

Privacy Statement

Scope

This statement applies to:-

*The Driving School
27A Technology Drive
Arundel
Qld 4214
Tel: 07 5537 8101
RTO No: 32261*

The Driving School is classed as a small business operator in relation to the Privacy Act and Privacy Amendment (Enhancing Privacy Protection) Act 2012 and therefore must comply with Australian Privacy Principle (APP) 3 and 5 of the Privacy Act 1988.

More information can be found here <https://www.oaic.gov.au/>

App 3 – Collection of Solicited Personal Information

App 3 governs when and how an RTO can collect personal information. Collection can only be done where it is reasonably necessary for the organisation's functions or activities to be carried out and the information must be collected by lawful and fair means.

APP 5 Notification of the collection of personal information

The RTO must take reasonable steps to notify the individual, or ensure that the individual is aware, of certain matters i.e. how information will be used, stored, protected etc.

What information do we collect?

We collect information by lawful and fair means from you when you complete our booking form, enrolment form or Assessment Sheet, and when you are undertaking training and assessment with us (filming & voice recording).

We have recently installed cameras in all of our vehicles for several reasons:-

1. Lower insurance premiums
2. Asset protection
3. Employee protection
4. Training techniques and moderation of assessment
5. Auditing

Personal information

The Driving School collects personal information that you choose to give us in relation to our providing a service on your behalf. The collection of the information is necessary for, or directly related to the issuance of a Statement of Attainment for a unit of competency or in the process of obtaining a heavy vehicle licence. For example your name, address, phone number, email address, driving licence details, unique student identifier, billing details of financial information regarding to the payment of your training.

Please be advised that as part of this process in some instances, it may be necessary for a Regulator to share your details with another Regulator or Licencing body to confirm that you are actually eligible to be issued with competency certification i.e. The Department of Transport and Main Roads (TMR) may need to check with Roads and Maritime Services NSW (RMS) that you previously held a driving licence in that State, what class of licence that was for and your driving history.

Services that we may need to undertake on your behalf when dealing with the licencing regulators include, your current licence status, tenure (eligibility) can be met for the issuance of the licence upgrade you are seeking to obtain and booking your practical driving test or a final competency assessment (FCA).

Uses

We use your personal information for the purposes for which you gave it to us i.e. in relation to your training. It may also be used in any of the following ways:

- To personalise your experience
- To improve our website
- To improve customer service
- To process transactions
- To send periodic emails

Do we disclose any information to outside parties?

We will disclose your personal information where it is relative to the primary purpose, which is the delivery of your training course and issuance of your Licence.

These parties would include the Australian Skills Quality Authority (ASQA) the Governing body of Registered Training Organisations, the relevant Road Transport Authorities: Department of Transport and Main Roads in Queensland and NSW Roads and Maritime Services.

Under the National VET Data Policy we are also required to submit data to The National Centre for Vocational Education Research Ltd (NCVER). This is the entity appointed by Government to manage the Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS). See *VET Data Use Statement* below, for how NCVER handle your personal information.

We do not share information about you with other government agencies or other organisations without your permission unless it:

- is necessary to provide you with a service that you have requested;
- is necessary to complete an activity that you have chosen to undertake;
- is required or authorised by law;
- will prevent, or lessen, a serious and imminent threat to somebody's health, or
- is required by a Lawyer for the defence of an anticipated or existing legal proceeding.
- your Employer – if you are enrolled in training organised or paid for by your employer (the employer is also considered our client).
- your Employment Service Provider if accessing Government Funding for your course
- is part of the regulatory requirements of a RTO

However, a regulator may need to share information with another regulator in the process of delivering your course i.e. confirming licencing history, verifying your identity etc.

A party will not be in breach of this agreement where it is legally compelled to disclose the other parties Confidential Information i.e. court of law, coroner's inquest etc.

We will not disclose personal information to overseas recipients; unless it has been requested by you i.e. you are trying to transfer your Australian qualification to an overseas qualification.

If you are entering the Qld or NSW heavy vehicle licencing system from an overseas licence, you will have to provide a translation of your licence to the Licencing Authority, if it is not written in English. The translation needs to be done by National Accreditation Authority for Translators and Interpreters (NAATI) <https://www.naati.com.au/>.

