



Australian Government
**Department of Education,
Skills and Employment**

National VET Data Policy

December 2020



Version Control

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2	Changes to Schedule 1 and consequential amendments agreed by the Skills Senior Officials Network	Kelly Fisher	6/12/2018
3	Updates to Schedules and other changes to the Policy following amendments to the National Vocational Education and Training Regulator legislation, and to bring terms and references up to date	David Fintan	02/12/2020



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The document must be attributed as the National VET Data Policy: December 2020.

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Part A – Introduction

1. Overview

- 1.1. Comprehensive and timely data on vocational education and training (VET) is important for increasing the efficiency and transparency of Australia’s VET sector, in order to improve understanding of Australia’s VET market and management of the national VET system.
- 1.2. The [National VET Data Policy](#)¹ (the Policy) brings together requirements for collecting nationally consistent data about VET activity and processes, and for using data in statistical collections and national surveys.
- 1.3. Part A outlines why VET Data is collected.
- 1.4. Part B, the *National VET Provider Collection Data Requirements Policy*, outlines the requirements on all Registered Training Organisations (RTOs) to collect and submit comprehensive data on their delivery of Nationally Recognised Training.
- 1.5. Part C deals with the use of the VET Data held by the National Centre for Vocational Education Research (NCVER) and outlines arrangements for disclosing and accessing VET Activity Data, VET Outcome Data and VET Funding Data, as defined in the Glossary of Terms. Part C also sets out the requirements for disclosure of Unique Student Identifiers (USIs) by the Student Identifiers Registrar for the purposes of research.
- 1.6. Part D deals with statistical and definitional content including the Glossary of Terms and links to further information.

2. Objective

- 2.1. Information about the training delivered across all RTOs assists the operations of a range of entities, including:
 - a students to access Authenticated VET Transcripts that show any Nationally Recognised Training undertaken since 2015 through links with the USI;
 - b consumers to access details about RTOs and courses in order to inform their training choices;
 - c RTOs to help plan their future training delivery, and undertake continuous improvement;
 - d industry, businesses and governments to undertake workforce planning through an understanding of where and when skills are being developed;
 - e governments to better understand training pathways and trends, and to inform the development of policy and assess the impact of interventions; and

¹ www.dese.gov.au/national-vet-data/resources/national-vet-data-policy

- f VET Regulators to inform risk-based regulation of RTOs and establish benchmarks for continuous improvement in the VET sector.

3. AVETMISS, statistical collections, surveys and USIs

- 3.1 Nationally consistent records of VET Activity in Australia are achieved through data collected in accordance with the Australian VET Management Information Statistical Standard (AVETMISS). AVETMISS describes the files, fields, formats and rules that govern the collection of data for the following statistical collections: National VET Provider Collection; National VET in Schools Collection; National Apprentice and Trainee Collection; National VET Finance Collection and National VET Funding Collection. These statistical collections are held by NCVET. The standards for each collection may be updated or amended from time to time, as agreed by governments and advised by NCVET.
- 3.2 On behalf of governments, NCVET also collects VET Outcome Data through national survey collections, including student outcome surveys, surveys of employers' use and views of VET, and apprentice and trainee destination surveys.
- 3.3 Data from the statistical collections held by NCVET includes USIs, and this enables the preparation of Authenticated VET Transcripts for current and former students. USIs also support VET organisations, VET Regulators and governments to streamline administration and processing, assessment of course prerequisites and credit transfers, as well as supporting longitudinal analysis of student pathways and VET activity over time.
- 3.4 Collecting and verifying a student's USI (or arranging for a student to be assigned a USI) when the student enrolls in training will enable RTOs to address any issues associated with the USI as soon as possible.

The collection of VET Data

- 3.5 VET Data collection applies the principle of 'collect once use many times'. AVETMISS provides a nationally consistent framework for the collection of VET Data for multiple uses.
- 3.6 Data from the national VET statistical collections and the national survey collections contributes to the publication of reports and data products that illustrate how the national VET market operates.
- 3.7 VET Regulators and governments collect other information relating to the VET sector in their jurisdiction for regulation, compliance, and administration purposes. This information falls outside the definition of VET Data in this Policy and is not covered by this Policy.

Part B – National VET Provider Collection Data Requirements Policy

4. Data provision requirements

- 4.1 Part B – National VET Provider Collection Data Requirements Policy sets out the requirements imposed on RTOs in relation to obtaining and submitting data for the National VET Provider Collection.
- 4.2 RTOs must comply with Part B pursuant to:
- a part 2 of the *Data Provision Requirements 2012 (DPR)*, under the *National Vocational Education and Training Regulator Act 2011 (NVETR Act)* or any equivalent document prepared by a relevant ministerial council for NVR registered training organisations; and
 - b clause 7.5 of the *Standards for Registered Training Organisations (RTOs) 2015* or any equivalent document prepared by a relevant ministerial council; for RTOs registered with the Western Australia Training Accreditation Council (WA TAC); and
 - c condition 6 of the *Australian Quality Training Framework (AQTF) Essential Conditions and Standards for Continuing Registration* or any equivalent document prepared by a relevant ministerial council; for RTOs registered with the Victorian Registration and Qualifications Authority (VRQA).
- 4.3 Failure to meet data reporting requirements constitutes a breach of an RTO's conditions of registration and may result in enforcement action being taken against the RTO.

