

# Privacy and Personal Information Policy

## 1. Objective

This policy sets out Smart Apprenticeship Solution's policy on the collection, use and/or disclosure and storage of the personal information of its staff including apprentices and trainees.

In particular this policy and accompanying procedure describes how Smart Apprenticeship Solutions ensures that any staff personal information is used only for the primary purpose for which it was collected.

## 2. Scope

This policy applies to all employed and contracted workers and their personal information collected by Smart Apprenticeship Solutions.

## 3. Policy Statement

Smart Apprenticeship Solutions is committed to ensuring that National Privacy Principles are adhered to. The collection of an employee's personal information will be in a lawful and controlled manner, and Smart Apprenticeship Solutions will not collect sensitive information unless required by law and / or by consent. The organisation will not use or disclose personal information for any reason other than the primary purpose of collection, personal information is accurate and up-to-date, and reasonable steps will be taken to ensure protection of personal information and identifiers from misuse. Smart Apprenticeship Solutions is dedicated to openness and access of personal information available on request by the individual. The organisation is able to transfer personal information to a foreign country if subject to a law, binding scheme or contract.

Access to company premises is controlled, and after-hours access is only given to authorised personnel.

Smart Apprenticeship Solutions will ensure that personal information collected or held:

- Is accessible only to staff or authorised personnel who have a need for access in order to perform their duties. This includes password allocation for accessing computer and banking systems.
- Is destroyed or de-personalised when no longer required or there is no statutory obligation to hold the information.

Smart Apprenticeship Solutions collects personal and sensitive information at the point of employment and/or as updating is required, of its staff both internal administration/support and apprentices and trainees to facilitate administration, payroll including superannuation guarantee payments, WorkCover claims and associated position specific functions. Some of these processes may involve the use of a third party and where this is required staff will be notified of the disclosure of their personal information and the activity or specific business function facilitated.

As Smart Apprenticeship Solutions recruits persons 15 years or older and according to the <https://www.oaic.gov.au/privacy/australian-privacy-principles-guidelines/chapter-b-key-concepts>, all applicants and staff are considered to have the capacity to make their own decisions around Privacy and Consent to disclose information.

Personal and sensitive information collected will facilitate the administration and action of the following:

- Assessing an applicant's suitability for a position with SAS
- Workplace performance notes
- Assessing an applicant's compatibility for nationally recognised training and incentives
- Facilitating enrolment into training and assessment with a third party according to the position requirement.
- Provide payroll services including direct electronic payment of wages, superannuation contributions and PAYG instalments to the ATO
- Provide tailored uniforms, PPE and tools
- Resolving workplace grievances and complaints
- To enable supporting agencies such as WorkCover to provide legislative services as required.

### **Keeping an employee's sensitive information private**

'Sensitive information' is a subset of personal information and is defined as information or an opinion (that is also personal information) about an individual's:

- racial or ethnic origin
- political opinions
- membership of a political association
- religious beliefs or affiliations
- philosophical beliefs
- membership of a professional or trade association
- membership of a trade union
- sexual orientation or practices, or
- criminal record
- health information about an individual
- genetic information (that is not otherwise health information)
- biometric information that is to be used for the purpose of automated biometric verification or biometric identification, or
- biometric templates

In particular SAS collects information including health and fitness personal details from perspective apprentices and trainees particular to the vocation being considered to assess compatibility and work-fit-compatibility. This information may also be used to identify incentives and/or assistance that may apply to the specific applicant. This health and fitness information may be disclosed to potential host employers and registered training organisations contracted to provide the educational training and assessing required to complete the apprentice's or trainee's apprenticeship. Apprentice applicants are made aware of this during the employment recruitment process.

Smart Apprenticeship Solutions is obliged however, pursuant to the relevant State's training legislation to maintain certain records and make those records available for inspection by the officers of the relevant State's Training authority for quality assurance reviews.

### **Storing personal information**

All computer-based information will be protected through the use of access passwords and backed-up daily.

