Tursa Employment & Training

COR003
Privacy Policy

COR003 Privacy Policy
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(When printed this document ceases to be controlled, refer to TURSA Intranet for current version).
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Further Reference

Commonwealth Privacy Act 1988

(A copy of the Commonwealth Privacy Act 1988 is held in the Library at the Lismore TURSA office)


Social Security (Administration) Act 1999


Social Security (Administration) (Public Interest Certificate Guidelines) (DEEWR) Determination 2013

1.0 PURPOSE

Tursa Employment & Training is committed to protecting the privacy of personal information. This policy sets out the way we handle personal information including the use and disclosure of personal information, as well as client rights to access their personal information.

2.0 SCOPE

This policy only applies to our staff, databases and files and does not cover any State, Territory or Australian Government staff, database or file. This policy operates across our employment and training services.

3.0 POLICY

3.1 Personal Information collected by Tursa Employment & Training

In order to provide employment, training and assessment services we need to collect personal information upon a client registering for a course/qualification, participation in a project, program or service to be provided by Tursa Employment & Training.

Tursa Employment & Training will not collect personal information unless this information is necessary for, or directly related to, the organisation’s employment, training and assessment functions.

Sensitive personal information, e.g. racial or ethnic origin, membership of a professional or trade association, membership of a trade union, criminal record, will only be collected with the client’s consent and where it is necessary for, or directly related to, the organisation’s employment, training and assessment functions.

Legislation and contract conditions require that selected information be reported to government departments and/or agencies. These may include:

- Australian Government departments including the Department of Employment, Department of Social Services (DSS), the Department of Human Services (DHS) and Centrelink;
- State Governments including NSW Department of Industry and QLD Department of Education and Training (DET);
- Australian Training Network; and
- Australian Vocational Education and Training Management Information Statistical System (AVETMISS).

Tursa Employment & Training does not disclose personal information with overseas recipients.

Information collected may include the following:

- Name;
- Address and Contact details (telephone);
- Date of Birth;
- Gender;
- Country of birth;
- Citizenship;
- Whether Aboriginal or Torres Strait Islander;
• Language spoken at home;
• Disability information;
• Education details;
• Current pay and hours and employer details;
• Barriers to employment, including Police and Child Protection checks when required by law or prescribed;
• Previous qualifications;
• Employment status; and,
• Job seeking efforts.

_Tursa Employment & Training_ only collects personal information by fair and lawful means and not in an unreasonably intrusive manner.

The enrolment form or program contract completed by clients contains a disclaimer outlining why the personal information is collected and how it is used. Clients are required to sign the disclaimer as their agreement to the use of their personal information.

### 3.2 Sources of Personal Information Collected

_Tursa Employment & Training_ collects personal information directly from each client at registration for a course, program or service, or via an automated system of referral from Australian and State Government information sources.

Information collected as a result of people browsing the organisation’s website is used for monitoring and security purposes only. Cookies may be stored on website user’s computer to assist them to use the website. These are not used for any type of tracking purpose outside of the organisation’s website.

### 3.3 Advice provided to clients

At the time _Tursa Employment & Training_ collects personal information we will take all reasonable steps to ensure that clients are made aware of:

(a) _Tursa Employment & Training_’s identity and how to contact us;
(b) The client’s rights with regard to accessing their personal information;
(c) The purpose for which the personal information was collected;
(d) To whom we disclose personal information;
(e) Any law that requires us to collect particular personal information;
(f) The main consequences, if any, for the client if they do not provide all or part of the information we require; and,
(g) The client’s right of access to the _Cluster, Site or Programme Manager_ with respect to Customer Complaints - including Privacy matters of concern; an external Customer Complaints hotline and State/Federal Privacy Commissioners.

### 3.4 Use and Disclosure

_Tursa Employment & Training_ staff are bound by a policy that all information is used in accordance with the Commonwealth Privacy Act 1988 incorporating the Australian Privacy Principles. We will endeavour to ensure that the information provided to us remains private and is used only for the purposes the client has agreed as per completed consent form.

_Tursa Employment & Training_ will not reveal, disclose, sell, distribute, rent, license, share or pass personal information on to a third party, other than those that we have a binding agreement with ensuring that the third party affords the personal information similar levels of protection.
as we do and that allows us to reasonably perform our employment and training and assessment services.