Data provision requirements for RTOs

- 4.4 All RTOs must:
- a implement policies and procedures to collect data compliant with AVETMISS for the National VET Provider Collection for all Nationally Recognised Training, in accordance with Part B; and
 - b submit data compliant with AVETMISS for the National VET Provider Collection on all Nationally Recognised Training; and
 - c make every effort to collect data compliant with AVETMISS for the National VET Provider Collection from all students; in the event that students do not provide all of the information needed to complete all of the fields in the National VET Provider Collection, RTOs must report the responses that are provided by students; and
 - d when collecting data for the National VET Provider Collection from students, comply with APP 3 and 5 of the *Privacy Act 1988* as if it were an APP entity under that Act; and
 - e have an AVETMISS compliant student management system.

4.5 All data submissions by an RTO for the National VET Provider Collection must:

- a be made in respect of all students who have undertaken Nationally Recognised Training, regardless of the current status of the student. For example, data submissions must be made for students who have withdrawn their enrolment or who did not successfully complete, as well as those who achieved competency, including via recognition of prior learning and credit transfer; and
- b be submitted by the RTO responsible for issuing a VET Statement of Attainment or VET Qualification to the student.

4.6 Data must be submitted on:

- a all Nationally Recognised Training provided to students in Australia or offshore, including online; and
- b all Nationally Recognised Training provided by any third-party agent operating on behalf of the RTO.

Corrections

4.7 To be compliant with AVETMISS, data for the National VET Provider Collection must be accurate and complete. If data submitted by an RTO is found to be inaccurate or incomplete, the RTO must correct the previously submitted data or submit the missing data as soon as practicable, or within a timeframe that will not cause disadvantage for the individual to whom the data refers.

Reporting pathways and timeframes

4.8 Data in relation to Nationally Recognised Training that is submitted for the National VET Provider Collection should be submitted as soon as practicable after each aspect of the training occurs (for example, commencement, competency achievement, skill set or qualification achievement), but must be submitted no later than the end of February of the year following the year in which the training was provided or the commencement occurred.

4.9 Where RTOs submit data that is to be used for the National VET Provider Collection to a state or territory training authority or board of studies (as part of a contractual or other arrangement) the:

- a RTOs delivering Government Subsidised Training must submit data on this training at least quarterly; that is, after the end of March, June, September and December each year, or more frequently as directed by a state or territory training authority;
- b RTOs/schools delivering Nationally Recognised Training as part of a school curriculum must submit this data at least annually, or more frequently as directed by those bodies; and
- c Training authorities or boards of studies must provide that data to NCVER in a format compliant with AVETMISS for the National VET Provider Collection and must include each student's USI.

- 4.10 All data for the National VET Provider Collection that has not been reported to a state or territory training authority or board of studies, including all aggregate competency commencement and completion data where there is an exemption under section 5 of Part B, must be reported directly to NCVER.
- 4.11 RTOs that do not enrol students or deliver Nationally Recognised Training or issue VET Qualifications or VET Statements of Attainment in a calendar year must submit a 'nil activity' report to NCVER by the end of February of the following year.
- 4.12 The frequency, timing and submission processes may be changed from time to time by Senior Officials responsible for VET. If this occurs, all affected stakeholders will be notified in advance of any change.

5. Exemptions from reporting to the National VET Provider Collection

- 5.1 To the extent that an exemption applies under section 5, an RTO is not under an obligation to submit AVETMISS compliant data to the National VET Provider Collection.
- 5.2 Even though an exemption may apply, an RTO may still choose to collect and submit data compliant with AVETMISS for the National VET Provider Collection to NCVER.

National security, border protection and policing exemption

- 5.3 An RTO is exempt from collecting and submitting data compliant with AVETMISS for the National VET Provider Collection where collection or submission of that data:
- a would conflict with defence or national security legislation; or
 - b could jeopardise the security of defence, border protection, customs, national security or police personnel.
- 5.4 The exemptions under section 5.3 only apply to specific programs or students where security may be jeopardised. Where an RTO also delivers training that would not conflict with defence or national security legislation or where the security of defence, border protection, customs, national security or police personnel is not jeopardised, it must collect and report data compliant with AVETMISS for the National VET Provider Collection on the training and students that are not exempt under section 5.3.

Delivery of emergency or safety community services exemption

- 5.5 An RTO is exempt from collecting and submitting data compliant with AVETMISS for the National VET Provider Collection where the:
- a RTO is providing emergency or safety related services to the Australian community; and
 - b RTO is registered as a charity with the Australian Charities and Not-For-Profits Commission; and
 - c RTO provides volunteers, employees, contractors or other students with Nationally Recognised Training for which it receives no payment; and

- d ability of the RTO to provide services to the community may be adversely impacted if it was required to collect and submit data compliant with AVETMISS for the National VET Provider Collection on all students.
- 5.6 However, where an RTO comes within the scope of section 5.5 and a student does provide their USI to the RTO, the exemption does not apply and the RTO must report data compliant with AVETMISS for the National VET Provider Collection.
- 5.7 Where an exemption under section 5.3 or 5.5 exists, the RTO must collect and submit annual aggregate competency commencement and completion data that does not identify the student, their location, or other fields deemed within the scope of the exemption for each program and subject. The data must be submitted directly to NCVET for all activity covered by the exemption, by the end of March of the year following the year in which the training occurred.

Advising students of the implications of not reporting

- 5.8 Prior to a student's commencement of training that has an exemption from submitting data compliant with AVETMISS for the National VET Provider Collection, an RTO must inform the student that their training activity will not be included in the National VET Provider Collection and that the training activity will not appear on their Authenticated VET Transcript, unless the student provides their USI under section 5.6.

