



# PARTICIPANT HANDBOOK

---

# 2026

INTRODUCTION .....	3
Welcome to Coal Train .....	3
Commitment to Diversity and Inclusion .....	3
Contact Details .....	4
Directions .....	4
Emerald Training Centre .....	5
Directions .....	5
Coal Train Quality Management Policy .....	6
COURSE INFORMATION .....	7
What is on Offer? .....	7
Responsibility to Provide Quality Training .....	7
Off Campus Arrangement .....	7
Course Delivery .....	7
Modes of Delivery .....	8
Assessment Methodology .....	8
Explanation of Competency Based Training and Assessment .....	8
Pathways Including Options if the Qualification is not Completed .....	9
Working with Children .....	9
Fees and Charges .....	9
Cancellation Policy .....	9
Payment Plans .....	9
Refund .....	10
VET Student Loans .....	10
STUDENT INFORMATION .....	11
Enrolment .....	11
USI (Unique Student Identifier) .....	11
Induction .....	11
Issuance (and re-issuance) of Qualifications .....	11
Participant Assessment Records Policy .....	12
Language, Literacy and Numeracy (LLN) and Digital Literacy Assistance Policy .....	12
Support Services .....	13
Recognition of Prior Learning .....	13
Credit Transfer .....	13

National Recognition.....	14
Processes for the event of the RTO or Third-Party Ceasing Operations.....	14
STUDENT POLICIES .....	15
Participant Code of Conduct .....	15
Bullying and Harassment Policy .....	15
Discipline .....	16
Complaints and Appeals .....	17
Appeals Policy .....	17
Complaints Policy .....	18
Coal Train Workplace Health and Safety Policy .....	21
Appendix A - Your Privacy .....	23
Appendix B – APP Privacy Policy.....	25
Australian Privacy Principle 1 – Open and transparent management of personal information	27
Australian Privacy Principle 2 – Anonymity and pseudonymity .....	31
Australian Privacy Principle 3 — Collection of solicited personal information .....	31
Australian Privacy Principle 4 – Dealing with unsolicited personal information .....	32
Australian Privacy Principle 5 – Notification of the collection of personal information ....	32
Australian Privacy Principle 6 – Use or disclosure of personal information.....	33
Australian Privacy Principle 7 – Direct marketing.....	33
Australian Privacy Principle 8 – Cross-border disclosure of personal information .....	34
Australian Privacy Principle 9 – Adoption, use or disclosure of government related identifiers	34
Australian Privacy Principle 10 – Quality of personal information.....	34
Australian Privacy Principle 11 — Security of personal information.....	35
Australian Privacy Principle 12 — Access to personal information .....	35
Australian Privacy Principle 13 – Correction of personal information .....	35
Appendix C - Legislative Requirements .....	37
Commonwealth Legislation.....	37
Queensland Legislation .....	37

# INTRODUCTION

## Welcome to Coal Train

Our Vision is to be the lead Registered Training Organisation within Queensland. We believe strongly in delivering professional, quality training to our clients. With our exceptional training and industry accepted services, we can assist to create pathways and all round success for our clients. Coal Train Australia is passionate about the delivery of quality training and we look forward to contributing to the development of qualified personnel and to improve work practices and performance.

The management team at Coal Train believes training is the backbone of Industry safety, productivity and quality. Clients being trained by our Team will experience a thorough and professional learning journey that will readily prepare them for the next step in their career.

## Commitment to Diversity and Inclusion

Our organisation is dedicated to fostering a safe, inclusive, and culturally respectful learning environment. We acknowledge and value the diverse backgrounds, experiences, and perspectives of all students. Our commitment includes:

- Inclusive Marketing and Enrolment: Ensuring that our marketing materials and enrolment processes are accessible and welcoming to all potential students, including under-represented groups such as people with disabilities and First Nations peoples.
- Culturally Safe Learning Environment: Creating a learning space that is free from racism, discrimination, and harassment, and that respects and incorporates diverse cultural perspectives
- Support for Cultural Obligations: Providing reasonable flexibility to accommodate students' cultural obligations and practices.

## Contact Details

You have either found our website or have received this handbook via email or in hardcopy. All our contact details for 2025 are:

6 Millroy Drive,  
Barmaryee Qld 4703

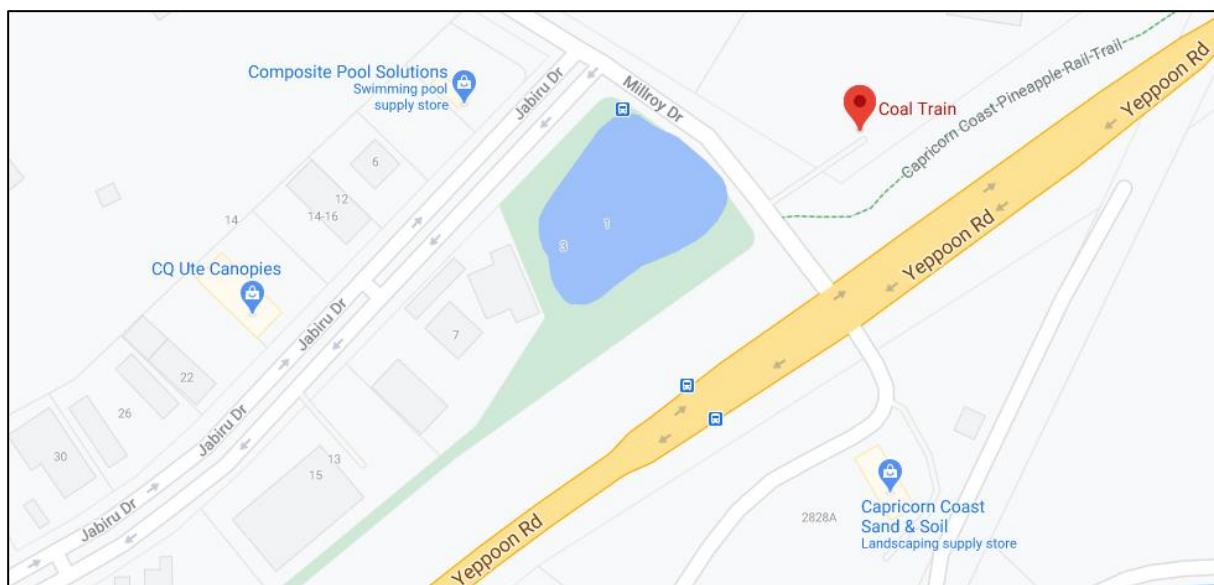
PO Box 216,  
Yeppoon Qld 4703

Telephone: 07 49391445  
Facsimile: 07 4938 3177

[www.coaltrain.com.au](http://www.coaltrain.com.au)  
[admin@coaltrain.com.au](mailto:admin@coaltrain.com.au)

