

Privacy Policy

INSERT COMPANY NAME

(“THE COMPANY”)

1 Purpose

- 1.1 [Insert company] ("we", "us" or the "Company") is committed to privacy protection. We understand the importance of keeping personal information private and secure, during and after your employment with us. This privacy policy ("Privacy Policy") describes generally how we manage personal information and safeguard privacy for our employees. If you would like more information, please do not hesitate to contact us.

The Australian Privacy Principles

- 1.2 We will treat all personal information in accordance with any and all obligations that are binding upon us under the *Privacy Act 1988* (Cth) ("Privacy Act"). The Privacy Act lays down 13 key principles in relation to the collection and treatment of personal information, which are called the "Australian Privacy Principles".
- 1.3 By law, the Australian Privacy Principles only apply to personal information about unsuccessful job candidates, not to personal information kept in employee records. However, in line with best practice, the Company uniformly applies the Australian Privacy Principles to all personal information.

2 What is "personal information"?

- 2.1 Personal information held by the Company may include your:
- (a) Personal and emergency contact details;
 - (b) Information about your terms and conditions of employment;
 - (c) Wage or salary details;
 - (d) Leave balances;
 - (e) Records of work hours;
 - (f) Records of engagement, resignation, or termination of employment;
 - (g) Information about training, performance, and conduct;
 - (h) Taxation, banking, or superannuation details;
 - (i) Union, professional, or trade association membership information; and
 - (j) Information included in your job application including:
 - (k) Your resume;
 - (l) Your references;
 - (m) Your academic transcript;
 - (n) Medical results (including drug and alcohol testing);
 - (o) National Police Checks;
 - (p) Personal or professional references;
 - (q) VISA status and information, including the right to work in Australia;
 - (r) Next of kin details; and

- (s) GPS tracking.

Confidentiality of personal information

- 2.2 All employees must treat personal information in accordance with the confidentiality obligations contained in their employment agreement, and any confidentiality agreement to which they may be part and any other policies and procedures we may adopt from time to time relating to the protection of personal information. A breach of confidentiality relating to personal information may be considered serious misconduct and may result in disciplinary action being taken against such employee.

How we may collect your personal information

- 2.3 The Company will only collect personal information where it is necessary for the business operations of the Company or where required by law.
- 2.4 This personal information is collected as part of the application and onboarding processes with the Company, as well as throughout the duration of your employment with the Company.
- 2.5 Personal information may be collected by way of voluntary disclosure by you as well as through any reference or clearance checks the Company may be required to perform.

How we may use your personal information

- 2.6 Your personal information may be used in order to:
- (a) Complete payroll processing and make payment of statutory entitlements;
 - (b) Ensure individual capabilities align with the requirements of employees' role;
 - (c) Comply with site mobilisation requirements;
 - (d) Ensure compliance with our Health and Safety Management Systems;
 - (e) Act on behalf of employees in the event of an emergency.
- and for any other purpose reasonably considered necessary or desirable by the Company in relation to the operation of our business.
- 2.7 There are circumstances in which the Company may disclose your personal information to organisations outside the Company. The Company will only disclose personal information in response to a lawful request and it will only provide the level of information necessary to meet that request.
- 2.8 Where disclosure is required, the Company will take reasonable steps to ensure that these organisations are bound by confidentiality and privacy obligations in relation to protection of your personal information.
- 2.9 Organisations to whom the Company may disclose personal information include, but are not limited to:
- (a) Fair Work Inspectors requesting information about our employees to ensure we are meeting our employment obligations;
 - (b) Certain government agencies (such as the Australian Taxation Office and Services Australia) asking to provide personal information about our employees;

- (c) Police and in response to court orders;
 - (d) Permit holders with a right to entry permit (such as a union official) who want to enter the workplace to investigate a suspected breach of workplace laws;
 - (e) Clients for site compliance purposes.
- 2.10 The Company may also provide references at the request of employees. The personal information the Company will provide in a reference will only relate to your:
- (a) Skills;
 - (b) Performance;
 - (c) Conduct;
 - (d) Type of employment; and
 - (e) Length of employment.