Determining an exemption

- 5.9 RTOs must consult their VET Regulator for an exemption from submitting data compliant with AVETMISS for the National VET Provider Collection. RTOs will need to provide evidence to support their claim for an exemption, against the programs in their Scope of Registration.
- 5.10 An exemption will remain in place until the:
- a RTO's registration ceases; or
 - b exemption is revoked by the RTO's VET Regulator; or
 - c program (or replacement program) for which the exemption applies is removed from the RTO's Scope of Registration; or
 - d RTO voluntarily rescinds its entitlement to the exemption.
- 5.11 An exemption does not apply until the relevant VET Regulator has advised the RTO in writing that the exemption is granted for a defined delivery scope. The VET Regulator will advise NCVET of the RTO and scope of exemption that has been granted.
- 5.12 A VET Regulator may:
- a place conditions on or limit the extent of an RTO's exemption; or
 - b revoke an exemption previously granted for reasons including, but not limited to:
 - i enforcement action taken by a VET Regulator; and
 - ii significant change to an RTO's business operations or governance.

5.13 Where an exemption is not granted or an exemption is revoked, the VET Regulator must give the reasons in writing to the RTO.

5.14 In the event that an RTO's claim for an exemption is not granted or an exemption is revoked, the RTO may lodge an application for internal review of the decision with the relevant VET Regulator's most senior officeholder.

5.15 If an RTO that had an approved 'national security' or 'vital community services' exemption prior to 1 January 2018, that exemption will continue to apply until 30 June 2018. From 1 July 2018, only exemptions under Part B will operate.

6. Deregistration of RTOs and reporting

6.1 If the registration of an RTO ceases for whatever reason, the RTO must submit accurate, complete and up to date data compliant with AVETMISS for the National VET Provider Collection, for the time up to the date its registration as an RTO ceases, and notify the VET Regulator that this has occurred.

6.2 Where an exemption applies and the registration of an RTO ceases, the RTO must submit accurate, complete and up to date aggregate competency commencement and completion data, covering the period since its last data submission up to the date its registration as an RTO ceases, and notify the VET Regulator that this has occurred.

7. Mandatory notifications to data providers

7.1 It is the responsibility of RTOs to ensure students who provide an RTO with personal information that will be included in the National VET Provider Collection are reasonably aware the information may be collected, used or disclosed for the purposes set out in the Privacy Notice at Schedule 1 of the Policy.

7.2 Where personal information is collected from a student, RTOs must make students aware of the purposes for which their information may be collected, used or disclosed. RTOs must give the student a copy of the Privacy Notice at Schedule 1 of this Policy. This can be achieved by including the 'Privacy Notice' during the student's enrolment process. The minimum mandatory content for inclusion in a *Privacy Notice* is at Schedule 1 of this Policy.

7.3 Version 2 of the Policy commenced on 1 January 2019, however RTOs had until 1 July 2019 to transition to the new Privacy Notice at Schedule 1.

7.4 Version 3 of the Policy includes a further revision of the notices at Schedules 1 and 2 and other updates following the enactment of the *National Vocational Education and Training Regulator Amendment (Governance and Other Matters) Act 2020*. It commences on 1 January 2021.

- 7.5 NCVER replicates the *Privacy Notice* in the AVETMISS Provider Collection [standard enrolment requirements](#)².
- 7.6 Additional requirements may apply to RTOs. Section 7 of this Policy is confined to VET Data collected, used or disclosed under the National VET Data Policy and is not meant to address all of the possible ranges of obligations or responsibilities to which an RTO may be subject, including privacy obligations.
- 7.7 Where an entity receives VET Data from an RTO for the purposes of Part B of this Policy, the entity must advise the RTO of the purposes for which the VET Data may be used by issuing the RTO with a *VET Data Use Statement and RTO Declaration and Understanding*. The entity receiving the data must retain evidence that the RTO submitting data is aware of the purposes for which information may be used. This can be achieved through the RTO acknowledging a *VET Data Use Statement and RTO Declaration and Understanding* as part of their submission process.
- 7.8 The minimum mandatory content for inclusion in a *VET Data Use Statement and RTO Declaration and Understanding* is at Schedule 2.

² www.ncver.edu.au/rto-hub/statistical-standard-software/standard-enrolment-questions-example-form

Part C – VET Data access and disclosure

8. Access to VET Data

- 8.1 The primary principle for information sharing in relation to VET is ‘open access to information’, which means that information should be open to public access unless there is a legal requirement to protect it.
- 8.2 Part C of this Policy applies to all past, current and future VET Data collected and reported to NCVER, except where disclosure would contravene applicable legislation, including the *Student Identifiers Act 2014* (SI Act) and the *Privacy Act 1988* (Privacy Act), or breach any applicable agreement.
- 8.3 Part C of this Policy addresses the use of VET Data and:
- describes the processes for accessing VET Data held by NCVER;
 - ensures the processes used to access VET Data are transparent and publicly available;
 - explains how access to VET Data is consistent with the protection of an individual’s privacy (in line with the Privacy Act); and
 - sets out the requirements for disclosure of USIs by the Student Identifiers Registrar for the purposes of research.

9. Identifiable, de-identified and confidentialised data

- 9.1 This Policy distinguishes between identifiable data, de-identified data and confidentialised data. This ensures that access to data balances the needs of data users while protecting the privacy of individuals and the commercially sensitive information of RTOs.



Identifiable data – data which contains identifiers or which may reasonably enable the identification of an individual or organisation, such as an RTO.



De-identified data – data which does not contain government identifiers but which may still enable the identification of an individual or organisation.



Confidentialised data – data provided in a manner that is unlikely to enable the identification of an individual or organisation, and therefore is not ‘personal information’ under the Privacy Act.

- a Student unit record files containing USIs are identifiable data containing personal information and are subject to the Privacy Act, including the Australian Privacy Principles.
- b De-identified student unit record files that may enable the identification of some individuals are subject to the Privacy Act, including the Australian Privacy Principles.
- c Confidentialised student data that is unlikely to enable the identification of an individual is not personal information, as defined by the Privacy Act.