Registered Training Organisation Code: 32507

## Directions



## Emerald Training Centre

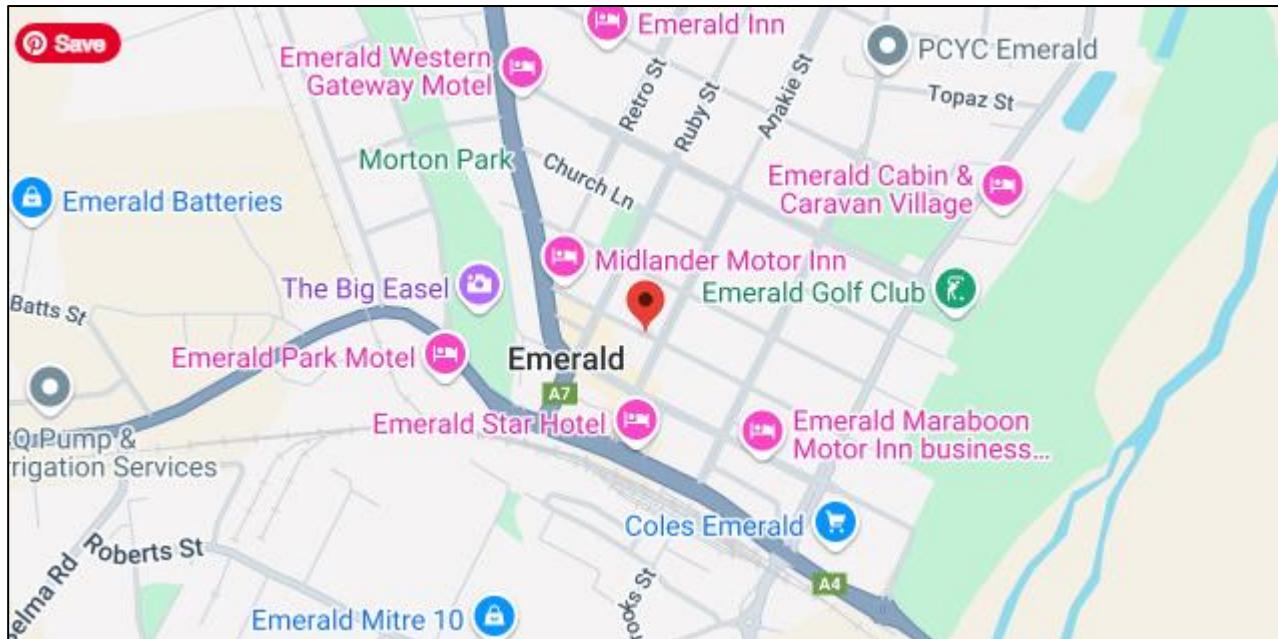
In 2024, we opened our second location at the Undamine Offices in Emerald.

Specialising in the resource sector, Registered Training Organisation (RTO) Coal Train has an extensive scope that caters to mining, construction, business, hospitality, first aid, management, leadership and more. Please contact the Coal Train team on 4939 1445 to make a booking or for further information.

### Directions

The Emerald Training Centre is located at:

Unit 1, 39 Anakie Street, Emerald QLD 4720



## Coal Train Quality Management Policy

### *Objectives of the policy*

The key aim of the Coal Train Quality policy is to promote the commitment to excellence, integrity, safety, accountability, adaptability and teamwork to ensure high performance. Coal Train's Objective is to ensure the company systems and processes are effective and efficient.

### *In particular the Company will:*

- Ensure a high standard of customer service and reliable resources
- Ensure positive partnerships with employees and clients
- Provide training to all employees to ensure they work to a high standard and are aware of their responsibilities under the Company's quality management system
- Encourage employees to continuously improve the quality of work practices and procedures
- Ensure legislative compliance for quality management including Acts, Regulations and subordinate legislation

### *Policy*

Coal Train is committed to delivering a high level of services by highly trained and skilled personnel.

Coal Train ensure its workforce is the most trained, experienced and qualified possible.

Coal Train views quality initiatives as an investment in business productivity and innovation. By maintaining high standards in quality, we are able to understand and meet our customer needs and expectations.

Each employee has a role in assuming accountabilities and responsibilities for quality. Good quality management is achieved by managers and employees working in partnership.

Accordingly, it is Coal Train's policy that all employees carry out their respective accountabilities and responsibilities to comply with the Company's Quality Management System diligently and conscientiously at all times. This involves using the Quality Management System as a fundamental tool in accomplishing best practice outcomes within the Organisation.

### *Compliance and Continuous Improvement*

The management of quality is supported by business and operational systems that comply with ISO 9001:2015. Coal Train are committed to improving business outcomes by effectively maintaining the Coal Train Quality Management System and fostering a culture that encourages employees to contribute to a continuous improvement environment.

# COURSE INFORMATION

## What is on Offer?

Our courses offered are from the following training packages:

- AHC Agriculture, Horticulture and Conservation and Land Management
- BSB Business Services
- CPC Construction, Plumbing and Services
- FSK Foundation Skills
- HLT Health
- MSM Manufacturing Training
- RII Resource Industry Infrastructure
- SIT Tourism, Travel and Hospitality
- TAE Training and Assessment
- TLI Transport and Distribution
- UET Transmission, Distribution and Rail Sector

## Responsibility to Provide Quality Training

Coal Train's responsibility to provide quality training to our learners is achieved through our engagement with industry stakeholders (such as employers) ensuring that our training and assessment is aligned to current methods, technology, products and performance expectations for the workplace tasks specified in the training package requirements. By engaging with industry, our training and assessment practices and resources continue to meet the needs of industry, particularly in areas where technology and/or techniques change rapidly.

Our trainers and assessors must maintain the currency of their skills and knowledge in their industry area and in vocational education and training. Coal Train's trainers and assessors participate regularly in professional development.

## Off Campus Arrangement

Coal Train are a highly mobile, flexible Registered Training Organisation. Coal Train are equipped to train at any workplace, at any time. We have our training facility located in Yeppoon and two mobile training trailers.

Coal Train have arrangements with several organisations across Queensland, delivering training on demand at their site/workplace. We also work with local schools and community groups to support their training needs.

## Course Delivery

Our courses are delivered by qualified and highly experienced trainers who remain current in both the industry and field of training and assessment. All trainers operate within the Australian Quality Training Framework principles and standards and are committed to the maintenance of professional standards in the delivery of our training.

## Modes of Delivery

A delivery mode describes the way training will be delivered to support and enable learning. Broadly speaking, there are three delivery modes:

- Face-to-face
- Self-paced
- Blended learning.

At Coal Train, we predominately deliver face-to-face training using scenarios, practical assessment and theory. We also deliver blended training for some qualification courses which involves face to face and online training.

## Assessment Methodology

Assessment in a competency-based environment is based around the acquisition of knowledge and then a demonstrable use of that knowledge in a practical sense. Participants in the program will be required to undertake assessments of a theoretical nature (question and answer), participate in group activities and demonstrate skills in the workplace.

All participants will be given two - five attempts depending on the course and mode of delivery. If a participant is deemed to have not satisfactorily met the assessment requirements after the first attempt, they will be given some one-on-one coaching and then permitted a second attempt. If after that attempt competence is still not achieved, a re-evaluation will take place which will include a discussion with an independent assessor (not the assessor who conducted the assessments), a review of the assessment outcome and then a decision about whether a third attempt may be made at the assessment with no further fees involved. If it is determined that a third attempt would unlikely be successful, participants will be required to attend further training.

If at any stage a participant feels that they are not being treated fairly in this process, an appeal can be lodged.

## Explanation of Competency Based Training and Assessment

Competence describes the ability to consistently apply knowledge, skills and the right attitude to the performance standard required in the workplace. It includes the ability to transfer and apply that skill and knowledge to new situations and environments.

Competency based training was introduced as a means of:

- Improving the relevance of training to the workplace
- Improving the consistency of training outcomes around the country

Competency Based Training is based on the concept that people can learn transferable skills and most training is transferable.

