

Registered Training Organisation (RTO) Data Protection and Privacy Collection Statement

1. Who does this Data Protection and Privacy Collection Statement apply to?

This RTO Data Protection and Privacy Collection Statement applies to anyone applying to enroll in a course with the Monash College (College) RTO. This includes Vocational Education and Training (VET) accredited courses and non-accredited courses.

This RTO Data Protection and Privacy Collection Statement is to be read in conjunction with the Monash College Data Protection and Privacy Procedure.

2. What types of personal data will be processed by the College?

The personal data processed by Monash College will include the details you directly provide to the College in your application forms, any supporting documents that the College request as part of the admission process, and additional details provided by any referees and anything recorded following any interview process.

Monash College generally collects information at enrolment, when you access Monash College's systems, or when you participate in special activities or projects. Some special projects or activities may have their own collection notice, which is in addition to the information contained in this RTO Data Protection and Privacy Collection Statement (e.g. when accessing health services or using Monash College's IT services).

As a current student enrolled in the Monash College RTO, the College will keep a record of the details you provided in your application and any supporting documents requested as part of your enrolment, and additional details provided by any referees and anything recorded during or after any interview process. This will become part of your student record. Your student record also includes information about academic progress and standing, exclusion, assignments and examinations, results and details of practical and work placements (if applicable to your course of study).

Monash College processes personal data directly from you through a variety of forms, including about your use of the College's academic and non-academic facilities, your participation in study abroad programs, when you agree to participate in user experience research or provide feedback and during the College communications with you.

The personal information Monash College collects will comprise:

- Names and other related contact details (email and residential address);
- Date of Birth;
- Academic qualifications and history;
- Employment data;
- Complaints or misconduct details or information;

- If engaging any health service, information necessary to deliver that service (e.g. medical history);
- Unique personal identifiers assigned to you (e.g. your student number) and details of any disciplinary or conduct issues; and
- Other related personal information required for the effective management of Monash College.

In accessing academic and non-academic facilities and services that the College offers, the College may also process personal data about you that is classed as special category data (e.g. when you access student welfare services), and which requires additional protections under the law. For certain courses of study, other types of special category data may also be processed by Monash College, such as information about, working with children or vulnerable adults, and your fitness to practice in certain regulated professions. Access to, and the sharing of, this type of data is controlled very carefully. You will be given further details about the College processing, including the lawful basis of the processing and our use of this data at the time that we collect it from you.

Where you provide the College with the personal data of others (e.g. emergency contact details) you are encouraged to inform them that:

- you are disclosing that information to the College;
- the information will be retained; and
- they can access that information by contacting the College's Privacy Officer.

Your personal data is created, stored and transmitted securely in a variety of paper and electronic formats. This includes databases that are shared across the College. Access to your personal data is limited to College and College affiliates' representatives who have a legitimate interest in it for the purpose of carrying out their duties.

3. Why do we need your personal data, what is our legal basis for processing it, and how will we use it?

As a registered training organisation, Monash College will only process personal data that is necessary to fulfill the functions and activities of the College as determined by the nature of your interaction with the College and where the College has a lawful basis to do so. Monash College requires your personal data to deliver the program, meet RTO Standards, for reporting and compliance and also AVETMISS reporting requirements. The College collects your personal information so as to process and manage your enrolment in a vocational education and training (VET) course with Monash College.

If you choose not to provide your data, it may not be possible for the College to enroll you and provide you with your course of study and may limit opportunities available to you. The specific purpose for processing personal data outside of your student record will be communicated to you at the time that Monash College first interacts with you. If you choose not to provide your personal data, it may not be possible for the College to provide you with the specific information, assistance, facilities or services that you have requested.

Monash College will generally collect personal information directly from you unless:

- you consent to the collection of the information from someone else; or
- Monash College is required or authorised by, or under, an Australian law, or a court / tribunal order, to collect the information from someone else; or
- It is directly unreasonable or impracticable to get the information from you directly.

