	BABCOCK PTY LTD	Item Type	Policy / Directive
	BMS-06842 RTO - Learner Privacy Directive	Next Review Due	06/04/2025
		Owner	Shane Studte Training Development Specialist - Defence

1 PURPOSE

This document establishes the Learner Privacy Directive aligned with [Babcock Pty Ltd Privacy Policy](#).

2 SCOPE

This Privacy Directive is applicable to all Babcock's training staff and learners (current and previous).

3 POLICY STATEMENT

As a Registered Training Organisation (RTO) 43549 Babcock Pty Ltd CAN 050 019 817 are required to collect and record information about learners, including personal information. Personal information is protected by the Privacy Act and Australian Privacy Principles (APPs) in the [Privacy Act 1988](#) (Cth) (Privacy Act). Babcock also comply with the General Data Protection Regulation (Regulation (EU) 2016/679)(GDPR). We are a data controller for the purposes of the GDPR.

Babcock understands the importance of, and is committed to, protecting an individual's personal information. This Privacy Directive details how Babcock manages learner personal information (that is, information or an opinion about an identified individual, or an individual who is reasonably identifiable), including our obligations and the learner's rights in respect of Babcock's dealings with an individual's personal information.

4 DIRECTIVE DETAILS

4.1 Compliance

Babcock complies with the obligations under the Privacy Act 1988 (Privacy Act). Babcock is bound by the [Australian Privacy Principles](#) which regulate how agencies may collect, store, use and disclose personal information, and how individuals may access and correct information held about them.

'Personal information' is defined in the Privacy Act as information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- Whether the information or opinion is true or not; or
- Whether the information or opinion is recorded in a material form or not.


The [Privacy Act](#) only applies to the collection of personal information by Babcock for inclusion in a document, in an electronic or other device, or in a generally available publication.

4.2 The Australian Privacy Principles

Babcock acknowledges that the privacy principles are designed to protect the rights of the individual, yet still allow access by particular authorities in specific circumstances and for specific purposes. To meet its obligation to comply with these principles under privacy laws, Babcock will ensure that these principles are adhered to by our management and all our employees and agents.

Babcock will ensure that it complies with privacy principles pertaining to:

- The necessity of personal information to be collected, and the means of collection of this information;
- The use or disclosure of personal information about an individual;
- Ensuring that information held is accurate, complete and up to date;

	BABCOCK PTY LTD	Item Type	Policy / Directive
	BMS-06842 RTO - Learner Privacy Directive	Next Review Due	06/04/2025
		Owner	[Owner Position]

- The protection of information from misuse, loss and unauthorised access, modification or disclosure;
- The way in which personal information is managed, including the right of individuals to know what type of personal information relating to them is collected, held, used or disclosed;
- Allowing individuals reasonable access to information held about them to the extent allowed by law;
- The identification of individuals;
- The right of individuals to anonymity when entering into transactions where lawful and practicable;
- The transfer of personal information to persons in a foreign country except where allowed by law; and
- The collection of sensitive information without consent or legal authority.

4.3 Learner Information Collected by Babcock

Babcock only collects personal information that is reasonably necessary for, or directly related to one or more of its services or activities.

The types of personal information that Babcock may collect about an individual are set out below:


- With enrolment in a course, Babcock collects personal and sensitive information to process and manage the enrolment, including contact details, VET Student Loan (VSL) eligibility criteria (if applicable), the Unique Student Identifier (USI), educational background, demographic information, disability status, indigenous status, identity details and home address;
- Personal information included in the feedback provided by the individual to Babcock;
- Personal information contained in an individual's social media profiles that they would share when interacting with Babcock; and
- Registration details required to attend workshops and external training.

4.4 Individual Consent

Babcock will assume that, unless advised otherwise, the learner consents to the collection of the information provided (either directly or indirectly) for the use and disclosure by Babcock in accordance with this Privacy Directive.

Babcock will only collect sensitive information (personal information pertaining to health, religion etc) from an individual with their consent and where it is reasonably necessary to enable Babcock to provide specific/unique services or activities as a result.

