

## Upskilled Privacy Policy

### 1. Background

Upskilled Pty Ltd ABN 14 125 906 676 (we, us, our) provides a range of nationally accredited business and IT certificates and diplomas, recognised by Australian employers, training organisations (including TAFE) and universities. In addition, Upskilled also provides marketing and sales services on behalf of 3<sup>rd</sup> party Registered Training Organisations. In providing these services, we collect, use and disclose personal information. Personal information means information or an opinion, whether true or not and whether recorded in a material form or not, about an individual who is either identified or reasonably identifiable.

We are committed to protecting the privacy of your personal information. This Privacy Policy explains how we collect, use, disclose and otherwise handle personal information. It also tells you how you can ask to access and correct the personal information we hold about you or complain about a suspected privacy breach.

We are required to comply with the Australian Privacy Principles (APPs) in the Privacy Act 1988 (Cth) (Privacy Act). The APPs regulate the manner in which personal information is handled.

We are also required to comply with more specific privacy legislation in some circumstances, such as applicable State and Territory health privacy legislation, the Spam Act 2003 (Cth) and the Do Not Call Register Act 2006 (Cth).

### 2. What types of information do we collect?

#### 2.1 Personal Information

The type of personal information that we collect and hold about you depends on the type of dealings that you have with us. If we need to identify you or verify your identity, we may collect your name, gender, date of birth, driver's licence and/or passport details, student ID number, username, password, security question and answer. If we need to communicate with you, we may collect your email, residential and postal addresses and telephone numbers. If you apply to enrol in a course of study or otherwise access our services, we may collect details of your educational qualifications, enrolment details, academic results, banking and payment details and tax file number (TFN).

To assist us in understanding your engagement with Upskilled and to ensure the communication you have with Upskilled is relevant we may also record your IP address and history of engagement with the Upskilled website and documents accessed.

As a student we will maintain your ongoing activity history as an enrolled student including assessment records, progress and completion information, enquiries and complaints. The Government also requires additional information be collected for students as required by AVETMISS data collection standards such as disability, education history and English language, literacy and numeracy proficiency. Upskilled also collects information relating to entitlements to related educational government payments or support (e.g. VET FEE HELP);

To help us improve our services, we may collect your responses to surveys and details about how, when and why you access our services.

If you apply for a job with us, we will collect the information you include in your application.

## **2.2 Sensitive information**

Sensitive information is personal information such as health information and information about racial or ethnic origin that is generally afforded a higher level of privacy protection.

In order to comply with our obligations under Australian law, we may collect sensitive information on behalf of the Australian Government, including your language background, citizenship status, status as an indigenous Australian, disability status and health information.

We only collect sensitive information where it is reasonably necessary for our business functions and you have consented, or we are required to do so by law.

## **2.3 Information other than personal information (“non-personal information”)**

When you visit our website, some of the information that is collected about your visit is not personal information, because it does not reveal your identity. We use this information to help us improve our services. We may aggregate this information for our own statistical purposes. Provided that it remains anonymous, we may disclose that aggregated information to third parties or publish it for marketing or research purposes.

### **Site visit information**

We may record your server address, the date, time and duration of your visit, search terms you used, the pages you viewed, any documents you downloaded and the type of device, browser and operating system you used.

### **Cookies**

A cookie is a small string of information that a website transfers to your browser for identification purposes. The cookies we use do not identify individual users.

We use cookies to hold anonymous session information. This information is used to personalise your current visit to the website.

Most internet browsers are set to accept cookies. If you prefer not to receive them, you can adjust your internet browser to reject cookies, or to notify you when they are being used. Rejecting cookies can, however, limit the functionality of our websites.

We may remarket your information. Remarketing is a way for us to connect with users, based upon your past interactions with the Upskilled website. Third-party marketing vendors may be hired by Upskilled to perform remarketing services. As a result, third-party vendors, including Google, may show Upskilled ads on sites on the internet. Third-party vendors, including Google, use cookies to serve ads based on a user's prior visits to Upskilled's website.