### **How can an employee access their own personal information including how to verify or correct/update personal information**

Subject to any restrictions permitted by law, staff and former staff will be given reasonable access to the personal information Smart Apprenticeship Solutions hold about themselves and an opportunity to add their comments on that information to Smart Apprenticeship Solutions records. An employee may review or copy this file in the presence of an authorised person only.

Employees are not permitted under any circumstances to remove/delete original contents of the file at any time either during their employment or upon termination. Your personnel file remains the property of the organisation.

Staff needing to update or change their personal information on file are to complete the *Staff Change Advice* and provide this to their manager for processing. Alternatively the General Manager - Finance can be contacted via email with the new updated information. Changes can only be accepted in writing to assist with the accurate communication of information. The accuracy of personal details kept on record is the responsibility of the employee.

### **Disclosure of Personal Information**

Disclosure of confidential information or intellectual property can put a Team Member in breach of the Privacy Act and can attract a severe penalty.

### **Requests from 3rd parties for Staff Personal Information**

All personal information is not made available to third parties without the express consent of the individual.

Emergency contact communication consent (third party) is gathered during recruitment. Situations of emergency may include:

- SAS employee is injured at work
- SAS employee is uncontactable
- There is reason for concern regarding the welfare of the SAS employee.

Alternatively any staff person wishing to nominate a person to discuss or engage with SAS on their behalf or about their personal details may do so by conferring in writing to a particular SAS staff person or the Office Manager providing the third party person's details, business name/institution and permissible topics or areas e.g. wage verification, length of employment etc.

#### **Job Applicants Personal Information**

All documents received from job applicants such as resumes and qualifications during the recruitment process will be collated and held securely in our cloud-based database.

Once the new recruit has been appointed and commences work, the unsuccessful candidates will be contacted and notified. Part of this letter of notification will also advise the applicants that their unsuccessful applications will be held securely for a period of 3 months and up to 2 years.

#### **Request for References of Internal Staff**

Smart Apprenticeship Solutions is committed to protecting the privacy of current and former employees. To assist employees who want the organisation to provide confidential information on their behalf, the CEO will co-ordinate the response to any requests for information about current and former employees.

Only the CEO will respond to written requests for wages / salary, work history and other confidential information. The CEO may choose to delegate a staff person alternatively. See *Reference Request For Former Staff Policy*

Smart Apprenticeship Solutions may, however, release information about current and former employees if the request is accompanied by a subpoena or if releasing the information is required by law.

#### **Surveillance Technology in the Workplace**

SAS's have surveillance within the administration offices at the Ormeau and Beaudesert offices. These cameras are equipped with sound recording and are installed to assist with providing safe and secure workplaces. The cameras are on a 24 hour loop, retaining video and sound for 24hours before being recorded over. This footage is kept within a cloud based server and is accessible by the CEO only.

#### **Suspected breaches of Privacy:**

If staff believe that their personal privacy has been breached whether by an internal staff person or contractor they are to contact the CEO immediately and make them aware of this. The CEO will then enact the Workplace Grievance Procedure and proceed to investigate the alleged breach. Additionally if an apprentice or trainee's personal privacy is breached then the Department of Education and Training must be notified by the CEO immediately.

If staff believe through their own actions or those of someone else that a privacy breach has occurred it is very important that this is reported to the CEO immediately so that this can be investigated and reported also.

#### **4. Breach of Policy**

A breach of this policy, either intended or unintended, will be considered serious and may lead to disciplinary action including termination of employment or cancellation of contract and may also be subject to civil and / or criminal proceedings.

#### **5. Associated Documents**


*Staff Change Advice*

*Reference Request For Former Staff Policy*

#### **6. Appendices**

*Fair Work Act 2009  
Privacy Act 1988  
Information Privacy Act 2009 (Qld)*

---

	<b>Title</b>	<b>Name</b>	<b>Date</b>	<b>Signature</b>
Approved by	CEO	Steve Craven	08/23	

---