10. Published and unpublished VET Data

Published data

10.1 On behalf of the VET sector, NCVER makes:

- a aggregate data;
- b confidentialised data about VET students and employers; and
- c de-identified RTO level VET Activity Data

available in reports and publications, including data products. This enables an increased understanding of the operation of the national VET market.

Unpublished data

10.2 In addition to the data published above, NCVER may also hold other data. Individuals and organisations may request unpublished RTO and student data from NCVER through the [request form](#)³ on its portal.

10.3 When NCVER releases de-identified unit record data, NCVER will generate a confidentialised identifier but still keep the data together as a unit record file. This is expected to be sufficient for any research/analysis that does not require matching with other datasets.

10.4 The NVETR Act, at subsection 210A(1) provides that:

‘The National Centre for Vocational Education Research may disclose information collected in accordance with the Data Provision Requirements, or any equivalent requirements in a non-referring State, to any of the following bodies for the purposes of that body:

- (a) the Department;
- (b) another Commonwealth authority;
- (c) a State or Territory authority (other than a registered training organisation) that deals with, or has responsibility for, matters relating to vocational education and training;
- (d) a VET Regulator.’

³ www.ncver.edu.au/research-and-statistics/accessing-vet-data

11. Identifiable data about RTOs

11.1 Recognising the responsibility governments and VET Regulators have for VET system policy and administration of VET programs, NCVER may disclose identified RTO unit record data to governments and VET Regulators. This includes data from RTOs whose delivery is exempted from AVETMISS provider collection reporting under Part B of this Policy, where held by NCVER. Governments and VET Regulators are responsible for ensuring identified RTO data is not used to commercially advantage any category of VET providers.

11.2 Researchers and organisations may apply to NCVER for identified RTO unit record data that has not been published. Applications may be assessed by the VET Data Access Committee (VDAC). In assessing applications, the VDAC will consider the items listed in section 15.4, including whether the commercial interests of the identified RTO may be compromised. Requests for identified RTO unit record files should be made to [NCVER](#)⁴.

11.3 Identified RTO unit record data may be published as specified in 11.4 and 11.5 and by NCVER and Commonwealth, state and territory government departments/agencies responsible for VET in order to support consumer information and transparency of the national VET market, as well as to support research, analysis and policy development.

11.4 Identified RTO unit record data may be made available through multiple platforms. For example:

- a RTO level VET Activity Data that supports transparency and understanding of the national VET market may be published by NCVER in reports, tables and a range of other data products (including data cubes).
- b RTO level VET Outcome Data designed to inform VET consumers may be published by governments on websites such as My Skills (which enables students and employers to search for, and compare, VET courses and RTOs).
- c Information on the scope of nationally recognised training approved for each RTO is published on the [National Register for VET in Australia](#)⁵. This includes RTO registration and contact details, the organisation's scope of registration for all Nationally Recognised Training (qualifications, skill sets, accredited courses, and units of competency or subjects) and the approved delivery jurisdictions, as well as any other decisions made by the VET Regulator.

11.5 Identified RTO level VET Outcome Data and VET Funding Data may only be published by governments, following agreement of Senior Officials responsible for VET in the Commonwealth, states and territories. The publishing jurisdiction is responsible for ensuring adequate consultation with VET stakeholders, ensuring compliance with data use and

⁴ www.ncver.edu.au/research-and-statistics/accessing-vet-data

⁵ www.training.gov.au

legislative requirements, and deciding in what form to publish data. Governments may authorise a third party to publish or disclose outcome or funding data on their behalf.

11.6 Section 209A of the NVETR Act provides that the Secretary of the Commonwealth Department may release to the public information about VET provided by RTOs and the outcomes and experiences, for students and employers, of VET undertaken with an RTO. The Secretary may provide for the release of the information by authorising NCVER to release the information. This section does not authorise the release of personal information, unless the personal information is the name of the RTO.

12. Disclosure of identifiable data about VET students to governments

12.1 Data submitted by RTOs for the National VET Provider Collection contains USIs and personal information including student names, contact details and demographic information. USIs are stored in association with VET Activity Data in the National VET Provider Collection, but NCVER must store names and contact details separately from training activity, survey and demographic data.

12.2 NCVER may disclose student unit record files containing USIs to a subset of VET Related Bodies, as defined in the SI Act, being Commonwealth and state and territory government departments that deal with matters relating to VET (including the funding of VET), for purposes related to the collection and preparation of statistics relating to VET, where the disclosure complies with the Privacy Act. NCVER may make these disclosures:

- a via scheduled data releases (formalised in a written agreement between the relevant VET Related Body and NCVER); or
- b pursuant to a written request from the above-specified VET Related Body, specifying the data fields, format and frequency of updates.

Government departments are responsible for ensuring this data is collected, used and disclosed in accordance with all applicable legislation, including the SI Act. This data may not be used to identify individuals.

12.3 Requests for access to identifiable student unit record files, except in 12.2 above (including by other VET Related Bodies) are covered in section 14 below.

13. Data held in the Student Identifiers Registry

13.1 The Office of the Student Identifiers Registrar is responsible for administering the USI initiative nationally. The Office complies with the SI Act and the Privacy Act in its collection, management, storage and disclosure of data in the Student Identifiers Registry. The Office provides [Guidelines for access to data](#)⁶ from the Student Identifiers Registry.