## Pathways Including Options if the Qualification is not Completed

Coal Train delivers national recognised training as full qualifications, skill sets or select units of competency. The units of competency delivered can be from:

- Skill sets
- Standalone competencies that are required for vocational licensing requirements
- Qualifications

Successful completion of units of competency can form part of qualifications which can be used as credit towards a full qualification. Your completion of competencies can be recognised by any Registered Training Organisation in Australia.

## Working with Children

Parental/Guardian consent is required for all participants under 18 to participate in training and assessment. Some of these courses will have age restrictions due to legislative and/or regulatory requirements.

## Fees and Charges

All Fees for courses are available on our website: [www.coaltrain.com.au](http://www.coaltrain.com.au) or as requested. Course fees are also stated in our student inductions which are sent to potential students upon booking confirmation.

Fees are payable immediately upon completion of the selected course, unless otherwise agreed upon. If for any reason the participant withdraws from the course or is unable to complete it within the delegated time frame, the fee will be calculated on a pro-rata basis.

## Cancellation Policy

Once a course booking is confirmed, please be aware that all cancellations or changes to the booking must be made in writing to Coal Train.

To avoid cancellation fees, we require a minimum of 24 hours notice prior to the commencement of the confirmed course of any cancellations or changes.

Please note, failure to attend a booked course is treated as a cancellation and will incur a cancellation fee for the **full** cost of the course fee. You may reschedule the course to a later date. Reschedules require a minimum of 24 hours' notice to avoid a cancellation fee.

## Payment Plans

To assist with course fees, Coal Train offer payment plans to students. A payment plan enables students to still achieve their training without financial worry. A schedule of payments will be planned according to your financial needs and students will be able to pay a weekly agreed amount.

## Refund

The 'Nature of Guarantee' given by Coal Train to complete the training and/or assessment once the candidate has commenced study is:

*If for any unavoidable circumstance the training and/or assessment cannot be completed, Coal Train will offer the candidate a placement in the same course at a time suitable to the candidate. If a suitable time cannot be agreed upon with the candidate, Coal Train will offer a full refund of course fees.*

## VET Student Loans

From 1 January 2017, VET Student Loans were implemented. This is a new student loans program that replaces VET FEE-HELP scheme, to give eligible students access to quality higher level VET qualifications, particularly those students who could not otherwise afford to pay upfront.

Coal Train is not a provider of VET Student Loans, but we do offer competitive fees.

# STUDENT INFORMATION

## Enrolment

The enrolment form can be downloaded from [www.coaltrain.com.au](http://www.coaltrain.com.au) or as requested. Enrolment forms are sent to all participants upon confirmation booking. As part of our compliance as a Registered Training Organisation, we are required to have a completed enrolment form from each participant for each new enrolment. All applicants are required to satisfy prerequisite requirements, qualifications and /or experience where relevant to a particular course or Training package.

## USI (Unique Student Identifier)

From 1 January 2015 it is a requirement under Commonwealth legislation and their conditions of registration that providers have a valid USI for a student before they issue that student with a qualification or statement of attainment. This applies to new students, pre-enrolled students and continuing students. The process for all students to obtain a USI (or for training providers to apply on their behalf with the student's permission) is the same.

New and continuing students undertaking nationally recognised Vocational Education and Training (VET) courses will need to have a USI to receive their statement of attainment or qualification. All students will be supplied a USI fact sheet and a consent form with their booking confirmation.

For further information about the Unique Student Identifier please refer to <https://www.usi.gov.au/>

## Induction

Once all participants have completed the enrolment session, they will complete an induction which will cover:

- Confirmation of the course content to be delivered.
- The training and assessment procedures, including method, format and purpose of assessment.
- Confirmation that all the above information was provided and handouts were distributed.

## Issuance (and re-issuance) of Qualifications

On successful completion of your training, you will be issued with a qualification or a statement of attainment via email which will detail the nationally recognised units of competency that you have completed with Coal Train. If you do require a printed copy of your qualification or statement of attainment, this fee will be \$10.00 per course.

Your qualification or statement of attainment can only be issued directly to the learner and not to another party, such as an employer. Coal Train will store and hold records of issued qualifications and statement of attainments for 30 years (certificates issued prior to 2015) and for seven (7) years for certificates issued after 2015. This retention period allows for reissuance of qualification and statement of attainments. In the event that Coal Train do cease operations, records will be stored by ASQA (Australian Skills Quality Authority) [www.asqa.gov.au](http://www.asqa.gov.au)

Re-issue of Certificates will be a fee of \$10.00 per course.

## Participant Assessment Records Policy

We are committed to maintaining and safeguarding the accuracy, integrity and currency of records without jeopardising the confidentiality of the records or our participant's privacy.

Individual participant records will be stored in a locked secure office area and further archived in a RECALL facility. Our electronic records are stored and backed up weekly and are protected by password access, we further protect our records by maintaining up to date virus, firewall and spyware protection software.

Record including assessment records, taxation records, business and commercial records will be retained for a period of seven years. We will ensure that any confidential information acquired by us, individuals or committees or organisations acting upon our behalf, is safeguarded.

Access to individual participant assessment records will be limited to those who require those records for specific purposes including:

- Trainers and Assessors who access and update the records of the participants with whom they are training.
- Management and administration staff as required to ensure the smooth and efficient operation of the business.
- Officers from:
  - DESBT (Department of Employment, Small Business and Training) or their representatives.
  - ASQA (Australian Skills Quality Authority) or their representatives.
  - WHSQ (Workplace Health and Safety Queensland) or their representatives
  - CSQ (Construction Skills Queensland) or their representatives
  - USI Management System (Unique Student Identifier Management System)

Or those required by law such as:

- People as permitted by law to access these records (e.g. subpoena / search warrants / social service benefits / evidence act).
- Those authorised to receive specific information as requested (in writing) by individual participants.

## Language, Literacy and Numeracy (LLN) and Digital Literacy Assistance Policy

Different industries attract people of all ages, educational background, culture and abilities. Accordingly, Coal Train is aware of language, literacy and numeracy requirements as well as Digital Literacy of the various courses on offer and works tirelessly to ensure all participants have the opportunity to successfully complete their course. Our standard assessments do require participants to be able to read and write and where applicable, some courses may also contain numerical calculations as part of the assessment. Most of our courses are delivered face to face and have little digital literacy requirements other than accessing information/certification via email. Further LLND requirements specific to each course are emailed to each prospective student prior to enrolment.

Whilst basic LLN support can be provided by training staff and reasonable adjustment made where necessary, Coal Train identifies the need to obtain expert LLN support when required. Coal Train utilises the LLN Robot System for qualifications to:

- Assess the learner's LLN levels
- Analyse the ACSF levels of the course
- Compare learner results with the ACSF levels of the course
- Generate individualised LLN Training Plan for the learner

The Coal Train CEO is skilled in program modification and has an extensive background in Learning Support and Special Needs. We will endeavour to help where we can accommodate anyone with Language, Literacy, Numeracy or Digital Literacy difficulties.

If a participant's needs exceed our skill, we will refer the participant to an external support provider.

## Support Services

Coal Train can offer support services if you require assistance throughout the training. Coal Train Trainers can provide support throughout your course. If you have any learning disabilities that require additional support from our staff, you will need to contact our office at least 48 hours prior to your course commencing. This will enable us to determine the support required and organise to have someone assist you throughout the duration of your training.

