1. Introduction

In the course of our business, Prime Learning Pty Ltd (trading as Evocca Workplace Training) and ACTE Pty Ltd (trading as Australian College of Training and Employment and Evocca College) may collect information from students or persons seeking to enrol in accordance with the Information Privacy Principles set out in the Privacy Act 1988 (Cth) and the Higher Education Support Act 2003. Evocca only collects personal information that is necessary for one or more of our functions activities. Evocca may also record various communications between individuals and Evocca.

2. Collecting personal information

Evocca will only collect personal information by fair and lawful means which is necessary for the functions of Evocca, and is committed to ensuring the confidentiality and security of the information provided.

The personal information supplied by individuals to Evocca will only be used to provide information about study opportunities, to enable efficient course administration, and to maintain proper academic records. Evocca may collect personal information in electronic or hard copy format. This information may include an individual’s Name, Date of Birth, Address, contact details (email and phone) and payment information. If an individual chooses not to give Evocca certain information then Evocca may be unable to enrol that person in a course or supply them with appropriate information. If it is reasonable and practicable to do so, we collect personal information about an individual only from that individual. If we collect personal information about an individual from someone else, or through other means, we take reasonable steps to ensure that the individual is or has been made aware of:

- Business identity and how to contact us;
- The access to their information;
- The purpose for which the information is collected;
- The organisations that we usually disclose information to;
- The kind of information disclosed;
- The law that requires the particular information to be collected; and
- The consequences (e.g. unable to enrol) for the individual if all or part of the information is not provided.

3. Use and disclosure

Evocca does not use or disclose personal information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection. However, the information that an individual provides may be disclosed or shared with the Australian Government and designated authorities, including the Tuition Assurance Scheme Manager and organisations that run courses in conjunction with Evocca within Australia. Evocca will not disclose an individual’s personal information to another person or organisation unless:
• The individual concerned is reasonably likely to have been aware, or made aware that information of that kind is usually passed to that person or organisation;
• The individual concerned has given written consent to the disclosure;
• It is impracticable for us to seek the individual’s consent before that particular use;
• Evocca believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or of another person;
• The disclosure is required or authorised by or under law; or
• The disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.

Where personal information is disclosed for the purpose of enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the purpose of the protection of the public revenue, Evocca shall include in the record containing that information a note of the disclosure.

Any person or organisation to whom personal information is disclosed as described in this procedure will be required to not use or disclose the information for a purpose other than the purpose for which the information was supplied to them.

3.1. Marketing information

Students and clients may access educational courses and other services information from Evocca’s website. Evocca will not contact an individual or organisation unless:

• The individual has not made a request to us not to receive direct marketing communications; and
• In each direct marketing communication with the individual, we draw to the individual’s attention, or prominently display a notice, that the individual may express a wish not to receive any further direct marketing communications.

3.2. Third party information requests

No staff member is to release any information about a student to any third party unless prior written authorisation is obtained from the client or disclosure is required by law.

Authorised Third Parties

Clients may nominate third parties they wish to access their records. This process is conducted by the Academic Manager who ensures a third party access form is completed and the security details for the third party are obtained. These details will be entered into the student’s file.

Any staff member who receives a request for information from a person claiming to be authorised must verify this authorisation and any related conditions through either a password or question list check prior to releasing any information.

Other Third Parties

Staff must not release any information to any other third party requesting client information. In this situation the request should be transferred to the Academic Manager who will obtain details of the
request and detail these to the client to determine whether they wish to authorise access through a written consent form.

4. Data quality and security of personal information

Evocca will take all reasonable steps to ensure that any personal information collected is relevant to the purpose for which it was collected, is up-to-date and complete by:

- Providing online access to individuals to update their information; and
- Providing physical forms to the individual to update their information during the course or when the information changes.

Evocca will take reasonable steps to protect the personal information we hold from misuse and loss from unauthorised access, modification or disclosure by:

- Updating and backing up information on our server regularly;
- Ensuring computer security at all times by the use of firewalls and up-to-date virus software;
- Maintaining password access to the computers and servers;
- Inspecting storage and archive areas to identify potential hazards which can cause harm to stored data;
- Securing all files with personal information in locked cabinets;
- Restricting the access to information to authorised personnel only; and
- Not releasing information to third parties without prior written authorisation.