In order to provide clients with employment, training and assessment services, we are required to disclose personal information to third parties as outlined in 3.1 of this policy -

FOR THE PURPOSES OF REPORTING AND CLAIMING PUBLIC FUNDS FOR THE DELIVERY OF EMPLOYMENT SERVICES, TRAINING AND ASSESSMENT SERVICES UNDER CONTRACTS WITH RELEVANT GOVERNMENT DEPARTMENTS AND AGENCIES.

Further, Tursa Employment & Training may use and disclose personal information to provide employment, training and assessment services specified to the client at the point of collection or for another purpose if:

- The client would reasonably expect us to use or disclose it for that purpose;
- That use and disclosure is related to the purpose specified to the client at the time of collection;
- Tursa Employment & Training reasonably believes that the use is necessary to lessen or prevent a serious and imminent threat to the public’s or any individual’s life, health or safety;
- The use and disclosure is specifically authorised by Australian law or a court/tribunal order;
- There is suspected unlawful activity or serious misconduct related to Tursa Employment & Training’s activities and functions; and
- Locating a person reported as missing.

Tursa Employment & Training does not use or disclose personal information for the purposes of direct marketing unrelated products or services.

Clients may be encouraged to provide disability information to prospective employers if relevant to potential employment. Tursa Employment & Training staff cannot disclose this information without client’s consent.

3.4.1 Disclosure of Information – Police requesting job seeker information

Social Security law governs the use and disclosure of protected information. Should a staff member receive a police requires for job seeker information (and the job seeker is in receipt of a social security benefit/payment), the information is likely to be considered ‘protected’ and subject to social security law. Such information can usually only be disclosed under a Public Interest Certificate, issued by the Secretary of Employment or their delegate under s.208 of the Social Security (Administration) Act 1999.

Any requests from police must be in writing and forwarded to the Operations Co-ordination Unit (OCU) for follow up with the Department of Employment.

3.5 Data Quality

Tursa Employment & Training will take reasonable steps to ensure that personal information is accurate, complete and up-to-date. Clients are encouraged to help us keep their personal information accurate, complete and up-to-date by contacting our delivery site or head office and informing us of any changes to details.
3.6 Data Security and Storage

*Tursa Employment & Training* is committed to protecting the privacy of personal information. We ensure that all information is stored in accordance with the Commonwealth Privacy Act 1988 and the Australian Privacy Principles. We take reasonable steps to protect personal information from misuse, loss and from unauthorised access, modification or disclosure. We ensure this by having such security measures as:

- Individual password access to systems and databases;
- Encrypted electronic databases;
- Secured file cabinets.

Archived personal information is stored in secured premises for time periods as specified by legislation, regulations or Government contractual obligations.

We will also take reasonable steps to destroy or permanently de-identify personal information if it is no longer required for any purpose and is not required by law to be held for any given period.

3.7 Use of the Internet

*Tursa Employment & Training* uses a variety of secure technologies to transmit client personal information from our delivery sites to our head office, and vice versa, and also to transmit details to state and territory registering bodies.

All information transmitted by delivery sites to *Tursa Employment & Training* is encrypted.

The security of data transmitted to state and territory registering bodies is managed by these bodies.

*Tursa Employment & Training* takes all reasonable steps to protect personal information security when using the Internet but is aware that no transmission of information by email or via a registering body website can be guaranteed secure.

3.8 Access and Correction

Clients are provided with the opportunity to access the personal information we hold on them and to seek to correct that information if they determine that it is incorrect. This can be undertaken by contacting the local delivery site. In some circumstances such as, directions under an Australian law or a court/tribunal order, in cases of serious threat to public or individual health and safety, exceptions to allowing access may be made. These are detailed in the Australian Privacy Principle 12.3.

3.9 Identifiers

*Tursa Employment & Training* will not adopt as its own identifier an identifier that has been assigned by a government agency.

Where practicable *Tursa Employment & Training* will not use or disclose an identifier assigned to an individual by a government agency.
3.10 Complaints

Clients have the right to complain if they believe there has been a breach of the Australian Privacy Principles. This complaint can be to the Cluster, Site or Programme Manager on FREECALL 1800 670 914 or to an external Customer Complaints hotline. Tursa Employment & Training staff can provide contact details.

If not satisfied with the response from Tursa Employment & Training, clients may be referred to the Office of the Australian Information Commissioner, phone: 1300 363 992 or on-line:

www.oaic.gov.au

and go to the section ‘Making a privacy complaint’ under the Privacy tab.

3.11 Availability of the TURSA Privacy Policy

Copies of the Tursa Employment & Training Privacy Policy are available on the organisation’s website and hard copies are available on request from delivery sites.