⁶ <https://www.usi.gov.au/about/legislation>

14. Protocol for disclosure of identifiable data about VET students

Requests for disclosure by the Student Identifiers Registrar of USIs for research purposes

14.1 Under the SI Act, the Student Identifiers Registrar is authorised to use or disclose a USI and personal information of an individual if the use or disclosure is for the purposes of research that relates (directly or indirectly) to education or training, or that requires the use of USIs or information about education or training. The research must also meet the requirements of the Ministerial Council. Sections 14.2 to 14.4 of this Policy set out the requirements of the Ministerial Council for the purposes of paragraph 18(2)(b) of the SI Act.

14.2 Requests for disclosure by the Student Identifiers Registrar of USIs and personal information from the Student Identifiers Registry for the purposes of research should be made by submitting a completed [Unique Student Identifier Data Request Form](#)⁷.

14.3 Requests made under section 14.2 may be assessed by the VDAC in accordance with section 15.

14.4 In granting access to USIs and personal information for the purposes of research, the Student Identifiers Registrar may apply certain conditions, caveats or requirements upon which the disclosure is contingent.

Requests for disclosure by NCVET of identifiable data without USIs

14.5 Requests for disclosure by NCVET of identifiable student unit record files (without USIs) should be made to [NCVET](#)⁸.

14.6 Requests made under section 14.5 may be assessed by the VDAC, as outlined in section 15. Disclosure of identifiable student unit record files will only be approved where the disclosure is authorised by the Privacy Act and any other applicable legislation.

Requests for disclosure by NCVET of identifiable data containing USIs

14.7 Requests for disclosure by NCVET of identifiable student unit record files containing USIs, other than as specified at section 12.2, should be made to [NCVET](#)⁹.

14.8 Requests made under section 14.7 will be assessed by the VDAC as outlined in section 15.

14.9 The SI Act and SI Regulations restrict the entities to which NCVET may disclose USIs, and the purposes for which USIs may be disclosed to those entities. Access to student unit record files containing USIs will only be approved where disclosure is authorised by the SI Act or SI Regulation and the Privacy Act.

⁷ <https://www.usi.gov.au/about-us/data-requests>

⁸ www.ncver.edu.au/research-and-statistics/accessing-vet-data

⁹ www.ncver.edu.au/research-and-statistics/accessing-vet-data

Fees

14.10 NCVER may charge fees for accessing identifiable data. NCVER's [charging guide](#)¹⁰ provides more information.

15. VET Data Access Committee

15.1 The VDAC has been established by the Ministerial Council. The purpose of the VDAC is to provide non-binding advice on requests for access to unpublished identifiable data held by NCVER and the Student Identifiers Registrar. This may include requests for disclosure of data containing USIs and/or personal information.

15.2 The VDAC comprises eight permanent members including:

- a the Managing Director of NCVER (Chair); and
- b one member representing the Student Identifiers Registrar; and
- c one Senior Official representing the Commonwealth; and
- d one Senior Official representing state and territory governments; and
- e one representative with expertise in privacy compliance; and
- f one member representing public RTOs; and
- g one member representing enterprise RTOs; and
- h one member representing private RTOs.

15.3 The Student Identifiers Registrar may co-chair meetings of the VDAC for the consideration of requests made under section 14.2.

15.4 When considering requests for the disclosure of identifiable data, the VDAC will consider compliance with applicable legislation, including the SI Act and Privacy Act. The VDAC will take account of any factors it considers to be relevant in the circumstances, which may include:

- a the purpose for which the requested information was collected;
- b the stated purpose for the requested disclosure;
- c the scope of the request (e.g. duration of research, data parameters, target population, estimated period of data retention);
- d weighing the public interest/benefit of the request against data protection considerations, such as commercial sensitivity;
- e where personal information has been requested, any reasons why confidentialised or de-identified information could not achieve the relevant purpose;
- f whether the requested information includes sensitive information as defined by the Privacy Act;
- g ethical considerations relevant to the request;
- h whether the individuals or organisations to whom the information relates were notified of the potential disclosure and the nature of the receiving entity;

¹⁰ www.ncver.edu.au/research-and-statistics/services-and-charges-data-and-library-information

- i whether the individuals to whom personal information relates consented to the proposed disclosure and use of the information and if not, whether it is impracticable to seek consent from the individuals;
- j the fitness of the data for the requested purpose and whether the integrity and quality of data for its agreed purposes is achieved and maintained;
- k the likelihood that the potential value of data is realised over time;
- l whether the legitimate interests of data stakeholders are acknowledged and addressed;
- m the proposed method of publication of results of the research, including whether the applicant has agreed that information will not be published unless in confidentialised or de-identified form; and
- n whether risks and issues are identified with appropriate mitigation strategies developed to address them.

15.5 When determining its recommendation with regard to a request for the disclosure of data, the VDAC may suggest caveats or requirements upon which the data release is contingent. The VDAC may also request that the applicant obtain the approval of a relevant Ethics Committee prior to making a recommendation. The applicant may be required to sign undertakings in relation to caveats or requirements associated with a data release.

15.6 The VDAC will make its recommendation in writing and the recommendation will include the reasons informing the recommendation.

15.7 In relation to requests for access made under section 14.2, the VDAC makes a recommendation to the Student Identifiers Registrar, who is responsible for approving the disclosure of USIs for research purposes and any conditions attached to that disclosure. Where a request made under section 14.2 is refused, applicants may ask the Student Identifiers Registrar to review the decision.

15.8 In relation to all other requests for data held by NCVER, the VDAC makes a recommendation to the Managing Director NCVER, who is responsible for approving the disclosure of data for research purposes and any conditions attached to that disclosure. Where a request is not granted, applicants may ask the Managing Director, NCVER to review the decision. If the applicant is still unsatisfied, the Managing Director, NCVER may refer unresolved issues to the Chair of the Skills Senior Officials Network (or a replacement body) for further review.