Please note that if Coal Train are not aware that you require support, we may not have a support staff available on the day. In this circumstance there may be a chance that you will need to reschedule to a different date where we will be able to provide the required support.

In addition to the above, Coal Train provide support for training via email, phone and zoom sessions with experienced Trainer and Assessors.

## Recognition of Prior Learning

All participants have the right to apply for recognition of prior learning or RPL.

RPL is an assessment process where partial or full credit can be granted for learning previously done through structured or unstructured training, work experience or by some other means. Of course, you must be able to show, through an assessment process, that the knowledge and skills you have are current and can be applied at the time you apply. Application forms for RPL are available through administration. Please call if you cannot access these or if you have any questions.

## Credit Transfer

Credit transfer is a process not unlike RPL. If you have completed structured training which had modules or units of competency with content identical to the ones you are enrolling in, you may be eligible for a credit transfer. There are no fees involved in a credit transfer. Information and an application form are available on request.

## National Recognition

When you undertake nationally recognised training, your qualification is valued equally throughout Australia. This is because all RTOs in Australia agree to nationally recognise all awards issued by any other RTO in the country. Credit means a credit towards a qualification and is applicable for a unit of competency.

## Processes for the event of the RTO or Third-Party Ceasing Operations

In the event that Coal Train ceases operating as a Registered Training Organisation, there are still obligations under the NVR (National VET Regulator) Act that we must comply with. Obligations include:

- Returning our certificate of registration to ASQA within 10 days of the day the withdrawal takes effect.
- Providing copies of student records to ASQA within 30 days of the day the withdrawal takes effect.
- ASQA will invoice Coal Train for any outstanding fees. These fees must be paid within 30 days of the date the invoice is issued.

The CEO must ensure that the student records:

- are sent in an electronic form to [studentenquiries@asqa.gov.au](mailto:studentenquiries@asqa.gov.au)
- include the following information for **each** student:
  - family name, first name
  - residential post code
  - date of birth
  - student ID number (if issued)
  - enrolment and commencement dates
  - code and title of qualification, course or program student enrolled in
  - codes and titles of units of competency completed and results (if applicable)
  - date the Certificate or Statement of Attainment was issued

# STUDENT POLICIES

## Participant Code of Conduct

When attending any training facilitated by Coal Train, trainees are expected to abide by Coal Train Code of Conduct. A Code of Conduct is a clear and comprehensive set of rules that defines the standard of conduct and behaviour that is expected of participants who attend our training. As a trainee, you are expected to be courteous to other trainees, to our staff and to any other person you encounter in our facility or alternatively the venue we are facilitating your training from. This expectation does not exclude you from site specific Code of Conduct Policies and Coal Trains Code of Conduct is subservient to any on site requirements. Please ensure you are familiar with your Code of Conduct obligations and you follow them at all times:

- You must comply with all reasonable requests and requirements made by your trainer/s
- You are not to attend any class whilst under the influence of alcohol or illicit drugs
- Any form of discrimination, including but not limited to sexual and racial will not be tolerated
- Any form of bullying or harassment, obscene, offensive or insulting language or behaviour will not be tolerated
- Disruptive behaviour is unacceptable and will not be tolerated
- Should you break any state or federal laws, including but not limited to stealing, damaging property and assault, you will be reported to the relevant authority

Any trainee found not obeying their Code of Conduct obligations may be subject to sanctions including cancellation of enrolment without refund, being asked to leave the training venue and be required to attend an interview or mediation with your employer and Coal Train. Sanctions are at the discretion of the Coal Train Executive Manager or the Trainer in charge.

## Bullying and Harassment Policy

### *Objectives of the policy*

In line with Coal Train's commitment to providing equal employment opportunities and a safe working environment, it is the Coal Train's objective to ensure a workplace free from harassment and bullying.

### *Policy*

Coal Train is committed to ensuring every participant enjoys an environment free from harassment. Coal Train values establish a basis for expected business and personal behaviour. This includes respect for one another and therefore harassment, whether based on sexual, racial or other grounds, constitutes serious misconduct which will not be tolerated.

Harassment is not only unlawful as proscribed in employment legislation but is prohibited under Coal Train Code of Conduct.

As part of our commitment against harassment and bullying, Coal Train has a robust and effective procedure for dealing with any such complaints.

We all have a responsibility to ensure everyone in our facility knows that harassment is unacceptable and that the facility is free from items or materials that in the context of general community standards may be considered offensive by other people.

#### *Specific Guidelines*

Harassment generally occurs when a person is subjected to conduct which is unwelcome or offensive and is serious or persistent to the extent that it has a detrimental effect on the student or employee.

This conduct includes the direct or indirect use of:

- Inappropriate language of a sexual or racial nature
- Visual material of a sexual or racial nature
- Unacceptable physical contact, such as intentional touching, patting, pinching or molesting
- Expressed hostility against, or bringing into contempt or ridicule, an employee on the grounds of religion, sex, race, colour, ethnic or national origin

Harassment may be by an employer or a representative of the employer, a co-employee, a client, a customer or a contractor.

#### *Procedure*

If a participant or employee feels they are being harassed, they should approach the Executive Manager to discuss the situation. The Executive Manager should provide advice to them and ascertain what they would like done about the matter.

All harassment complaints will be investigated impartially, seriously, empathetically and in strict confidence, taking into account the privacy of all parties.

Where appropriate, disciplinary action will be taken by the Company.

#### **Discipline**

Coal Train provides training and assessment services in a spirit of cooperation and mutual respect. If a trainer or staff member is unhappy or dissatisfied with the behaviour or performance of a participant the trainer has the authority to:

- Warn the participant that their behaviour is unsuitable, or
- Ask a participant to leave the class, without refund or acceptance into another course, or
- Immediately cancel the class.

If a participant wishes to express a complaint in relation to the disciplinary action taken, they have the opportunity to follow our complaints procedure. We expect that our staff will maintain a professional and ethical working relationship with all other staff, management and participants. Any breach of our disciplinary standards will be discussed with the trainer and the appropriate action will be taken.

# COMPLAINTS AND APPEALS

## Appeals Policy

### *Objectives of this policy*

This policy outlines the process for learners to appeal decisions made by Coal Train regarding assessment outcomes, training procedures, or any other relevant matters, in accordance with the Standards for Registered Training Organisations (RTOs) 2015, specifically Clauses 17-54 and 61-66. This policy is available publicly.

### *Definitions*

**Appeal** – a request to review a decision, typically an assessment, made or assessed by Coal Train trainers, assessors, third party service providers and other Staff

### *Scope*

This policy applies to all learners enrolled in courses offered by Coal Train.

### *Principles*

Coal Train is committed to providing fair and transparent processes for learners to appeal decisions.

The following principles underpin our appeals process:

- All learners have the right to appeal decisions made by Coal Train without fear of reprisal or discrimination.
- Appeals will be handled promptly, fairly, and impartially.
- The privacy and confidentiality of individuals involved in the appeals process will be respected and maintained.

### *Lodging an Appeal*

Learners who wish to lodge an appeal must do so in writing within seven (7) business days of being notified of the decision they are appealing against. Appeals should be submitted to the Executive Manager, please email [admin@coaltrain.com.au](mailto:admin@coaltrain.com.au), ATT Executive Manager – Appeal Decision

### *Appeals Process*

- Upon receipt of an appeal, the designated appeals officer will acknowledge receipt within three (3) business days.
- The appeals officer will review the appeal and gather any necessary information or documentation.
- An appeals panel, consisting of impartial assessors not involved in the initial decision, will be convened to consider the appeal.
- The appeals panel may request additional information or clarification from the learner or relevant parties.
- The appeals panel will decide based on the available evidence 20 business days of receiving the appeal.
- The decision of the appeals panel will be communicated to the learner in writing, along with the reasons for the decision.

