplete, irrelevant or misleading in a way that is apparent to the users of the information.

Records Retention of Student Data

1. Mine Safety and Training will retain sufficient data to be able to reissue a qualification or statement of attainment for a student for 30 years.

2. If Mine Safety and Training ceases being an RTO, we will provide this information to ASQA in digital form.

Privacy Concerns

Clients can raise any concern they may have regarding personal information handling practices by contacting our administration staff.

MONITORING AND IMPROVEMENT

The Peter Nicholls of Mine Safety and Training is responsible for all continuous improvement processes in relation to the privacy policy and procedure and ensuring that all staff, including those from third party providers are complying with the provisions of this policy.

Alignment to 2025 Standards

COMPONENTS OF THE 2025 STANDARDS FOR RTOs	
Compliance Standards and Fit and Proper Person Requirements	
Requirement	**Area**
Information and transparency	10 - Records of AQF certification and documentation
Accountability	20 - Compliance with laws

VERSION CONTROL

Version	Date Effective	Approved by	Amendment	Date of next scheduled review
1.0	1/10/2024	MD	Initial policy and procedure	1/10/2024
1.1	4/06/2025	PN	Alignment to 2025 Standards	4/06/2028
1.2	2/09/2026	PN	Minor update, business address	4/06/2028