16. Data Linkage

16.1 To continually improve data sharing and data linkage, governments will work with authorised linking agencies to build a data sharing and release structure that supports access and sharing of data whilst protecting the privacy of individuals. Requirements regarding data sharing are available on the [National Statistical Service website](http://www.govcms.gov.au/customers/national-statistical-service)¹¹.

¹¹ www.govcms.gov.au/customers/national-statistical-service

Part D – Administration

17. Management and review of this Policy

17.1 Version 1 of this Policy took effect from 1 January 2018 except for Part B, which had a six-month transition period until 1 July 2018. Part B of this Policy and the *National VET Provider Collection Data Requirements Policy* version 2 January 2015 applied for the period from 1 January 2018 to 30 June 2018. This Policy has been endorsed by the former COAG ministers responsible for skills.

17.2 From 1 July 2018, this Policy replaced the *National VET Provider Collection Data Requirements Policy* version 2 January 2015, the *Vocational Education and Training (VET) Data Protocol* updated July 2015, and the *Guidance to NCVER for disclosure and publication of national VET Administrative Collections and Surveys* updated May 2016.

17.3 Version 2 of this Policy commenced on 1 January 2019, however section 7 took effect from 1 July 2019, which included amendments to the Privacy Notice at Schedule 1.

17.4 Version 3 of this Policy commences on 1 January 2021.

17.5 The operation of this Policy will be reviewed annually to ensure the purposes for which it was originally intended in relation to the handling of personal information are still being achieved. Operational and administrative changes to the Policy may be authorised by Skills Senior Officials. Policy changes will be considered by the Ministerial Council. To ensure the Policy remains relevant to the data needs of stakeholders, it will be reviewed every five years from the last review, or earlier if required, to meet changing VET sector requirements.

18. Contacts

18.1 All questions or comments regarding this Policy may be directed to the Australian Government Department of Education, Skills and Employment at: VET-DataPolicy@dese.gov.au.

19. Complaints

19.1 If an individual or organisation believes that the provisions of this Policy have been breached by a data custodian, they should contact the custodian in the first instance. If the individual or organisation is not satisfied with the response after 30 days, they should contact the [Office of the Australian Information Commissioner](#)¹².

¹² www.oaic.gov.au/

20. Glossary of Terms

20.1 For the purposes of this Policy, the following terms are defined.

Term	Definition
Apprentice and Trainee Destinations Survey	This survey contains information about the destinations of apprentices and trainees approximately nine months after leaving their training. Information is collected on employment outcomes, reasons for non-completion, satisfaction with the apprenticeship or traineeship, and further study destinations.
AQTF	Australian Quality Training Framework
ASQA	Australian Skills Quality Authority
Authenticated VET Transcript	Authenticated VET Transcript has the meaning given by the Student Identifiers Act: a document prepared by the Student Identifiers Registrar that sets out information: <ul style="list-style-type: none"> • that relates to the VET undertaken by an individual; and • that is prescribed by the regulations.
Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS)	AVETMISS is the national data standard which ensures the consistency and accuracy of VET activity information. AVETMISS is authorised by the Ministers responsible for Skills and administered by NCVER. AVETMISS specifications include the: <ul style="list-style-type: none"> • AVETMISS VET Provider Collection specifications for the National VET Provider and National VET in Schools collections. • AVETMISS Apprentice & Trainee Collection specifications for the Apprentice & Trainee Collection • AVETMISS VET Financial Data for the National VET Finance Collection • AVETMISS VET Funding for the National VET Funding Collection.
AVETMISS Provider Collection specifications	The AVETMISS Provider Collection specifications enable the collection of information from training providers who deliver nationally recognised vocational education and training (VET) to domestic and international students at onshore and offshore locations.
Employers' use and views of the VET system	This survey contains information about employers' use and views of the VET system and the various ways employers use the VET system to meet their skill needs.
Government Subsidised Training	Training paid for, either in part or full, by the Commonwealth, state or territory government.
My Skills	My Skills (myskills.gov.au) is a comprehensive directory of all publicly available nationally recognised training. It provides transparent and up-to-date information about programs and RTOs.
National Apprentice and Trainee Collection	The National Apprentice and Trainee Collection provides data on all persons employed under a training contract and includes both apprentices and trainees. Data is collected from State Training Authorities on training activity in apprenticeships and traineeships in Australia, including information on training rates and duration of training.

Term	Definition
National Centre for Vocational Education Research (NCVER)	NCVER is a national research, evaluation and information organisation for the VET sector in Australia, jointly established by the state, territory and Commonwealth ministers responsible for skills. NCVER is the data custodian of the national VET statistical collections and national VET survey collections. For more information: www.ncver.edu.au
National Student Outcomes Survey	The National Student Outcomes Survey contains information on VET students' reasons for training, their employment outcomes, satisfaction with training, and further study outcomes.
National VET Finance Collection	This collection provides financial information about Australia's public VET system. Information collected includes VET activity administered by state and territory training authorities, as well as VET activity administered by the Australian Government Department of Education, Skills and Employment. It also includes government funding for training delivery paid to non-government training providers by the Australian Government and state and territory training authorities.
National VET Funding Collection	This collection provides financial information about Australia's public VET system. Information collected includes VET activity administered by the main training authority within each state and territory, and their training providers, as well as activity administered by the Australian Government Department of Education, Skills and Employment. It also includes government funding for training delivery paid to non-government training providers by the Australian Government and state and territory training authorities.
National VET in Schools Collection	The National VET in Schools Collection contains data about the Nationally Recognised Training undertaken by school students. Data is collected and reported to NCVER via Boards of Studies or State Training Authorities in each state or territory.
National VET Provider Collection	The National VET Provider Collection contains data on VET activity delivered by Australian training providers, in accordance with the AVETMISS Provider Collection specifications. VET in Schools programs provide credit towards Nationally Recognised Training and therefore are included in this collection. The National VET Provider Collection provides information on training providers, student numbers, program enrolments, subject enrolments, hours of delivery, program completions and source of funding.
Nationally Recognised Training	Nationally Recognised Training is any program of training leading to VET qualifications and statements of attainment that are recognised under the Australian Qualifications Framework. These include: <ul style="list-style-type: none"> • industry training package qualifications and units of competency as listed on training.gov.au • courses and modules that have been accredited by a VET Regulator or authorised course accrediting body.
NVETR Act	<i>National Vocational Education and Training Regulator Act 2011 (Cth)</i>
Privacy Act	<i>Privacy Act 1988 (Cth)</i>