In NSW there is a legal requirement for the FCA to be filmed and recorded. RMS introduced this process to ensure that you have been trained and assessed properly within the framework and to allow for auditing. This recording will be kept in accordance with RMS requirements for 2.5 years. Assessment records must be retained by the RTO for a minimum of 7 years.

VET Data Use Statement

Under the Data Provision Requirements 2012 and National VET Data Policy (which includes the National VET Provider Collection Data Requirements Policy), Registered Training Organisations are required to collect and submit data compliant with AVETMISS for the National VET Provider Collection for all Nationally Recognised Training. This data is held by the National Centre for Vocational Education Research Ltd (NCVER), and may be used and disclosed for the following purposes:

- populate authenticated VET transcripts;
- facilitate statistics and research relating to education, including surveys and data linkage;
- pre-populate RTO student enrolment forms;
- understand how the VET market operates, for policy, workforce planning and consumer information; and
- administer VET, including program administration, regulation, monitoring and evaluation.

You may receive a student survey which may be administered by a government department or NCVER employee, agent or third party contractor or other authorised agencies. Please note you may opt out of the survey at the time of being contacted.

NCVER will collect, hold, use and disclose your personal information in accordance with the Privacy Act 1988 (Cth), the National VET Data Policy and all NCVER policies and protocols (including those published on NCVER's website at www.ncver.edu.au).

Unique Student Identifier

In January 2015, the Government implemented a new system called the Unique Student Identifier (USI). This system acts as a single storage facility for any nationally recognised training you undertake with an RTO.

From this day forward, your training records can be accessed on line 24/7, i.e. to show to a new employer or when you enroll to study with a new training organisation to have that training recorded. Your USI can be accessed online from your computer, tablet or smart phone. There is no charge for this service. More information can be found at this website address www.usi.gov.au

During your course enrolment, you will need to give us permission to collect, search, view, create, verify, record, use, disclose and store your USI so that your achievements can be recorded against your name. A privacy notice relating specifically to the USI is viewable at this link <https://www.usi.gov.au/documents/privacy-policy>

If we do access your training record i.e. to locate and verify your USI, you will receive a notice from the USI office, confirming we have accessed this function. Please be advised that this may come in our legal company name "Araki Australia Pty Ltd" and/or our trading name The Driving School.

Whilst The Student Identifiers Act 2014 (s.11) Legislation requires a RTO to destroy personal information collected from individuals solely for the purpose of applying for a USI on their behalf as soon as practicable after the application has been made or the information is no longer needed for that purpose, we will retain a copy of your driving licence as part of the training and assessment process and in liaising with the licencing regulator on your behalf during your licence upgrade.

Records are also retained to assist in any future issues you may have with a potential mis-issuance of your truck licence i.e. in the wrong class or incorrect gearbox code.

Finally, as a RTO we are only currently required to provide competency completion data once a year. Therefore, depending on when you completed your training with us, your results may not show up on your USI transcript until our annual submission of competency completions has been completed. Data is compiled by calendar year and must be submitted by 28th February for the preceding year.

Roads and Maritime Services NSW

If you are completing training with us for your NSW heavy vehicle licence, we disclose your Personal Information to Roads and Maritime Services (RMS) to advise RMS that you have undertaken heavy vehicle training and assessing and our observations and outcomes.

RMS may use and disclose that Personal Information in connection with driver licensing and road safety purposes including to conduct customer satisfaction and/or compliance surveys in relation to the provision of the training courses and assessments.

If Accessing Funding from an Employer or Employment Services Provider

Your personal information may also be shared with any entity providing funds for your training. Information may be shared for the purpose of funding related issues, review of the contract / purchase order details, competency levels and satisfaction surveys, for example if you are claiming subsidised funding from an Employment Service Provider.

We will need to provide evidence if asked by the Contract Provider that we have written consent from you, that permission has been granted. Therefore, when you are signing for enrolment on a course or that you have accepted our terms and conditions you are authorising access to the personal information we hold on you for review by the Contract Provider.

We must notify the Contract Provider immediately in writing if we become suspect or become aware of any unauthorised use, copying or disclosure of personal information.