Monash College will obtain your consent for specific use of your personal data not covered by this RTO Data Protection and Privacy Collection Statement or where that personal data includes special category data which will be collected from you at the appropriate time. You can withdraw your consent to the College's specific use of such data at any time. Sensitive or specific category data will only be collected if:

- you consent to the collection, and the information is reasonably necessary for, or directly related to, one or more of Monash College's functions or activities;
- it is necessary for the provision of associated services such as access to systems;
- the collection of the information is required or authorised by or under an Australian law or a court / tribunal order (e.g. when providing Government student support);
- the information is necessary to provide a health service to you;
- it is required to facilitate appropriate assistance in the event of an emergency involving you; or
- the disclosure is permitted by the privacy laws.

In addition to the purposes set out in the Data Protection and Privacy Procedure, some of the main reasons that Monash College collects information from you include:

- To correspond with you;
- To attend to day-to-day administrative purposes;
- To inform you about your course or other Monash College or Monash University courses/events;
- To confirm your entitlements to commonwealth assistance;
- to facilitate and enable programs relevant to your candidature (such as student placements, voluntary workplace activities, internships, industry experience opportunities with third parties etc.), to enable your participation at events (e.g. functions);
- for the provision of associated services such as security (including CCTV), 24-7 on-demand personal support, parking, information technology and (where used by you) accommodation services, and to operate governance, disciplinary (including plagiarism and academic misconduct), grievance, and quality assurance processes and arrangements;
- to seek feedback of your experience as a student of the College;
- for benchmarking, analyses, quality assurance and planning purposes;
- to compile statistics and conduct research for internal and statutory reporting purposes;
- to fulfil and monitor our responsibilities to comply with legal obligations and legislative reporting requirements; and
- to use the information as otherwise permitted by the law.

4. Who will the College share my personal data with?

Monash College will share your personal data with the following:

4.1 External organisations

- National Centre for Vocational Education Research (NCEVR);
- employers (the latter where the employer has signed up for the course and progress data etc. will be shared with them);
- Commonwealth and State government agencies pursuant to obligations under the RTO Standards;
- government departments or agencies such as the Australian Taxation Office, the Department of Education, Training and Employment, Centrelink and the Department of Home Affairs and others;
- agencies and organisations involved in quality assurance and planning for higher education such as federal and state government, ASQA, tertiary admissions centres (e.g. VTAC) and Universities Australia;
- external organisations such as professional bodies, hospitals or government agencies in connection with your studies;
- off-shore campuses and educational institutions for any overseas or cross institutional study undertaken by you;
- external contracted recruitment service providers to facilitate and enable programs relevant to your candidature (such as student placements, voluntary workplace activities, internships, work integrated learning, industry experience and other related activities). This also applies to graduates from Monash University where Monash College has agreed with Monash University to provide these services for its graduate students;
- Monash College affiliates, namely Monash University or other related parties/ subsidiary companies or Monash University/Monash College partner organisations when you are or will be engaging with this entity;
- contracted service providers the College uses to perform services on its behalf (such as course administration, logistics and IT service providers). Some of our service providers are located outside of Victoria and/or Australia and, as a result, personal information collected and held by the College may be transferred outside of Victoria (but within Australia) or outside Australia;
- Monash College's legal advisers or other professional advisers and consultants engaged by Monash College; and
- in the event of an emergency, police, medical or hospital personnel, civil emergency services, your legal representative or nominated emergency contact person, or any other person assessed as necessary to respond to the emergency.

4.2 Emergency situations and criminal activity

Monash College may disclose your information for a secondary purpose if it reasonably believes that the use or disclosure is necessary to lessen or prevent:

- a serious and imminent threat to an individual's life, health, safety or welfare; or
- a serious threat to public health, public safety or public welfare; and
- the information is used or disclosed in accordance with the exemptions as set out in the Australian Privacy Principles, in particular APP 6 provided under <https://www.oaic.gov.au/privacy/australian-privacy-principles-guidelines/chapter-6-app-6-use-or-disclosure-of-personal-information/>

Monash College may disclose health information for a secondary purpose where it has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the health information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities.