Term	Definition
Privacy Notice	Describes how an entity handles personal information collected from the student that may be used together with training activity information. The Privacy Notice lists the ways information about the student is collected and why, and how it is used and shared. The minimum mandatory content for inclusion in a Privacy Notice can be found at Schedule 1 of this Policy.
Program	A qualification, nationally accredited course or skill set that is a structured training program.
Registered Training Organisation (RTO)	A training organisation that is registered to deliver Nationally Recognised Training by one of the following VET Regulators: <ul style="list-style-type: none"> • The Australian Skills Quality Authority (ASQA) • Western Australia Training Accreditation Council (WA TAC) or the • Victorian Registration and Qualifications Authority (VRQA).
RTO delivering community services, registered with the Australian Charities and Not-for-profits Commission	An organisation registered as a charity with the Australian Charities and Not-for-profits Commission that is an RTO for the purpose of delivering Nationally Recognised Training to its volunteers, employees, contractors, or other students in order to deliver emergency, fire, first-aid, and rescue or like services to the Australian community.
RTO unit record data	A record or row of a dataset containing information relating to one RTO.
Scope of Registration	As defined in the Standards for Registered Training Organisations (RTOs) 2015, means the training products for which an RTO is registered to issue AQF certification documentation. It allows the RTO to: <ol style="list-style-type: none"> both provide training delivery and assessment resulting in the issuance of AQF certification documentation by the RTO; or provide assessment resulting in the issuance of AQF certification documentation by the RTO.
SI Act	<i>Student Identifiers Act 2014 (Cth)</i>
SI Regulation	<i>Student Identifiers Regulation 2014 (Cth)</i>
Student Identifiers Registrar	The Student Identifiers Registrar is appointed by the Commonwealth Minister and performs the following functions: <ul style="list-style-type: none"> • assigning student identifiers to individuals; • verifying or giving an individual’s student identifier; • preparing and providing access to individuals’ Authenticated VET Transcripts; enabling individuals with student identifiers to set access controls on their Authenticated VET Transcripts. The SI Act establishes the Student Identifiers Registrar.
Student unit record file	A record or row of a dataset containing information relating to one student.
Subject	A unit of competency, accredited course unit, or module that can be studied independently or as part of a Program.
TAC WA	Training Accreditation Council Western Australia
Training.gov.au	Training.gov.au is the national register of the VET sector. It is the authoritative source of information on training packages (and their components), accredited courses and the RTOs authorised to deliver them.

Term	Definition
Unique Student Identifier (USI)	A student identifier assigned to an individual by the Student Identifiers Registrar under the SI Act.
VET Activity Data	VET Activity Data means data collected and held in the following: <ul style="list-style-type: none"> • National VET Provider Collection • National VET in Schools Collection • National Apprentice and Trainee Collection • aggregate competency commencement and completion data.
VET Data	VET Data refers to: <ul style="list-style-type: none"> • VET Activity Data • VET Outcome Data, and • VET Funding Data
VET Data Use Statement and RTO Declaration and Understanding	Is a statement acknowledged by a person submitting data on behalf of an RTO who provides VET Data to an organisation. By acknowledging the <i>VET Data Use Statement and RTO Declaration and Understanding</i> , the RTO is indicating awareness that information submitted by the RTO is complete and accurate and may be used for the purposes listed. The minimum mandatory content for inclusion in a <i>Data Use Statement and RTO Declaration and Understanding</i> is at Schedule 2 of this Policy.
VET Funding Data	VET Funding Data means data collected and held in the following: <ul style="list-style-type: none"> • National VET Finance Collection • National VET Funding Collection (from 2018)
VET Outcome Data	VET Outcome Data means data collected and held by NCVET from the following: <ul style="list-style-type: none"> • Student Outcomes Surveys • Surveys of Employers' Use and Views (of the VET System) • Apprentice and Trainee Destinations Surveys • Identified RTO level completions data.
VET Qualification	VET Qualification has the same meaning as in the NVET Act: a testamur, relating to a VET course, given to a person confirming that the person has achieved learning outcomes and competencies that satisfy the requirements of a qualification.
VET Regulator	Has the meaning given by the NVET Act and includes the Australian Skills Quality Authority (ASQA), the Victorian Registration and Qualifications Authority (VRQA) and the Training Accreditation Council Western Australia (TAC WA).
VET Related Body	VET Related Body has the same meaning as in the SI Act: <ol style="list-style-type: none"> a Department of the Commonwealth, or a Department of a State or Territory, that deals with matters relating to VET (including the funding of VET); or a body (whether incorporated or not) established by or under a law of the Commonwealth, a State or a Territory that performs functions relating to VET (including the funding of VET); or a VET Regulator (within the meaning of the National Vocational Education and Training Regulator Act 2011); or an entity specified in an instrument by the Student Identifiers Registrar.