To opt out of customized Google Display Network ads click [here](#). To find out more about how Google uses any data it collects please visit [http://www.google.com/privacy\\_ads.html](http://www.google.com/privacy_ads.html) Any information collected is used only for remarketing purposes and will not be used by them for any other purpose.

## **2.4 Disposal of Personal and Sensitive Information**

Upskilled only retains a student's personal and sensitive information for as long as required to fulfil its obligations as an education provider. Information relating to student enrolment, progress and attainment are required to be retained for a period of 30 years. Assessment records are stored for a period of six months after the date the assessment decision was made.

## **3. How do we collect personal information?**

### **3.1 Methods of collection**

We will collect personal information by lawful and fair means as required by the Privacy Act. We will also collect personal information directly from you where this is reasonable and practicable.

We collect personal information in a number of ways, including:

- Directly from you in person, over the phone, through written communications (either on paper or electronic) or by you completing forms or answering questions on our websites;
- From third parties, including direct marketing database providers, government agencies, our related companies and your authorised representatives;
- From our own records of your use of our services.
- Communicating with Trainers and Assessors
- Communicating with our Education Managers
- Communicating with the Student Support Team
- Logging on to and engaging with the content and services provided by MyUpskilled (Upskilled LMS)
- Requesting further information relating to courses offered by Upskilled
- Communication with the Upskilled Accounts Team
- Managing complaints and appeals
- Student surveys including AVETMISS

## **4. Why do we collect, hold, use and disclose your personal information?**

### **4.1 General**

The main purposes for which we collect, hold, use and disclose personal information are:

- To identify you and verify your identity;
- To communicate with you about our services;
- To provide our services to you, including:
  - Facilitating your enrolment in a course of study;
  - Facilitating your access to online tertiary education;
  - Facilitating your communications with others via our website; and

- Obtaining payment for our services;
- For purposes required or authorised by or under law;
- To help us improve our services;
- For any other purposes that you have consented to.

Individuals have the right to choose not to disclose personal or sensitive information to Upskilled, however this may limit or prevent Upskilled's ability to provide services.

## **4.2 Direct marketing**

Where we have your express or implied consent, or where we are otherwise permitted by law, we may use your personal information to send you information about the services we offer, as well as other information. We may send this information by mail, email, SMS and telephone.

### **Opting out**

You can opt out of receiving these communications at any time, in the following ways:

- Contact us (see section 10 below) and tell us;
- Use the unsubscribe facility that we include in our commercial electronic messages (i.e., email or SMS) to opt out of receiving those messages.

## **5. To whom do we disclose your personal information?**

We may disclose your personal information to any of the organisations that we deal with in the ordinary administration of our business for the purposes set out in section 4 above, including:

- The Australian Government;
- Australian Skills Quality Authority (ASQA);
- State and Territory Education and Training Departments;
- Contracted Australian Apprenticeship Centres;
- The Commonwealth Department with responsibility for administering the Higher Education Support Act 2003
- The Tuition Assurance Scheme manager
- Partner Registered Training Organisations who deliver training services to students acquired by Upskilled;
- Financial institutions;
- Third party debt collection agencies;
- The Police, where an alleged breach of the Student Code of Conduct may involve criminal behaviour
- Our contracted service providers, including:
  - Trainers, assessors and tutors;
  - Information technology service providers (including cloud services providers);
  - Marketing, communications and research agencies;
  - Mailing houses, postal, freight and courier service providers;
  - Printers and distributors of direct marketing material;
  - External business advisers (such as recruitment advisers, auditors and lawyers).

In each case, we may disclose personal information to the service provider and the service provider may in turn provide us with personal information collected from you.

We may de-identify and aggregate the personal information of you and others for our own statistical purposes. Provided that it remains permanently de-identified, we may disclose that aggregated information to third parties or publish it for marketing or research purposes.

If you apply for a job with us, we may discuss your application with your nominated referees.

If you post comments or otherwise communicate publicly with other users via our website, any information about yourself that you include in the communication may be stored on the website and accessed by other users. For this reason, we encourage you to use discretion when deciding whether to post any information that can be used to identify you.