## *Outcomes of Appeals*

Possible outcomes of an appeal include:

- Upholding the original decision.
- Amending the original decision.
- Recommending further action or investigation.

## *Further Review*

If the learner is not satisfied with the outcome of the appeal, they may request a further review by an external body, such as the Australian Skills Quality Authority (ASQA).

## *Records Management*

Records of all appeals and their outcomes will be maintained in accordance with Coal Train's records management policies and procedures.

## **Complaints Policy**

### *Objectives of this policy*

- To set out the Company's commitment to resolving complaints in a fair, constructive and timely manner
- To provide a clear and comprehensive Complaints procedure to ensure all students, clients, employees and other stakeholders are aware of the steps to take to have their dissatisfaction addressed appropriately
- This policy provides an avenue for students to make complaints and have them dealt with impartially at no cost to themselves
- This policy is publicly available

### *Definitions*

*Complaint* – an informal or formal expression of dissatisfaction in regard to any aspect of the conduct of services, training, trainers, assessors or other staff, including third party providers, of Coal Train.

*Complainant* – The person who has lodged a complaint with Coal Train

*Respondent* – A person or party against whom a complaint is lodged.

### *Scope*

Coal Train has developed this Complaints procedure and process to:

- Ensure an effective, timely, fair and equitable complaints system that is accessible and available to complainants at no charge
- Ensure that any complaints are resolved promptly and objectively
- Ensure that there is a consistent response to complaints
- Ensure that the view of the complainant is respected and that any party to the complaint is not discriminated against or victimised
- All formal complaints will be recorded on the Complaints and Appeals Form
- Ensure that all stakeholders have a clear understanding of the steps involved in the procedure

## *Procedure*

Complaints may be made in relation to any of Coal Train's services, activities and decisions.

A complaint may include, but is not limited to:

- Course advice and enrolment
- Suspension and/or cancellation of enrolment
- Course delivery
- Marketing and promotional activity
- Personal safety
- Customer service and administration
- Issue of results, certificates, statement of attainments
- Learning resources
- Fees and charges
- Equity and access, discrimination, harassment and bullying

### *Informal resolution of issues*

Students and clients are encouraged to resolve concerns or difficulties directly with the relevant trainer or other staff member or by contacting Coal Train's CEO, who will consider the issue and recommend a resolution before it becomes a formal complaint.

If the issue is resolved to the complainant's satisfaction in the first instance the actions shall be recorded in and closed out by way of the Continuous Improvements Register. All relevant staff will be informed of the complaint.

### *Formally lodging a complaint*

If an issue is not resolved to the complainant's satisfaction during the informal process, then the complainant will be advised to register a formal complaint using an official Complaints and Appeals form which will be submitted to Coal Train CEO for a full internal review.

All formal complaints will be acknowledged by the Executive Manager, in writing, directly to the complainant and/or person initiating the complaint. Written acknowledgement will be returned within 24 hours of having received the complaint.

In reviewing the complaint, the CEO will:

- Address the complaint as quickly as possible
- Ensure the complainant has the opportunity to discuss the complaint with the CEO
- Review the complaint and present all decisions, including reasons for the decision, in writing to the complainant

Should the complaint remain unresolved following the formal review by the CEO, the complainant has the right to lodge a complaint externally with an appropriate external agency such as the ones below:

- [ASQA \(Australian Skills Quality Authority\)](#)
- [The National Training Complaints Hotline](#)
- [Queensland Training Ombudsman](#)

### *Confidentiality and documentation*

No student, staff member, stakeholder or member of the public will be disenfranchised in any way during the complaints and resolution process. A student's progress through a course will not be disrupted whilst a complaint is being heard unless the nature of the issue itself means further progress is not possible.

Strict confidentiality will be observed through all stages of the resolution process and all communications and proceedings arising will remain confidential at the conclusion of the complaints resolution process.

Complainants have the right to nominate a third party representative (support person) if they require. The representative may be a professional representative, counsellor, family member, friend or any other such person that the complainant chooses.

All documentation handled under this policy and procedure and their outcomes shall be maintained for a period of at least five (5) years to allow all parties appropriate access to these records.

#### *Resolution Timeframe*

Coal Train will respond to all formal complaints within 20 days of the complaint being lodged. However, if the matter is escalated to an external agency, the resolution may take longer. If it is expected that more than 60 days will be required to process and finalise the complaint, Coal Train will:

- Inform the complainant in writing explaining the reason why the process will take in excess of 60 days
- Regularly update the complainant on the progress of the complaint

#### *Mitigating the likelihood of reoccurrence*

All issues, regardless of being informal or formal will be registered in Coal Trains Continuous Improvements register and subsequently, the potential cause of the complaint will be identified. Corrective and preventative actions will be implemented to eliminate or mitigate the likelihood of reoccurrence. This includes any change to processes and procedures to avoid similar complaints arising in future.

## Coal Train Workplace Health and Safety Policy

The key aim of the Coal Train WHS policy is to promote excellence in employee health, safety and welfare by implementing a best practice approach while seeking continuous improvement. Coal Train's Objective is to achieve no harm to employees on their way to work, during work or returning home from work.

*In particular the Company will:*

- Identify and eliminate, isolate or minimise workplace hazards
- Provide training to all employees to ensure they work in a safe and healthy manner and are aware of their responsibilities under the Company's health and safety management system
- Encourage employees to continuously improve health and safety practices and procedures
- Support all injured and ill employees through appropriate rehabilitation
- Ensure all contractors and visitors are aware of Coal Train's health and safety management plan
- Ensure legislative compliance for health and safety including Acts, Regulations and subordinate legislation
- Ensure injured employees receive appropriate medical treatment and complete relevant incident report forms
- Ensure first aid equipment and training is made available

### *Policy*

Coal Train is committed to ensuring the health and safety of all its employees as well as the safety of visitors.

Coal Train views WHS initiatives as an investment in business productivity and innovation. By maintaining high standards in WHS, we are demonstrating respect and integrity and additionally complying with the law.

Each employee has a role in assuming accountabilities and responsibilities in a healthy and safe workplace. Good health and safety management is achieved by managers and employees working in partnership.

Accordingly, it is Coal Train's policy that all employees carry out their respective accountabilities and responsibilities to comply with the Company's WHS Management System diligently and conscientiously at all times.

No job is so urgent or important that it requires employee's to take unacceptable risks. If there are any doubts regarding the health and safety of the task, employees shall take any precautions necessary under Coal Train's WHS Management System to safeguard themselves and their co-workers, including discontinuing the job. Adequate first aid equipment must be provided in each work area. Employees chosen by Coal Train will receive health and safety training, with refresher training provided as required. Coal Train will ensure that all employees have reasonable access to a trained first aider in the event of illness, accident or emergency.

### *Reporting*

Incidents, accidents and near misses shall be reported to the company as soon as is practicable. Additionally, all legislative requirements for reporting to WHSQ shall be abided by and done so within the times specified.