4.3 Overseas disclosures

On occasion, the above types of sharing may involve the transfer of your personal data outside Victoria or Australia. As described in the Data Protection and Privacy Procedure, such transfers are carried out with appropriate safeguards in place to ensure the privacy and security of your personal data. Some Monash College IT systems use *cloud computing* services and are hosted in countries other than Australia. Depending on the service accessed this could include selected countries in the Americas, Europe or Asia-Pacific region.

Before Monash College discloses personal information about you to a person (the overseas recipient):

- who is not in Australia or an external territory; and
- who is not Monash College or the individual;

Monash College will take steps that are reasonable in the circumstances to ensure that the overseas recipient does not breach Australian privacy laws in relation to the information.

5. How will the College use my personal data after my application process and after completion of my studies?

Monash College is committed to the integrity and safeguarding of personal data as set out in the Data Protection and Privacy Procedure. Monash College will take all reasonable steps to ensure that the personal data processed is managed in accordance with the College's Recordkeeping Procedure.

If your application to study at the College is unsuccessful, Monash College will take all reasonable steps to ensure that the personal data processed is managed in accordance with the College's Recordkeeping Procedure.

If you are successful in your application, your personal data will be used to register you as a student of the College, including for the provision of associated services (e.g. information technology and where intended to be used by you, residential services). Your personal data from your application will become part of your ongoing student record. Your academic record is retained indefinitely so that the details of your academic achievements can be confirmed and for statistical or historical research. Please refer to the Student Privacy Collection Statement for further details on how we process your personal data as a student of the College.

Upon completion of your studies, Monash College will communicate with you where you have consented to receiving updates on the College's events and activities through social media and other modes of communication.

Information shared with NCEVR will be collected, held, used and disclosed by NCEVR 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 NCVET 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 NCVET 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
- understanding how the VET market operates, for policy, workforce planning and consumer information.

The NCVET may also disclose personal information to persons engaged by NCVET to conduct research on NCVET's behalf. For more information about how the NCVET will handle your personal information please refer to the NCVET's Privacy Policy at www.ncvet.edu.au/privacy.

DESE is authorised by law, including the Privacy Act and the NVET Act, to collect, use and disclose your personal information to fulfil specified functions and activities. For more information about how the DESE will handle your personal information, please refer to the DESE VET Privacy Notice at <https://www.dese.gov.au/national-vet-data/vet-privacy-notice>.

6. What are my individual rights?

In addition to your rights to access and correct your personal data and lodge a complaint relating to how Monash College handle your personal data as set out in the Data Protection and Privacy Procedure, if the GDPR applies, you may, under certain conditions, have the following rights available:

- to object to any processing of your personal data that Monash College processes on the lawful basis of legitimate interests, unless the reasons for the underlying processing outweighs your interests, rights and freedoms;
- to withdraw your consent where Monash College has processed any of your personal data based on consent;
- to object to direct marketing (including any profiling) at any time;
- to ask Monash College to delete personal data that the College no longer has lawful grounds to process; and
- to object to the use of automated decision making.

8. Who can I contact if I have any questions about how my personal data is being used or how I can exercise my rights?

If you have any questions about how your personal data is being used, or you wish to exercise any of your individual rights that are available to you, please visit the College's Privacy webpage at <https://www.monashcollege.edu.au/privacy> or contact the [Monash College Privacy Officer](#) by email.

Status	New
Approval Body	Monash College Senior Leadership Team
Date Effective	
Next Review Date	
Owner Job Title	Director, Governance Governance
Author	Compliance Specialist
Contact	Privacy Officer (privacy@monashcollege.edu.au)

Change History

Version number	Approval date	Approved by	Brief outline of changes
1.0	2/3/2021	Senior Leadership Team	New RTO Data Protection and Privacy Collection Statement for Monash College