We take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which the information may be used or disclosed.

5. Access and correction

Individuals have the right to access or obtain a copy of the personal information that Evocca holds about them including VET personal information. Requests to access or obtain a copy of personal information must be made in writing by using ‘Access to Records’ form on SMART and sent to Compliance Manager at Evocca’s head office. There is no charge for an individual to access personal information that Evocca holds about them. However, Evocca may charge a fee to make a copy. Individuals will be advised of how they may access or obtain a copy of their personal information and any applicable fees within 10 working days of receiving their written request. The free copy of Evocca’s privacy policy can be accessed from our website www.evocca.com.au

If we hold personal information about an individual, we will provide the individual with access to the information except to the extent that:

- Providing access would have an unreasonable impact upon the privacy of other individuals;
- The request for access is frivolous or vexatious; or
- Providing access would be unlawful.

Evocca will take all reasonable steps to ensure that any personal information collected is relevant to the purpose for which it was collected, is up-to-date and complete. However, if an individual considers their personal information to be incorrect, incomplete, out-of-date or misleading, they can
request that the information be amended. Where a record is found to be inaccurate, a correction will be made. Where an individual requests that a record be amended because it is inaccurate but the record is found to be accurate, the details of the request for amendment will be noted on the record.

Individuals may complain about any breach of the Australian Privacy Principles code to the Office of the Australian Information Commissioner (OAIC) at www.oaic.gov.au
Definitions of key terms

Access
This involves us giving individuals information we hold about them. Giving access may include allowing an individual to inspect personal information or giving them a copy.

Collection
We collect personal information if we gather, acquire or obtain personal information from any source and by any means. Collection includes when we keep personal information that we come across by accident or have not asked for.

Consent
Consent means voluntary agreement to release information. It has two elements: knowledge of the matter agreed to, and voluntary agreement. Consent can be express or implied. Express consent is given explicitly, either orally or in writing. Implied consent arises where consent may reasonably be inferred in the circumstances from the conduct of the individual and us. Consent is invalid if there is extreme pressure or coercion.

Disclosure
In general terms we disclose personal information when we release information to others outside of Evocca. It does not include giving individuals information about themselves (this is access: see above).

Personal Information
Personal information is defined as information or an opinion, whether true or not, about an individual whose identity is apparent, or can reasonably be found out, from the information or opinion. The personal information can be recorded in any format – for example, in writing, online, digitally or by electronic means.

Sensitive information
Sensitive information means personal information about an individual’s racial or ethnic origin, political opinions, membership of a political, professional or trade association or trade union, religious beliefs or affiliations, philosophical beliefs, sexual preferences or practices or criminal record.

Use
In general terms, use of personal information refers to our handling of personal information, including the inclusion of information in a publication.
Privacy Policy

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Collection and use of personal information
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The personal information supplied by individuals to Evocca will only be used to provide information about study opportunities, to enable efficient course administration, and to maintain proper academic records. If an individual chooses not to give Evocca certain information then Evocca may be unable to enrol that individual in a course or supply them with appropriate information.

Disclosure of personal information
We do not use or disclose personal information about an individual for a purpose other than providing educational services and communication (primary purpose). However, the information that an individual provides may be disclosed or shared with the Australian Government and designated authorities, including the Tuition Assurance Scheme Manager and the organisations that run courses in conjunction with Evocca within Australia. Evocca will seek consent and written approval from an individual prior to disclosing their personal information.

Security of personal information
Evocca will take all reasonable steps to ensure the security of personal information we hold from any unauthorised access, misuse, loss, damage or disclosure. We will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which the information may be used or disclosed.

Access and correction
Individuals have the right to access or obtain a copy of the personal information that Evocca holds about them including VET personal information. Request to access or obtain a copy of personal information must be made in writing and sent to Evocca’s head office. The free copy of Evocca’s privacy policy could be accessed from our website www.evocca.com.au

Evocca will take all reasonable steps to ensure that any personal information collected is relevant to the purpose for which it was collected, is up-to-date and complete. However, if an individual considers their personal information to be incorrect, incomplete, out-of-date or misleading, they can request that the information be amended. Individuals may complain about any breach of the Australian Privacy Principles code to the Office of the Australian Information Commissioner (OAIC).