### *Compliance and Continuous Improvement*

The management of Health and Safety is supported by business and operational systems that comply with ISO 45001:2018. Coal Train management are committed to improving business outcomes by effectively maintaining the Coal Train Safety Management System and fostering a culture that encourages employees to contribute to a continuous improvement environment.

# APPENDIX A - YOUR PRIVACY

Coal Train understands the importance people place on their privacy and personal information. As such we take your privacy very seriously and comply with the requirements of the Australian Privacy Principles of the Commonwealth Privacy Act 1988 where they apply to our dealings with you the participant.

In some cases, we will be required by law to make participant information available to others such as Registering Bodies from State or Commonwealth Government Departments. In all other cases we ensure that we will seek the written permission of the participant. The relevant privacy principles are summarised as below:

## APP1 — Open and transparent management of personal information

Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

## APP2 — Anonymity and pseudonymity

Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

## APP 3 — Collection of solicited personal information

Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

## APP4 — Dealing with unsolicited personal information

Outlines how APP entities must deal with unsolicited personal information.

## APP5 — Notification of the collection of personal information

Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

## APP 6 — Use or disclosure of personal information

Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

## APP7 — Direct marketing

An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

## APP8 — Cross-border disclosure of personal information

Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

## APP9 — Adoption, use or disclosure of government related identifiers

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

## APP10 — Quality of personal information

An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

## APP11 — Security of personal information

An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

## APP12 — Access to personal information

Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

## APP 13 — Correction of personal information

Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.

# APPENDIX B – APP PRIVACY POLICY

## Why we collect your personal information

As a registered training organisation (RTO), we collect your personal information so we can process and manage your enrolment in a vocational education and training (VET) course with us.

## How we use your personal information

We use your personal information to enable us to deliver VET courses to you, and otherwise, as needed, to comply with our obligations as an RTO.

## How we disclose your personal information

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 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.

## 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
- 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](http://www.ncver.edu.au/privacy).

If you would like to seek access to or correct your information, in the first instance, please contact Coal Train using the contact details listed below.

DESE is authorised by law, including the Privacy Act and the NVETR 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>.

### **Surveys**

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

### **Contact information**

At any time, you may contact Coal Train to:

- request access to your personal information
- correct your personal information
- make a complaint about how your personal information has been handled
- ask a question about this Privacy Notice

Coal Train Australia Pty Ltd

Phone: 07 4939 1445

Email: [admin@coaltrain.com.au](mailto:admin@coaltrain.com.au)

Coal Train Privacy Policy - <https://coaltrain.com.au/company-policies/#privacy>

### **Student Declaration**

Coal Train is committed to protecting and managing the personal information you choose to share with our organisation. Through providing this information, we seek to ensure that you will be able to deal with our organisation in full confidence that your personal information will only be used by us in the ways we have described to you, that it will be held securely, and when there is no longer any legitimate purpose in retaining such information it will be disposed of appropriately.

I consent to Coal Train using the information I provide for the purpose it was collected, to assist in the administration of products and services and to carry out all necessary activities associated with their operational business activities, workplace compliance and legal governance issues. I understand that my student details may be viewed as part of an audit process by government officials. I have read the policies and procedures within the Student Handout and relevant course induction and information sheets.

I authorise the use or reproduction of media footage and or photographs for any reasonable purpose within the discretion of COAL TRAIN AUSTRALIA PTY LTD. I understand that at any time I am able to 'opt out' or refuse the use of reproduction of media footage and or photographs by emailing Coal Train at [admin@coaltrain.com.au](mailto:admin@coaltrain.com.au) or by contacting the office on 07 4939 1445.

I authorise Coal Train to forward my certificate on to my employer. I understand I can 'opt out' or refuse this by emailing Coal Train at [admin@coaltrain.com.au](mailto:admin@coaltrain.com.au) or by contacting the office on 07 4939 1445.

Coal Train is committed to maintaining the privacy and confidentiality of its RTO personnel and participant records. Coal Train complies with the *Privacy Act 1988 including the 13 Australian Privacy Principles (APPs)* as outlined in the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*.

As a component of our risk management practices, Coal Train has conducted a Privacy Impact Assessment for all operations. Mitigation actions from this risk assessment have been implemented for the management of privacy risks at each stage of the information lifecycle, including collection, use, disclosure, storage, destruction and de-identification.

Providing an overall framework for our privacy practices, Coal Train has developed and implemented this APP Privacy Policy.

Coal Train manages personal information in an open and transparent way. This is evident in the implementation of practices, procedures and system we outline in this policy, that ensure our compliance with the APPs and any binding registered APP code and provide suitable procedures for Coal Train personnel to be able to deal with related inquiries and complaints that may be received from time to time.

The following sections of this policy outline how we manage personal information.

## Australian Privacy Principle 1 – Open and transparent management of personal information

### Purposes for information collection, retention, use and disclosure

Coal Train retains a record of personal information about all individuals with whom we undertake any form of business activity. Coal Train must collect, hold, use and disclose information from our clients and stakeholders for a range of purposes, including but not limited to:

- Providing services to clients;
- Managing employee and contractor teams;
- Promoting products and services;
- Conducting internal business functions and activities; and
- Requirements of stakeholders.

As a government registered training organisation, regulated by the Australian Skills Quality Authority, Coal Train is required to collect, hold, use and disclose a wide range of personal and sensitive information on participants in nationally recognised training programs. This information requirement is outlined in the *National Vocational Education and Training Regulator Act 2011* and associated legislative instruments. In particular, the legislative instruments:

- *Student Identifiers Act 2014*;
- *Standards for Registered Training Organisations (RTOs) 2015*; and
- *Data Provision Requirements 2012*.
- *National VET Data Policy*

It is noted that Coal Train is also bound by various State Government Acts requiring similar information collection, use and disclosure (particularly *Education Act(s)*, *Vocational Education & Training Act(s)* and *Traineeship & Apprenticeships Act(s)* relevant to state jurisdictions of Coal Train operations).

It is further noted that, aligned with these legislative requirements, Coal Train delivers services through a range of Commonwealth and State Government funding contract agreement arrangements, which also include various information collection and disclosure requirements.

Individuals are advised that due to these legal requirements, Coal Train discloses information held on individuals for valid purposes to a range of entities including:

- Governments (Commonwealth, State or Local);
- Australian Apprenticeships Centres;
- Employers (and their representatives), Job Network Providers, Schools, Guardians; and
- Service providers such as credit agencies and background check providers.

#### **Kinds of personal information collected and held**

The following types of personal information are generally collected, depending on the need for service delivery:

- Contact details;
- Employment details;
- Educational background;
- Demographic Information;
- Course progress and achievement information; and
- Financial billing information.

The following types of sensitive information may also be collected and held:

- Identity details;
- Employee details & HR information;
- Complaint or issue information;
- Disability status & other individual needs;
- Indigenous status; and
- Background checks (such as National Criminal Checks or Working with Children checks).

Where Coal Train collects personal information of more vulnerable segment of the community (such as children), additional practices and procedures are also followed. Please refer to Coal Train's Child Safety for further information.

#### **How personal information is collected**

Coal Train's usual approach to collecting personal information is to collect any required information directly from the individuals concerned. This may include the use of forms (such as registration forms, enrolment forms or service delivery records) and the use of web based systems (such as online enquiry forms, web portals or internal operating systems).

Coal Train does receive solicited and unsolicited information from third party sources in undertaking service delivery activities. This may include information from such entities as:

- Governments (Commonwealth, State or Local);
- Australian Apprenticeships Centres;
- Employers (and their representatives), Job Network Providers, Schools, Guardians; and
- Service providers such as credit agencies and background check providers.