Babcock may need to take an individual's photo to provide students with a learner pass (if required). Some courses may require photo ID access passes to the facilities. An additional media consent form will be provided at the start of a course to solicit the individual's consent for photographic imagery. Individuals also have the right to consent or refuse permission for Babcock to use their photo on the website.

	BABCOCK PTY LTD	Item Type	Policy / Directive
	BMS-06842 RTO - Learner Privacy Directive	Next Review Due	06/04/2025
		Owner	[Owner Position]

4.5 Anonymity

The Australian privacy principles require Australian government agencies to allow individuals the option of not identifying themselves, or using a pseudonym when dealing with the agency when it is lawful and practicable to do so.

Babcock provides individuals with the option of not identifying themselves or using a pseudonym. However, the following circumstances do not enable this practise:

- Course enrolment forms;
- USI verification; and
- VET Student Loans entitlements.

4.6 Disclosure to other parties

The parties to which Babcock may disclose personal information collected include the following:


- Commonwealth of Australia;
- Tuition assurance scheme operators;
- We may supply attendance, progress and participation information as well as a copy of outcome results from training to employers if the learner are enrolled in training paid for by the employer;
- We are required by law (under the *National Vocational Education and Training Regulator Act 2011* (Cth) (NVETR Act)) to disclose the personal information we collect about you to the National VET Data Collection ([National VET Data Policy](#)) kept by the National Centre for Vocational Education Research Ltd (NCVER). The NCVER is responsible for collecting, managing, analysing and communicating research and statistics about the Australian VET sector. We are also authorised by law (under the NVETR Act) to disclose your personal information to the relevant state or territory training authority.
- Information pertaining to learners is not disclosed to any other third party not mentioned here without written consent; and
- Applicants under the Freedom of Information Act 1982.

4.7 How the NCVER and other bodies handle your personal information

The NCVER will collect, hold, use and disclose your personal information in accordance with the law, including the *Privacy Act 1988* (Cth) (Privacy Act) and the NVETR Act. Your personal information may be used and disclosed by NCVER for purposes that include populating authenticated VET transcripts; administration of VET; facilitation of statistics and research relating to education, including surveys and data linkage; and understanding the VET market.

The NCVER is authorised to disclose information to the Australian Government Department of Education, Skills and Employment (**DESE**), Commonwealth authorities, State and Territory authorities (other than registered training organisations) that deal with matters relating to VET and VET regulators for the purposes of those bodies, including to enable:

- administration of VET, including program administration, regulation, monitoring and evaluation
- facilitation of statistics and research relating to education, including surveys and data linkage

	BABCOCK PTY LTD	Item Type	Policy / Directive
	BMS-06842 RTO - Learner Privacy Directive	Next Review Due	06/04/2025
		Owner	[Owner Position]

- understanding how the VET market operates, for policy, workforce planning and consumer information.

The NCVER may also disclose personal information to persons engaged by NCVER to conduct research on NCVER's behalf. The NCVER does not intend to disclose your personal information to any overseas recipients. For more information about how the NCVER will handle your personal information please refer to the NCVER's Privacy Policy at www.ncver.edu.au/privacy.

4.8 How personal information is held

Babcock's usual approach to holding personal information includes robust storage and security measures at all times. Information on collection is:

- Stored in secure, password protected systems, learning management system and student management system and controlled access systems;
- Hard copies are stored in locked filing cabinets and archive facilities; and
- Monitored for appropriate authorised use at all times.

Only authorised personnel are provided with login information or keys to each system, with system access limited to only those relevant to their specific role. Babcock retains information for periods as required. Specifically for our RTO records, in the event of our organisation ceasing to operate the required personal information on record for individuals undertaking nationally recognised training with us would be transferred to the Australian Skills Quality Authority, as required by law.

4.9 Visiting Babcock's Website


When visitors browse [Babcock's website](#), the following information is logged by the service provider for statistical purposes:

- server address;
- top level domain name (e.g. .com, .gov, .au, .uk); and
- date and time of the visit, pages accessed, documents downloaded, previous sites visited and the type of browser used.