Term	Definition
VET Statement of Attainment	VET Statement of Attainment has the same meaning as in the NVETR Act: in relation to units of competency or modules of a VET course, a statement given to a person confirming that the person has satisfied the requirements of units of competency or modules specified in the statement.
VRQA	Victorian Registration and Qualifications Authority

21. Further Information

Commonwealth legislation

Legislation	Link
<i>National Vocational Education and Training Regulator Act 2011</i>	www.legislation.gov.au/Series/C2011A00012
<i>National Vocational Education and Training Regulator (Data Provision Requirements) Instrument 2020</i>	www.legislation.gov.au/Series/F2013L00160
<i>Standards for Registered Training Organisations (RTOs) 2015</i>	www.legislation.gov.au/Series/F2014L01377
<i>Student Identifiers Act 2014</i>	www.legislation.gov.au/Series/C2014A00036
<i>Student Identifiers Regulation 2014</i>	www.legislation.gov.au/Series/F2014L01204
<i>Student Identifiers (Exemptions) Instrument 2018</i>	www.legislation.gov.au/Series/F2018L01447
<i>Privacy Act (1988)</i>	www.legislation.gov.au/Series/C2004A03712
<i>Australian Privacy Principles</i>	www.oaic.gov.au/agencies-and-organisations/guides/app-quick-reference-tool

State or Territory legislation and guidelines

Document name	Link
<i>Education and Training Reform Act 2006 (Vic)</i>	www.legislation.vic.gov.au/in-force/acts/education-and-training-reform-act-2006/080
<i>AQTF Essential Conditions and Standards for Continuing Registration (Vic)</i>	www.vrqa.vic.gov.au/Documents/VETEsseconds_tandrscont.pdf
<i>Victorian Registration and Qualifications Authority Guidelines for VET Providers</i>	www.vrqa.vic.gov.au/registration/Pages/vetqualitydef.aspx
<i>Vocational Education and Training Act 1996 (WA)</i>	www.legislation.wa.gov.au/legislation/statutes.nsf/law_a858.html
<i>Vocational Education and Training (General) Regulations 2009 (WA)</i>	www.legislation.wa.gov.au/legislation/statutes.nsf/law_s41125.html

Other

Document name	Link
AVETMISS	https://www.ncver.edu.au/rto-hub/what-is-avetmiss

Schedule 1

Minimum mandatory content for inclusion in a Privacy Notice

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.

[Note to RTOs – delete before providing to students: in accordance with APP 5.2(e), a collection notice should include the consequences for the individual if the personal information is not collected. If there are any consequences if an individual does not provide their personal information to you, you should explain these consequences here (e.g. that you will not be able to enrol them as a student).]

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.

[Note to RTOs – delete before providing to students: if any disclosures of students' personal information to overseas recipients are likely, please include a statement notifying students of this likely disclosure and the countries in which such recipients are likely to be located (if it is practicable to specify those countries in the notice or to otherwise make the individual aware of them) in accordance with the requirements set out in APP 5.2(i) and (j).]

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.

If you would like to seek access to or correct your information, in the first instance, please contact your RTO 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>.

[Note to RTOs – delete before providing to students: if the privacy notice on the Department's website cannot be accessed electronically by the student, you are required to provide them with a downloaded or hard copy of that notice.]

[Note to RTOs – delete before providing to students: if applicable to the student, insert details about how a state or territory authority may handle personal information and link to relevant privacy notice or policy.]

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 *[insert RTO name]* 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

[insert RTO contact details and link to RTO's privacy policy]

RTOs please note: This Privacy Notice is to be given to students in addition to your standard Privacy Notice that includes any requirements under your state or territory laws, etc.

Schedule 2

Minimum mandatory content for inclusion in a VET Data Use Statement and RTO Declaration and Understanding

VET Data Use Statement

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

- populating authenticated VET transcripts
- administering VET, including program administration, regulation, monitoring and evaluation
- facilitating statistics and research relating to education, including surveys and data linkage
- understanding how the VET market operates, for policy, workforce planning and consumer information.

NCVER is authorised by the *National Vocational Education and Training Regulator Act 2011* (NVETR Act) to disclose to the following bodies, personal information collected in accordance with the Data Provision Requirements or any equivalent requirements in a non-referring State (Victoria or Western Australia), for the purposes of that body:

- a VET regulator (the Australian Skills, Quality Authority, the Victorian Registration and Qualifications Authority or the Training Accreditation Council Western Australia)
- the Australian Government Department of Education, Skills and Employment
- another Commonwealth authority
- a state or territory authority (other than a registered training organisation) that deals with or has responsibility for matters relating to VET.

NCVER may also disclose personal information to persons engaged by NCVER to conduct research on NCVER's behalf.

RTO Declaration and Understanding

I declare that the information provided in this data submission is accurate and complete.

I understand that information provided in this data submission about client training and outcomes may appear on authenticated VET transcripts.

I understand that:

- information provided in this data submission will only be used, accessed, published and disseminated according to the [National VET Data Policy](#)
- if that information also includes personal information, the [Privacy Act 1988](#), the [Australian Privacy Principles](#) and the [National Vocational Education and Training Regulator Act 2011](#) regulate the collection, use or disclosure of personal information.

I understand that:

- information provided in this data submission may be used for the purposes outlined above, and
- identified RTO level information that supports consumer information (on My Skills for example), transparency and understanding of the national VET market may be published in reports, tables and a range of other data products, including data cubes and websites.

Signature [or electronic acknowledgement]	
Date	
Name	
Position in RTO	