#### **How personal information is held**

Coal Train's usual approach to holding personal information includes robust storage and security measures. Information on collection is:

- As soon as practical converted to electronic means;
- Stored in secure, password protected systems, such as financial system, learning management system and student management system; and
- Monitored for appropriate authorised use at all times.

Only authorised personnel are provided with login information to each system, with system access limited to only those relevant to their specific role. Coal Train ICT systems are hosted internally with robust internal security to physical server locations and server systems access. Virus protection, backup procedures and ongoing access monitoring procedures are in place.

Destruction of paper-based records occurs as soon as practicable in every matter, through the use of secure shredding and destruction services at all Coal Train sites.

#### **Retention and Destruction of Information**

*Coal Train maintains a Retention and Disposal Schedule* documenting the periods for which personal information records are kept.

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.

#### **Accessing and seeking correction of personal information**

Coal Train confirms all individuals have a right to request access to their personal information held and to request its correction at any time. In order to request access to personal records, individuals are to make contact with:

Coal Train Administration

07 4939 1445

[admin@coaltrain.com.au](mailto:admin@coaltrain.com.au)

A number of third parties, other than the individual, may request access to an individual's personal information. Such third parties may include employers, parents or guardians, schools, Australian Apprenticeships Centres, Governments (Commonwealth, State or Local) and various other stakeholders.

In all cases where access is requested, Coal Train will ensure that:

- Parties requesting access to personal information are robustly identified and vetted;
- Where legally possible, the individual to whom the information relates will be contacted to confirm consent (if consent not previously provided for the matter); and
- Only appropriately authorised parties, for valid purposes, will be provided access to the information.

#### **Complaints about a breach of the APPs or a binding registered APP code**

If an individual feels that Coal Train may have breached one of the APPs or a binding registered APP *Privacy Complaints Procedure* below for further information.

#### **Making our APP Privacy Policy available**

Coal Train provides our APP Privacy Policy available free of charge, with all information being publicly available from the Privacy link on our website at <http://coaltrain.com.au/company-policies/> . This website information is designed to be accessible as per web publishing accessibility guidelines, to ensure access is available to individuals with special needs (such as individuals with a vision impairment).

In addition, this APP Privacy Policy is:

- Prominently displayed at each Coal Train's premises;
- Included within our *Participant Handbook*;
- Available for distribution free of charge on request, as soon as possible after the request is received, including in any particular format requested by the individual as is reasonably practical.

If, in the unlikely event the APP Privacy Policy is not able to be provided in a particular format requested by an individual, we will explain the circumstances around this issue with the requester and seek to ensure that another appropriate method is provided.

#### **Review and Update of this APP Privacy Policy**

Coal Train reviews this APP Privacy Policy:

- On an ongoing basis, as suggestions or issues are raised and addressed, or as government required changes are identified;
- Through our internal audit processes on at least an annual basis;
- As a part of any external audit of our operations that may be conducted by various government agencies as a part of our registration as an RTO or in normal business activities; and
- As a component of each and every complaint investigation process where the compliant is related to a privacy matter.

Where this policy is updated, changes to the policy are widely communicated to stakeholders through internal personnel communications, meetings, training and documentation, and externally through publishing of the policy on Coal Train's website and other relevant documentation (such as our RTO Handbook) for clients.

## Australian Privacy Principle 2 – Anonymity and pseudonymity

Coal Train provides individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us in relation to a particular matter, whenever practical. This includes providing options for anonymous dealings in cases of general course enquiries or other situations in which an individuals' information is not required to complete a request.

Individuals may deal with us by using a name, term or descriptor that is different to the individual's actual name wherever possible. This includes using generic email addresses that does not contain an individual's actual name, or generic usernames when individuals may access a public component of our website or enquiry forms.

Coal Train only stores and links pseudonyms to individual personal information in cases where this is required for service delivery (such as system login information) or once the individual's consent has been received.

Individuals are advised of their opportunity to deal anonymously or by pseudonym with us where these options are possible.

### Requiring identification

Coal Train must require and confirm identification however in service delivery to individuals for nationally recognised course programs. We are authorised by Australian law to deal only with individuals who have appropriately identified themselves. That is, it is a *Condition of Registration* for all RTOs under the *National Vocational Education and Training Regulator Act 2011* that we identify individuals and their specific individual needs on commencement of service delivery, and collect and disclose Australian Vocational Education and Training Management of Information Statistical Standard (AVETMISS) data on all individuals enrolled in nationally recognised training programs. Other legal requirements, as noted earlier in this policy, also require considerable identification arrangements.

There are also other occasions also within our service delivery where an individual may not have the option of dealing anonymously or by pseudonym, as identification is practically required for us to effectively support an individual's request or need.

## Australian Privacy Principle 3 — Collection of solicited personal information

Coal Train only collects personal information that is reasonably necessary for our business activities.

We only collect sensitive information in cases where the individual consents to the sensitive information being collected, except in cases where we are required to collect this information by law, such as outlined earlier in this policy.

All information we collect is collected only by lawful and fair means.

We only collect solicited information directly from the individual concerned, unless it is unreasonable or impracticable for the personal information to only be collected in this manner.

## Australian Privacy Principle 4 – Dealing with unsolicited personal information

Coal Train may from time to time receive unsolicited personal information. Where this occurs we promptly review the information to decide whether or not we could have collected the information for the purpose of our business activities. Where this is the case, we may hold, use and disclose the information appropriately as per the practices outlined in this policy.

Where we could not have collected this information (by law or for a valid business purpose) we immediately destroy or de-identify the information (unless it would be unlawful to do so).

## Australian Privacy Principle 5 – Notification of the collection of personal information

Whenever Coal Train collects personal information about an individual, we take reasonable steps to notify the individual of the details of the information collection or otherwise ensure the individual is aware of those matters. This notification occurs at or before the time of collection, or as soon as practicable afterwards.

Our notifications to individuals on data collection include:

- Coal Train's identity and contact details, including the position title, telephone number and email address of a contact who handles enquiries and requests relating to privacy matters;
- The facts and circumstances of collection such as the date, time, place and method of collection, and whether the information was collected from a third party, including the name of that party;
- If the collection is required or authorised by law, including the name of the Australian law or other legal agreement requiring the collection;
- The purpose of collection, including any primary and secondary purposes;
- The consequences for the individual if all or some personal information is not collected;
- Other organisations or persons to which the information is usually disclosed, including naming those parties;
- A link to this APP Privacy Policy on our website or explain how it may be accessed; and
- Advice that this APP Privacy Policy contains information about how the individual may access and seek correction of the personal information held by us; and how to complain about a breach of the APPs, or any registered APP code, and how we will deal with such a complaint.

Where possible, we ensure that the individual confirms their understanding of these details, such as through signed declarations, website form acceptance of details or in person through questioning.

### Collection from third parties

Where Coal Train collects personal information from another organisation, we:

1. Confirm whether the other organisation has provided the relevant notice above to the individual; or
2. Whether the individual was otherwise aware of these details at the time of collection; and
3. If this has not occurred, we will undertake this notice to ensure the individual is fully informed of the information collection.