Babcock uses the following cookies on the website:

- Strictly necessary cookies: These cookies are essential in order to enable navigation around the website and use its features.
- Performance cookies: These cookies are used to collect information about how visitors use the website. The information enables Babcock to improve the user experience when visiting the website. The cookies collect information anonymously which includes the number of visitors to the site, where visitors have come to the site from and the pages they visited. This information cannot be used to identify who the visitors are. Google stores the information collected by these cookies on servers in the United States. Google may transfer this information to third-parties where required to do so by law, or where such third-parties process the information on Google's behalf.
- Functionality cookies: These cookies allow Babcock's website to remember a specific visitor's browsing history on the site.

Certain cookies on the website are session cookies and others are persistent cookies. Visitors can choose which cookies may be placed on their computers/devices by Babcock's website.

	BABCOCK PTY LTD	Item Type	Policy / Directive
	BMS-06842 RTO - Learner Privacy Directive	Next Review Due	06/04/2025
		Owner	[Owner Position]

By using Babcock's website, visitors agree that the abovementioned types of cookies can be placed on their device.

4.10 Other Websites

Babcock's website may contain links to other web sites ; and these sites are not covered by this Privacy Directive. Information collected by third party websites could be used in accordance with their individual privacy policies which may differ from Babcock's policy. Babcock accepts no responsibility or liability for the privacy practices of such third party websites and use of such websites is at an individual's own risk.

4.11 Access and correction

The [Privacy Act](#) allows individuals to seek access to and request correction of records containing their personal information. The [Freedom of Information Act 1982](#) also sets out the process by which individuals can access, change or annotate records held by Babcock, which contain personal information.

Individuals can request access to their personal information or correct and update personal information by contacting the following Babcock staff below:

Babcock Training Co-ordinator	Babcock Training Development Specialist
training@babcock.com.au +61 8 8440 1498 or +61 8 8440 1400	training@babcock.com.au +61 8 8440 1457 or +61 8 8440 1400


4.12 Complaints

Complaints about breaches of the [Australian Privacy Principles](#) by Babcock may be made to the Training Development Specialist, contactable as above or if you have any questions, concerns or complaints about this Privacy Policy, or how we handle your personal information, please contact our Data Protection Officer:

Jessica Rankin, Trade Control Manager Australasia
Telephone: +61 8 8440 9648
Email: Jessica.Rankin@babcock.com.au

4.13 Notifiable data breaches

Babcock is regulated under the [Privacy Act](#) and is required to notify affected individuals and the Office of the Australian Information Commissioner (OAIC) when a data breach is likely to result in serious harm to staff whose personal information is involved in the breach.

	BABCOCK PTY LTD	Item Type	Policy / Directive
	BMS-06842 RTO - Learner Privacy Directive	Next Review Due	06/04/2025
		Owner	[Owner Position]

5 ROLES AND RESPONSIBILITIES

Party / Parties	Roles and responsibilities
Babcock Pty Ltd CEO	Listed as "Fit and Proper Person" and accountable to ASQA for RTO performance and verification of ASQA Financial Viability Risk Assessment
Managing Director Land and Corporate Services	Exco Representative for governance and approval of Babcock RTO policies and procedures
Training Development Specialist	Responsible for all activities related to compliance, training delivery and management of the RTO as delegated by the GM and CEO

6 MONITORING, EVALUATION AND REVIEW

The Privacy Directive will be reviewed every 24 months, or as required due to legislation or circumstantial change.

7 DEFINITIONS AND ABBREVIATIONS

Term	Meaning
ASQA	Australian Skills Quality Authority
AVETMISS	Australian Vocational Education and Training Management Information Statistical Standard
RTO	Registered Training Organisation
NCVER	National Centre for Vocational Education Research
DESE	Australian Government Department of Education, Skills and Employment
USI	Unique Student Identifier
VET	Vocational Education and Training
VSL	VET Student Loans

8 ASSOCIATED DOCUMENTS

[Babcock Pty Ltd Privacy Policy](#)