3 Access to your personal information

- 3.1 For the duration of your employment with us, we will hold your personal information. We will continue to hold your personal information for a period of up to one (1) year after your employment with us has ended, after which time your personal information will be archived.
- 3.2 At any time during your employment, or after your employment until the information is destroyed, you may make a request to access the personal information we hold about you. We will handle requests for access to your personal information in accordance with the Australian Privacy Principles. All requests for access to your personal information must be directed to the Trainer/Owner of the business by email using the email address provided below or by writing to us at our postal address.
- 3.3 We will deal with all requests for access to personal information as quickly as possible. Requests for a large amount of information, or information that is not currently in use, may require further time before a response can be given. We may charge you a fee for access if a cost is incurred by us in order to retrieve your information, but in no case will we charge you a fee for your application for access.
- 3.4 In some cases, we may refuse to give you access to personal information that we hold about you. This may include circumstances where giving you access would:
- (a) be unlawful (e.g., where a record that contains personal information about you is subject to a claim for legal professional privilege by one of our contractual counterparties);
 - (b) have an unreasonable impact on another person's privacy; or
 - (c) prejudice an investigation of unlawful activity.

3.5 We may also refuse access where the personal information relates to existing or anticipated legal proceedings, and the information would not be accessible by the process of discovery in those proceedings.

3.6 If we refuse to give you access, we will provide you with reasons for our refusal.

Correcting your personal information

3.7 If you are granted access to your personal information, and you recognise that any of it is incorrect, out of date, or incomplete, you may make a request to the Trainer/Owner of the business, to verify or correct this personal information. We will amend any personal information about you that is held by us and that is inaccurate, incomplete, or out of date if you request us to do so.

3.8 If we disagree with your view about the accuracy, completeness, or currency of a record of your personal information that is held by us, and you ask us to associate with that record a statement that you have a contrary view, we will take reasonable steps to do so.

Storage and security of your personal information

3.9 We are committed to maintaining the confidentiality of your personal information and we will take all reasonable precautions to protect your personal information from unauthorised use or alteration. In our business, personal information may be stored both electronically (on our computer systems and with our website hosting provider) and in hard-copy form. **Firewalls, anti-virus software and email filters, as well as passwords, protect all our electronic information.** Likewise, we take all reasonable measures to ensure the security of hard-copy information.

4 When we may disclose your personal information

4.1 For the purposes set out above, the Company may disclose your personal information to organisations outside the Company. Your personal information may be disclosed to these organisations only in relation to this site, and the Company takes reasonable steps to ensure that these organisations are bound by confidentiality and privacy obligations in relation to the protection of your personal information. These organisations may carry out or provide:

- (a) customer enquiries;
- (b) mailing systems;
- (c) billing and debt-recovery functions;
- (d) information technology services;
- (e) marketing, telemarketing, and sales services;
- (f) market research; and
- (g) website usage analysis.

- 4.2 In addition, we may disclose your personal information to:
- (a) your authorised representatives or legal advisers (when requested by you to do so);
 - (b) credit-reporting and fraud-checking agencies;
 - (c) credit providers (for credit-related purposes such as creditworthiness, credit rating, credit provision and financing);
 - (d) our professional advisers, including our accountants, auditors, and lawyers;
 - (e) government and regulatory authorities and other organisations, as required or authorised by law;
 - (f) organisations who manage our business strategies, including those involved in a transfer/sale of all or part of our assets or business (including accounts and trade receivables) and those involved in managing our business risk and funding functions; and
 - (g) the police or other appropriate persons where your communication suggests possible illegal activity or harm to others.

Contacting us about privacy

- 4.3 If you would like more information about the way we manage personal information that we hold about you or are concerned that we may have breached your privacy, please contact us by email.

Changes to this Privacy Policy

- 4.4 From time to time, it may be necessary for us to revise this Privacy Policy. Any changes will be in accordance with any applicable requirements under the Privacy Act and the Australian Privacy Principles. We may notify you about changes to this Privacy Policy by posting an updated version on this site.

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- 4.5 If you require any further information about the Privacy Act and the Australian Privacy Principles, you can visit the Federal Privacy Commissioner's website (see www.privacy.gov.au).