## Australian Privacy Principle 6 – Use or disclosure of personal information

Coal Train only uses or discloses personal information it holds about an individual for the particular primary purposes for which the information was collected, or secondary purposes in cases where:

- An individual consented to a secondary use or disclosure;
- An individual would reasonably expect the secondary use or disclosure, and that is directly related to the primary purpose of collection; or
- Using or disclosing the information is required or authorised by law.

*Requirement to make a written note of use or disclosure for this secondary purpose*

If Coal Train uses or discloses personal information in accordance with an ‘enforcement related activity’ we will make a written note of the use or disclosure, including the following details:

- The date of the use or disclosure;
- Details of the personal information that was used or disclosed;
- The enforcement body conducting the enforcement related activity;
- If the organisation used the information, how the information was used by the organisation;
- The basis for our reasonable belief that we were required to disclose the information.

## Australian Privacy Principle 7 – Direct marketing

Coal Train does not use or disclose the personal information that it holds about an individual for the purpose of direct marketing, unless:

- The personal information has been collected directly from an individual, and the individual would reasonably expect their personal information to be used for the purpose of direct marketing; or
- The personal information has been collected from a third party, or from the individual directly, but the individual does not have a reasonable expectation that their personal information will be used for the purpose of direct marketing; and
- We provide a simple method for the individual to request not to receive direct marketing communications (also known as ‘opting out’).

On each of our direct marketing communications, Coal Train provides a prominent statement that the individual may request to opt out of future communications, and how to do so.

An individual may also request us at any stage not to use or disclose their personal information for the purpose of direct marketing, or to facilitate direct marketing by other organisations. We comply with any request by an individual promptly and undertake any required actions for free.

We also, on request, notify an individual of our source of their personal information used or disclosed for the purpose of direct marketing unless it is unreasonable or impracticable to do so.

## Australian Privacy Principle 8 – Cross-border disclosure of personal information

Coal Train does not disclose personal information about an individual to any overseas recipient.

## Australian Privacy Principle 9 – Adoption, use or disclosure of government related identifiers

Coal Train does not adopt, use or disclose a government related identifier related to an individual except:

- In situations required by Australian law or other legal requirements;
- Where reasonably necessary to verify the identity of the individual;
- Where reasonably necessary to fulfil obligations to an agency or a State or Territory authority; or
- As prescribed by regulations.

## Australian Privacy Principle 10 – Quality of personal information

Coal Train takes reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete. We also take reasonable steps to ensure that the personal information we use or disclose is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant. This is particularly important where:

- When we initially collect the personal information; and
- When we use or disclose personal information.

We take steps to ensure personal information is factually correct. In cases of an opinion, we ensure information takes into account competing facts and views and makes an informed assessment, providing it is clear this is an opinion. Information is confirmed up-to-date at the point in time to which the personal information relates.

Quality measures in place supporting these requirements include:

- Internal practices, procedures and systems to audit, monitor, identify and correct poor quality personal information (including training staff in these practices, procedures and systems);
- Protocols that ensure personal information is collected and recorded in a consistent format, from a primary information source when possible;
- Ensuring updated or new personal information is promptly added to relevant existing records;
- Providing individuals with a simple means to review and update their information on an on-going basis through our online portal;
- Reminding individuals to update their personal information at critical service delivery points (such as completion) when we engage with the individual;
- Contacting individuals to verify the quality of personal information where appropriate when it is about to be used or disclosed, particularly if there has been a lengthy period since collection; and
- Checking that a third party, from whom personal information is collected, has implemented appropriate data quality practices, procedures and systems.

## Australian Privacy Principle 11 — Security of personal information

Coal Train takes active measures to consider whether we are able to retain personal information we hold, and also to ensure the security of personal information we hold. This includes reasonable steps to protect the information from misuse, interference and loss, as well as unauthorised access, modification or disclosure.

We destroy or de-identify personal information held once the information is no longer needed for any purpose for which the information may be legally used or disclosed.

Access to Coal Train offices and work areas is limited to our personnel only - visitors to our premises must be authorised by relevant personnel and are accompanied at all times. With regard to any information in a paper based form, we maintain storage of records in an appropriately secure place to which only authorised individuals have access.

Regular staff training and information bulletins are conducted with Coal Train personnel on privacy issues, and how the APPs apply to our practices, procedures and systems. Training is also included in our personnel induction practices.

We conduct ongoing internal audits (at least annually and as needed) of the adequacy and currency of security and access practices, procedures and systems implemented.

## Australian Privacy Principle 12 — Access to personal information

Where Coal Train holds personal information about an individual, we provide that individual access to the information on their request. In processing requests, we:

- Ensure through confirmation of identity that the request is made by the individual concerned, or by another person who is authorised to make a request on their behalf;
- Respond to a request for access:
  - Within 14 calendar days, when notifying our refusal to give access, including providing reasons for refusal in writing, and the complaint mechanisms available to the individual; or
  - Within 30 calendar days, by giving access to the personal information that is requested in the manner in which it was requested.
- Provide information access free of charge.

## Australian Privacy Principle 13 – Correction of personal information

Coal Train takes reasonable steps to correct personal information we hold, to ensure it is accurate, up-to-date, complete, relevant and not misleading, having regard to the purpose for which it is held.

### Individual Requests

On an individual's request, we:

- Correct personal information held; and
- Notify any third parties of corrections made to personal information, if this information was previously provided to these parties.

In cases where we refuse to update personal information, we:

- Give a written notice to the individual, including the reasons for the refusal and the complaint mechanisms available to the individual;
- Upon request by the individual whose correction request has been refused, take reasonable steps to associate a statement with the personal information that the individual believes it to be inaccurate, out-of-date, incomplete, irrelevant or misleading;
- Respond within 14 calendar days to these requests; and
- Complete all actions free of charge.

#### [Correcting at Coal Train's initiative](#)

We take reasonable steps to correct personal information we hold in cases where we are satisfied that the personal information held is inaccurate, out-of-date, incomplete, irrelevant or misleading (that is, the information is faulty). This awareness may occur through collection of updated information, in notification from third parties or through other means.

## APPENDIX C - LEGISLATIVE REQUIREMENTS

We are subject to a range of legislation related to training and assessment as well as general business practice including matters such as your safety, privacy and rights, to name a few.

There are also a number of legislative requirements that you will be made aware of throughout your course.

This legislation is continually being updated and all staff are made aware of any changes through our internal improvement processes.

The legislation that particularly effects your participation in Vocational Education and Training includes:

### Commonwealth Legislation

- Age Discrimination Act 2004
- Copyright Act 1968
- Disability Standards for Education 2005
- Disability Discrimination Act 1992
- Education and Training Legislation Repeal Act 2017
- Environment Protection and Biodiversity Conservation Act 1999
- Australian Human Rights Commission Act 1986
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Privacy Act 1988 including the Australian Privacy Principles
- Privacy Amendment (Notifiable Data Breaches) Act 2017
- Student Identifiers Act 2014
- Student Identifiers Regulation 2014
- Standards for Registered Training Organisations (RTOs) 2015
- National Vocational Education and Training Regulator Act 2011
- National Vocational Education and Training Regulator (Consequential Amendments) Act 2011
- National Vocational Education and Training Regulator (Transitional Provisions) Act 2011
- National VET Data Policy

### Queensland Legislation

- Fair Trading Act 1989 (advertising and marketing)
- Work Health and Safety Act 2011
- Vocational Education and Training (Commonwealth Powers) Act 2012
- Further Education and Training Act 2014
- Further Education and Training Regulation 2014