



PRIVACY POLICY

Version – 19/08/14

PRIVACY OF CLIENT/CUSTOMER INFORMATION

1.0 PURPOSE

In accordance with the changes to the Privacy Act 1988 (the Act) in 2014, Australian Privacy Principle entities must manage personal information in an open and transparent way. APP entities must ensure practices, procedures and systems are in place to ensure compliance.

The Real Estate Institute of South Australia (REISA) is bound by the Act and respects an individual's right to privacy.

REISA has developed this policy to outline:

- a. the kinds of personal information that REISA collects and holds;
- b. how REISA collects and holds personal information;
- c. the purposes for which REISA collects, holds, uses and discloses personal information;
- d. how an individual may access personal information about the individual that is held by REISA and seek the correction of such information;
- e. how an individual may complain about a breach of the Australian Privacy Principles, or a registered APP code (if any) that binds REISA, and how REISA will deal with such a complaint;
- f. whether REISA is likely to disclose personal information to overseas recipients;
- g. if REISA is likely to disclose personal information to overseas recipients—the countries in which such recipients are likely to be located if it is practicable to specify those countries in the policy.

This policy aims to ensure that all individuals are aware of REISA's open and transparent handling of personal information.

REISA reserves the right to de-identify information perform statistical analysis of user behaviour and characteristics in order to measure interest in and use of the various areas of the site and to inform advertisers of such information as well as the number of users that have been exposed to or clicked on their advertising banners.

All enquiries from students regarding REISA's privacy policy must be directed to the Manager – Training & Development (MT&D), REISA. Similarly, any requests from students for access to their personal information, or to update, change or make corrections to their personal information, must also be directed to the MT&D. The MT&D can be contacted by telephoning (08) 8366 4300, or via email at training@reisa.com.au or by writing to 249 Greenhill Road, DULWICH SA 5065

Any enquiries from members or other individuals in relation to REISA's privacy policy or access to their information should be directed to the Chief Executive Officer (CEO). The CEO can be contacted by telephoning (08) 8366 4300, or via email at reisa@reisa.com.au or by writing to 249 Greenhill Road, DULWICH SA 5065.

This policy details how information will be gathered, stored and controlled in accordance with the Australian Privacy Principles.

2.0 SCOPE

This policy outlines REISA's open and transparent management of personal information.

This policy applies to information collected by REISA concerning staff, students, prospective students, members, prospective members and other individuals. It does not apply to information about corporations.

Anonymity and Pseudonymity

Because of the nature of the REISA businesses, it will usually be impractical for individuals transacting with the RTO or the membership organisation to have the option of not identifying themselves. However where it is lawful and practical to do so, REISA will give individuals this option.

Collection of solicited personal information

REISA is entitled to collect personal and sensitive information as long as the information relates to REISA's activities, to its members or to individuals who have regular contact with REISA in connection with its activities.

REISA will only collect information by lawful and fair means and only from the individual unless that individual consents to collection of information from someone other than the individual or REISA is required or authorised to collect the information from someone other than the individual or it is unreasonable or impractical to do so.

Dealing with unsolicited personal information

If REISA receives personal information it did not solicit and if the information could have been collected under APP3 if it had been solicited, REISA will apply APP5 – 13. If REISA could not have collected the information, REISA will destroy the information.

There may be instances where REISA will obtain information from sources other than the individual e.g. references for employment purposes, results data for prospective students, and verification of formal qualifications of staff and students etc. In such instances, REISA will take reasonable steps to ensure that the individual is or has been made aware of these matters, except to the extent that making the individual aware of the matters would pose a serious threat to the life or health of any individual.

Notification of the collection of personal information

When REISA collects information about an individual from the individual, it will take reasonable steps to ensure that the individual is aware of:

- a. the identity and contact details of REISA;
- b. if:
 - i. REISA collects the personal information from someone other than the individual; or
 - ii. the individual may not be aware that REISA has collected the personal information;

the fact that REISA so collects, or has collected, the information and the circumstances of that collection;
- c. if the collection of the personal information is required or authorised by or under an Australian law or a court/tribunal order — the fact that the collection is so required or authorised (including the name of the Australian law, or details of the court/tribunal order, that requires or authorises the collection);
- d. the purposes for which REISA collects the personal information;
- e. the main consequences (if any) for the individual if all or some of the personal information is not collected by REISA;
- f. any other APP entity, body or person, or the types of any other APP entities, bodies or persons, to which REISA usually discloses personal information of the kind collected by REISA;
- g. that REISA's privacy policy contains information about how the individual may access their personal information that is held by REISA and seek the correction of such information;

- h. that REISA's privacy policy contains information about how the individual may complain about a breach of the Australian Privacy Principles, or a registered APP code (if any) that binds REISA, and how REISA will deal with such a complaint;
- i. whether REISA is likely to disclose the personal information to overseas recipients;
- j. if REISA is likely to disclose the personal information to overseas recipients — the countries in which such recipients are likely to be located if it is practicable to specify those countries in the notification or to otherwise make the individual aware of them.

Use or disclosure of personal information

In holding personal information collected for a particular purpose REISA will not use or disclose the information for another purpose unless the individual has consented or if the individual would reasonably expect REISA to use or disclose the information for the secondary purpose as long as the information is directly related to the primary purpose.

Direct Marketing

REISA will only use information collected by an individual only if it was collected from that individual.

Our site and communications provide users with the opportunity to opt-out of receiving promotional or other communications. At the time the information is collected the user will have the opportunity to indicate whether they would like to opt out of receiving promotional and/or marketing information about other products, services or offerings from any third parties.

