



Privacy

POLICY AND PROCEDURE



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1.0 Purpose

It is the policy of Agri Labour Australia (ALA) to operate business in a manner that consistently meets or exceeds the legal rights of persons regarding the privacy and confidentiality of information relating to them, by ensuring compliance with the provisions of the Information Privacy Act 2009 (QLD) and other relevant privacy legislation such as the Privacy Act 1998.

As an organisation, we will ensure that only information necessary for employment and business purposes is collected and that this information will only be accessible by persons who are specifically authorised to access the information.

2.0 Policy Details

PRIVACY PRINCIPLES

How we collect Personal Information

When you apply for a position, or on commencement of employment at Agri Labour Australia, we collect and hold personal information that is reasonably necessary to enable the processing of your employment application and for the ongoing maintenance of your employment. This information may include:

- resume and cover letter.
- copies of any relevant qualifications, tickets, or licences.
- proof of right to work in Australia.
- proof of identity.
- reference check reports.
- application forms.
- Workcover claims history; and
- sensitive information of individuals.

Additional personal information will also be collected during your employment to manage your ongoing employment relationship, such as performance management. In most circumstances, personal information will be collected directly from you. In some circumstances, information about you may be provided by third parties, such as previous employers and nominated referees.

Why we collect Personal Information

The primary purpose for collecting your personal information is to process your employment application, maintain your employee records, and to administer your employment, salary, and superannuation. We may also need to collect your information if we are legally required to do so, such as checking visa status through the Commonwealth's Visa Entitlement Verification

Online service or for statutory compliance reporting.

Use of Personal Information

Personal information collected or held by our business will be used for managing processes associated with your employment. These activities may include the following:

- recruitment, selection, and appointment functions.
- payroll processing.
- ongoing human resources management.
- for the recovery of debts.

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- for insurance purposes and the management of work-related travel.
- for overall business planning or for purposes required by legislation; and
- other related business processes such as statutory compliance reporting and, where required, provided information to external bodies.

Storage and Security of Personal Information

Personal information is held securely on our network until it is no longer needed, at which time it will be de-identified or destroyed, provided that it is lawful to do so. It is held in paper files or electronic files.

Disclosure of Personal Information

ALA will generally only disclose your personal information to third parties if you have authorised us to do so, or if we have told you of our requirement to do so. However,

from time to time, we may be required to disclose your information in circumstances such as

- if required to do so by law or if there are reasonable grounds to believe that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual. This may include subpoenas, court orders, WorkCover Orders, or Commonwealth government agencies such as the Department of Human Services (Centrelink), the ATO or their equivalents.

In the general course of business, your personal information may be provided to:

- clients.
- referees.
- our insurers.
- WorkCover; and our contractors, suppliers, and service providers - e.g., I.T. contractors, travel providers.

No personal information about employees will be released to the media without the consent of the individual concerned and consultation with the Managing Director.

We are not likely to disclose personal information to an overseas recipient.

Accessing and Accuracy of Personal Information

Subject to any exemption which may apply and you verifying your identity to our reasonable satisfaction, you may apply for access to your personal information held by us and seek the correction of it by submitting a written request to the Managing Director.

We endeavour to respond to a request within a reasonable period after a request is made. Unless we are permitted at law to do so, we endeavour not to deny your request for access and/or correction, but if we do deny your request, we endeavour to provide you with a written notice which sets out:

- reason(s) for the refusal (unless we consider it to be unreasonable to provide a reason); and
- mechanisms available to complain about the refusal.

Information Integrity

You must notify us of any change to your personal information to ensure it is up to date, accurate, complete, relevant, and not misleading. We endeavour to update your personal information promptly after you notify us.

3.0 Policy Scope

In compliance with Australian workplace laws, including the Fair Work Act 2009 (Fair Work Act), we are bound by the *Privacy Act 1988* (Privacy Act) when collecting, holding, using, and disclosing your personal information.

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The Privacy Act contains Australian Privacy Principles which outline government agencies' responsibilities and individuals' rights designed to protect privacy.

This policy applies to our treatment of all personal information, whether it relates to a customer, an employee, or another person.

This policy describes how we comply with the Privacy Act and explains:

- the types of personal information we collect.
- how this information is used.
- when it can be disclosed; and
- who it can be disclosed to

We regularly review this policy to ensure it contains update-to-date information about how we manage personal information.