## **6. Cross border disclosure of personal information**

It is our current policy not to disclose personal information to third parties located overseas.

If we change our policy at some time in the future, we will comply with the requirements of the Privacy Act that apply to cross border disclosures of personal information and this Privacy Policy will be amended accordingly.

## **7. Data quality and security**

### **7.1 General**

We hold personal information in a number of ways, including in electronic databases, email contact lists, and in paper files held in secure premises. Paper files may also be archived offsite in secure facilities. We take reasonable steps to:

- Make sure that the personal information that we collect, use and disclose is accurate, up to date and complete and (in the case of use and disclosure) relevant;
- Protect the personal information that we hold from misuse, interference and loss and from unauthorised access, modification or disclosure;
- Destroy or permanently de-identify personal information that is no longer needed for any purpose that is permitted by the APPs.

### **7.2 Security**

The steps we take to secure the personal information we hold include ICT security (such as encryption, firewalls, secure server environments, anti-virus software and login and password protection), secure office access, personnel security and training and workplace policies.

### **Payment security**

We process payments using EFTPOS and online technologies. All transactions processed by us meet industry security standards to ensure payment details are protected.

## **Website security**

While we strive to protect the personal information and privacy of users of our website, we cannot guarantee the security of any information that you disclose online and you disclose that information at your own risk. If you are concerned about sending your information over the internet, you can contact us by telephone or post (see section 10 below).

You can also help to protect the privacy of your personal information by maintaining the confidentiality of your MyUpskilled account (including your password), and by ensuring that you log out of your account on MyUpskilled when you have finished using it. In addition, if you become aware of any security breach, please let us know as soon as possible.

## **8. How can you access and correct your personal information?**

You can request access to the personal information that we hold about you and request corrections by contacting our Privacy Officer (see section 10 below). Upskilled will authenticate a student's identity prior to releasing any personal and/or sensitive information held about the student.

In the event a request to access personal and sensitive information presents a risk relative to Australian Privacy Principle subclause 12.3 (for example, releasing the information may have an unreasonable impact on the privacy of other individuals), Upskilled may refuse such a request, or provide access to subsections of the information. In such cases, the Privacy Officer will advise the student in writing of the decision relating to the request and reasons for the decision.

Upskilled will respond to requests for access to personal and/or sensitive information within three business days.

Upskilled endeavours to maintain accurate and up to date information relating to a student during their enrolment period.

Students are able to confirm and update their personal and sensitive information by contacting the Student Support Team at [studentsupport@upskilled.edu.au](mailto:studentsupport@upskilled.edu.au) In accordance with PR4.5 Student Administration Support Procedure.

## **9. Complaints**

If you have a complaint about how we have handled your personal information, please contact our Privacy Officer (see section 10 below).

Our Privacy Officer will endeavour in the first instance to deal with your complaint and take any steps necessary to resolve the matter within a week.

If your complaint can't be resolved at first instance, we will ask you to complete a Privacy Complaint Form.

### **Complaints process**

We will endeavour to acknowledge receipt of the Privacy Complaint Form within 5 business days of receiving it and to complete our investigation into your complaint in a timely manner.

In most cases, we expect that complaints will be investigated and a response provided within 30 days of receipt of the Privacy Complaint Form. If our investigation may take longer, we will let you know.

If you are unhappy with our response, you can refer your complaint to the Office of the Australian Information Commissioner (see [here](#) for further information) or, in some instances, other regulatory bodies, such as the Australian Communications and Media Authority (see [here](#)).

## **10. Further information**

Please contact us if you have any queries about the personal information that we hold about you or the way we handle that personal information. Our contact details for privacy queries are set out below.

### **Privacy Officer**

Upskilled Pty Ltd

Mail: Office 1, 2 Fisher Place, Mawson Lakes SA 5095

Email: For online enquiries you can [Contact us](#).

Telephone: 1300 009 924

Fax: 1300 277 177

## **11. Changes to this Policy**

We may amend this Privacy Policy from time to time. The current version will be posted on our website and a copy may be obtained from our Privacy Officer.