We may also disclose the terms of this Agreement (other than Confidential Information of a technical nature) to our related companies i.e. accountants, auditors, insurers, solicitors etc. when we need assistance.

How we store your information

We will store your records in hard copy or electronic format or otherwise to reproduce the qualification you obtained during your training course, under the relevant regulator's requirements for data protection.

At the present time, The Driving School does not store data in any cloud facility in Australia or overseas.

The information in the Student Management System (SMS) is password protected. The allocation and deletion of an admin team member's SMS Password is controlled by the HR Manager. Local and off site back-ups are done on a daily basis. Completion of this task is signed off by a member of the admin team.

Hard copies of data are retained in an archiving system, under lock and key.

Your personal information is not used in any way except to the extent that it is required for us to provide services to you during your training course.

All reasonable steps are taken to ensure the Personal Information we hold is protected from misuse, loss, unauthorised access, duplication, modification and disclosure.

Under Standard 3.6 (d) of the Student Identifier's Act, we will ensure the security of your USI and all related documentation under our control, including information stored in your student record in our student management systems.

All records are stored in line with legislative requirements i.e. Australian Skills Quality Authority (the governing body of RTO's), TMR, RMS or Workplace Health and Safety (WHSQ) etc. Control of this process is exercised through The Driving School Records Management Policy, which also outlines the process for destroying these documents when the retention period has expired.

Documents are destroyed using the services of a suitable Australian Document Destruction Provider and a Certificate of Destruction is retained for the files.

On completion of your training, we will also retain copies of your results and qualifications for a period of 30 years.

Our Website

With our Website, we will not attempt to identify users or their browsing activities except, in the unlikely event of an investigation, where a law enforcement agency may exercise a warrant to inspect our logs.

We analyse non-identifiable website traffic data to improve our services. We only use session-based cookies for the single sign-on service and to gather anonymous website usage data to help us improve the structure and functionality of *The Driving School*. You can change your web browser settings to reject cookies or to prompt you each time a website wishes to add a cookie to your browser. In spite of our efforts to reduce the impact, some functionality on the website may be affected by this.

Useful Links

Useful links to other relevant road transport websites are included on www.thedrivingschool.com.au to assist Trainees in finding answers to their questions.

However, no responsibility is taken or implied by The Driving School as to the accuracy and of the links and the currency of information.

Confidentiality

The Driving School must ensure that its Personnel do not disclose any of your personal information to third parties without first complying with its obligations

You may gain access to the personal information we hold for you. If you want this information released to a 3rd party i.e. a potential employer etc. you will need to make the request in writing. You can have us correct any errors or delete the information we have about you.

To protect your privacy and the privacy of others, we may have to gain evidence of your identity before we can give you access to information about you or change it.

We will require you to verify your identity and to specify what information you require.

If you believe your Privacy has been breached?

The Driving School is required to comply with App 3 and App 5 of the Australian Privacy Principles ('APPs') contained in the Privacy Amendment (Enhancing Privacy Protection) Act 2012, which amends the Privacy Act 1988 (Commonwealth) ('Privacy Act').

The APPs set out the obligations of an organisation in relation to its collection, storage, use and disclosure of personal information. More information can be found here <https://www.oaic.gov.au/>

In summary, 'personal information' is information or an opinion relating to an individual which identifies or can be used to identify, that individual.

If you have any concerns that your privacy or believe your privacy rights have been breached, please contact us.

Unsubscribe

You may opt out of any further contact from us.

If you receive emails from us that you no longer wish to receive, you will have the option to unsubscribe from our mailing list. The following will appear at the bottom of the email, simply click on the link to send an email back to us.

If you received this message in error or wish to be removed from our list please click ["UNSUBSCRIBE"](#)

When you send us an email enquiry direct from our website, you will automatically subscribe to receive our "industry news" update on important changes in Legislation, industry developments, funding opportunities etc. You can untick the box at the outset if you do not want to receive this update. You also have the option to unsubscribe at any later date if you choose to do so.

All of these processes form part of The Operator School's responsibilities as a Registered Training Organisation under the NVR Standards for RTO's 2015.