4.0 Procedures

We collect, hold, use, and disclose personal information to carry out our functions and activities, in consultation with you, including when we:

- advise, assist, educate and inquire into workplace matters
- act in courts to address unlawful conduct
- monitor compliance with visa conditions
- respond to access to information requests
- communicate with the public, stakeholders, and the media
- publish information on our website
- recruit and hire staff.

Collecting your personal information

We collect personal information when it is reasonably necessary for, or directly related to, our functions or activities under the Fair Work Act, the *Public Service Act 1999*, the *Paid Parental Leave Act 2010*, the *Road Safety Remuneration Act 2012*, and other relevant legislation.

The types of personal information we collect include:

- names, addresses, dates of birth, telephone numbers and email addresses
- letters of offer and employment contracts
- work rosters, sign-in sheets, pay slips and bank statements
- health information (for example, medical certificates)
- investigate

We only collect personal information using lawful and fair means.

Sensitive information

Sometimes we may need to collect sensitive information about you with your consent, including information about your health, your membership of a professional or trade association or trade union, or your criminal record. We will only do this with your consent, when authorised by law or in accordance with the Privacy Act.

Employee information

Personal information is collected from staff to ensure our employee information is up to date for employment related purposes. We may also collect information from staff where we are authorised or required to by the Public Service Act 1999, the Public Service Regulations 1999 or other legislation.

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This information can include job applications, notes made by selection committees during selection processes, employment contracts, copies of academic qualifications, bank account details, medical certificates, or health related information.

Referral to law enforcement authorities

We are authorised under the Fair Work Act to give information to other Commonwealth, State or Territory bodies when it is likely to assist with the administration or enforcement of a law. Examples include providing the police with personal and other necessary information if it is needed to assist in a criminal investigation and providing the Australian Taxation Officer with information to assist in an inquiry regarding an entity’s compliance with tax laws.

Public health and safety concerns

We may need to urgently disclose personal information to a State or Commonwealth authority for the purpose of virus (e.g., COVID-19) contact tracing or management, to prevent the spread of a communicable disease and fulfil our work health and safety obligations. We might also share limited personal information to an infected individual’s work colleagues or other contacts if the disclosure is necessary to lessen or prevent a serious threat to the health or safety of others. Where reasonable, we will obtain the consent of the relevant individual before any such disclosure if made. The disclosures are authorised under public health laws and under the Privacy Act.

Communications

As part of our recruitment and promotional activities, we may communicate with you via:

- Email
- Phone calls
- Text messages
- Any other means by which you give us authority to communicate.

We will only reach out to you to promote job opportunities if you have indicated on your application that you wish to be considered for future jobs.

If you wish to opt out of emails, you can do so by clicking on the ‘unsubscribe’ link in any of the emails you receive from us.

If you wish to opt out of receiving text messages, you can do so by replying ‘STOP’ to any text message you receive.

5.0 Responsibility

It is the responsibility of all who work with ALA to protect the personal information of all staff and clients. These obligations are set out in the Privacy and Data Protection Act.

6.0 Definition

- Personal information means recorded facts or opinions that identify someone or allow them to be identified.
- Sensitive information means information or opinion about an individual’s race/ethnic origin, political opinions, membership in a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences/practices, or criminal record.

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- Health information means information about a person’s physical/mental health, any disability they may have and any treatment they may have received.

Other important concepts:

- Consent means permission. It must be voluntary, informed, specific and current.
- Primary Purpose means the purpose for which information is collected.
- Secondary Purpose means any purpose other than the Primary Purpose.

7.0 Related Policies

HR01	Code of Conduct
HR02	Workforce Planning Policy
HR03	Recruitment and Selection Policy
HR04	Performance Management Policy
HR05	Training and Development Policy
HR06	Compensation and Benefits Policy
HR07	Grievance Policy
HR08	Harassment and Bullying Policy
HR09	Drug and Alcohol Policy
HR010	Confidentiality Policy
HR011	Anti-Discrimination Policy
HR012	Leave Policy
HR013	Motor Vehicle Policy
HR014	Social Media Policy
HR015	Privacy Policy
HR016	Occupational Health and Safety Policy
HR017	Pandemic Management Policy
HR018	Separation Policy
HR019	Employee Referral Policy
HR020	Flexible Workplace Arrangements Policy
HR021	Communication Policy
HR022	Whistle-blower Policy
HR024	Induction Policy
HR025	Whistle Blower Policy

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