Upon request we will allow any user to opt out of further promotional material at any time. Notwithstanding any opt out of promotional information by the user the REISA reserves the right to contact a subscriber regarding account status, changes to the subscriber agreement and other matters relevant to the primary service and/or information collected.

REISA will continue to direct market until such time as an unsubscribe request is received. REISA will action the unsubscribe request as soon as practical.

Cross- Border disclosure of personal information

Before REISA discloses personal information about an individual to an overseas recipient, REISA will take reasonable steps to ensure that the overseas recipient does not breach the Australian Privacy Principles in relation to the information.

Adoption, Use or disclosure of government related identifiers

REISA does not intend to adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual. REISA would only adopt, use or disclose any government related identifiers if the prerequisites were satisfied in certain limited circumstances.

Quality of Personal Information

REISA will take such steps that are necessary to ensure that the personal information that it collects is accurate, up to date and complete.

Security of personal information

REISA will take the necessary steps to protect information it holds from misuse, interference, loss and from unauthorised access, modification or disclosure. If REISA no longer requires the information it will take such steps as are reasonable to destroy or de-identify the information.

REISA keeps full and accurate records and implements a record disposal program.

Destruction of personal information must be carried out in accordance with the REISA Record Retention Policy, including the AQTF requirements to retain information for all trainees for a period of 30 years.

Access to personal information

If REISA holds personal information about an individual it will, on request by the individual, give the individual access to the information. Certain exemptions may apply which means REISA is not required to give the individual access to the personal information. REISA will respond to a request for access within a reasonable period after the request is made and give access to the information in the manner requested by the individual if it is reasonable and practical to do so.

If REISA refuses to give access to the personal information because it believes the request falls within an exception REISA will provide written reasons setting out the reasons, the mechanisms available to complain about the refusal and any other matter prescribed by the regulation. If the refusal is commercially sensitive, the reasons for refusal may include an explanation for the decision.

Correction of personal information

If REISA holds personal information about an individual and REISA is satisfied that, having regards to a purpose for which the information is held, the information is inaccurate, out of date, incomplete irrelevant or misleading or the individual requests REISA to correct the information, REISA will take such steps as are reasonable in the circumstances to correct that information to ensure that, having regard to the purpose for which it is held, that the corrected information is accurate, up to date, complete, relevant and not misleading.

All requests from students for access to their personal information, or to update, change or make corrections to their personal information, must be directed to the MT&D by telephoning (08) 8366 4300, or via email at training@reisa.com.au or by writing to REISA, 249 Greenhill Road, DULWICH SA 5065.

Any enquiries from members or other individuals should be directed to the Chief Executive Officer (CEO) by telephoning (08) 8366 4300, or via email at reisa@reisa.com.au or by writing to REISA, 249 Greenhill Road, DULWICH SA 5065.

If a request is made to correct personal information REISA will respond to the request within a reasonable period after the request is made.

In the unlikely event that REISA refuses to correct the personal information as requested by the individual, REISA will give the individual a written notice that sets out the reasons for the refusal except to the extent that it would be unreasonable to do so, the mechanisms available to complain about the refusal and any other matter prescribed by the regulations.

Openness

REISA will make this Privacy Policy available on its website and in hardcopy on request. REISA will take reasonable steps to let an individual know, generally, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

If REISA holds personal information about an individual and the individual is able to establish that the information held by the REISA is not accurate, complete or up-to-date, REISA will take reasonable steps to correct the information so that it is accurate, complete and up-to-date.

Nothing in this policy applies to a document containing personal information or the personal information contained in a document which would be subject to the provisions of the Freedom of Information Act 1991 (FOI Act).

REISA is not required to provide an individual with access to information about that individual if that information is generally available to the public.

Responsibilities

Manager Training & Development shall be responsible for the following:

- Notifying the individuals in the event of a reported loss/theft of records
- Ensuring that the contents of this policy are implemented and maintained across the RTO
- Reporting to the relevant authorities
- Review of security arrangements for the information
- Archiving and ensuring security of the records.
- Implementation and management of Privacy Policy awareness sessions, for all current and new staff and contractors.
- Processing and recording of staff participation in the awareness sessions.

Staff Employee/s

- Attend a Privacy Policy awareness session
- Responsible for the disposal of identified client/customer records in accordance with this procedure.
- Notify the CEO of the loss/theft of client/customer records

Archiving Records

Records containing personal information must be archived in such a way as to prevent deliberate or accidental release or misuse. ASQA requires all training records be stored for a period of 30 years. The MT&D shall be responsible for ensuring the archiving of the records.

Disposing of Records

When the records are no longer required REISA will dispose of the records in accordance with its secure document destruction policy.

If records are to be destroyed, they must be shredded as normal re-cycling or rubbish disposal services are not to be used to dispose of records.

The disposal of the records must be carried out either by, or under the supervision of a REISA employee authorised to do so.

Employee Training

All staff employees with access to any information must have undergone the REISA Privacy Policy Awareness Training Session as part of their initial REISA Induction.

The TDM shall implement and manage the training of all REISA staff in the awareness sessions for Privacy Policy Information.

Loss of Records

In the event of records being lost or stolen, an agreement with the individual will be reached on the process to follow. Depending on the type of information and the circumstances of the loss/theft, the TDM shall be notified and is responsible for the following:

- Contact the individual to inform them of loss or theft
- Contact the relevant individual concerned
- Contact the Police
- Review the security of records

REFERENCE DOCUMENTATION

NVR Standards found at www.asqa.gov.au

APPs found at www.oaic.gov.au/privacy/privacy-act/australian-privacy-principles