**Privacy Policy**

**Purpose**

Company Name (‘short name’) may need to collect, store, use and transfer (including, potentially, out of Australia) Personal Information (including Sensitive Information) which relates to an Workers's employment with Company short name.

Company short name may need to transfer such Personal Information between related bodies corporate (as defined in the *Corporations Act 2001* (Cth)) and third-party service providers, such as payroll agents and auditors, in the course of carrying on their business. This necessary collection, storage, use and transfer of Personal Information and Sensitive Information is discussed in more detail below.

**Scope**

This Policy will apply to full-time and part-time Workerss of Company short name **P**

**Policy**

The guiding principles of this policy outline the privacy provisions in relation to Company short name.

It is important to note that the handling of Workers records will be exempt from compliance with the *Privacy Act 1988* (Cth) and that this policy does not intent to create any obligations beyond those contained within Australia’s legislation.

**Personal Information** includes: name, address and contact details, date of birth, marital status, next of kin, educational background, employment history, health and workers' compensation history, job title, areas of expertise, details of salary, remuneration and benefit entitlements, bank details, performance appraisals, performance and misconduct complaints and counselling and salary reviews.

**Sensitive Information** means information or an opinion about an individual’s:

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

 **Employment Records**

**Company short name** will collect and hold certain Personal Information about its Workerss as part of its Human Resources records. Records held by Company short name may include an Workers's Sensitive and/or Personal Information.

**Use of Employment Records**

Company short name will use Personal Information for a variety of Human Resources, administration and general business management purposes.

For the avoidance of doubt, Company short name may use Personal Information (including without limitation Sensitive Information) to:

* administer payroll
* improve and maintain the administration of Workers benefits
* to operate performance and performance reviews
* to operate IT and communications systems
* to comply with record keeping and other legal obligations.

Company short name must not use the information for a purpose other than that for which it was collected unless:

* the Workers to whom the information relates has consented to the use of the information for that other purpose
* the use of the information for the other purpose is necessary to prevent or lessen a serious and imminent threat to life or health of the individual to whom the information relates or of another person, or
* if so, directed by a court of law.

**Disclosure Employment Records**

Company short name may transfer Personal Information about their respective Workerss between related bodies corporate to facilitate centralised management of records and other functions, such as payroll and workers' compensation management.

Company short name  may also need to make Personal Information available to legal and regulatory authorities (such as the Australian Taxation Office), to accountants, auditors, lawyers and other outside professional advisers, and to companies who provide products and services to the company (such as IT systems suppliers, superannuation scheme or medical benefits providers, information management or administration service providers) (‘Required Recipients’).

Although most Required Recipients are located within Australia, others may be located, or have relevant operations elsewhere.  Therefore, it may be necessary to transfer Personal Information and Sensitive Information abroad.  Some of the countries to which information is transferred may not have laws regulating the collection and disclosure of personal information.

Workerss with responsibility for or access to Personal Information must not disclose or otherwise use Personal Information in a way that is inconsistent with this policy or the Act. Unauthorised use of or access to Personal Information may lead to disciplinary action, up to and including termination of employment.

**Storage and Access to Personal Information**

Personal Information is maintained by Company short name in personnel files. Access to these sources is accessible by authorised personnel.

Workerss do not have an automatic right of access to their personnel files or other storage deposits. However, Workerss may request access to their Personal Information. Such requests should be made in writing to the Company short name HR team.  Company short name will consider the request and may grant access at its absolute discretion.

Should Company short name choose to grant access to a personnel file, it may grant access to the complete file, or part of the file.

**Access to Law Enforcement**

**Police**

Requests for information from the police will not be accepted over the telephone. Workerss receiving written requests for personal information from law enforcement agencies must direct the inquirer to the Company short name.

The above does not apply in cases where there is an imminent threat to life or safety. However even then reasonable attempts should be made to discuss the matter with the Company short name HR TEAM. In most other circumstances it may be assumed that the Company will require the issuing of a search warrant or subpoena. Records of all requests and disclosures of personal information to the law enforcement agencies will be kept on the appropriate file maintained by the Company short name HR team.

**Government**

Departments such as Human Services, Immigration, Taxation and ASIO sometimes have a lawful need to access personal information held by Company short name. Where this need exists, it is recognised in the legislation which establishes the departments and regulates their functions. While Company short name wishes to be cooperative with the Commonwealth, it has a duty to its Workerss. Therefore, any Commonwealth Department requiring personal information should be informed that Company short name will supply personal information only in response to a formal notice under the Department's legislation.

**Subpoenas and Court Orders**

The personal information held by Company short name may be required as evidence in court and tribunal proceedings. These may be matters which do not involve Company short name, or litigation to which Company short name is joined as a party. For all matters (subpoenas and other matters), Company short name HR team, should be contacted. Subpoenas received must be directed to the Company short name and if necessary, will then be directed to Company short name’s solicitor.

**Security**

Company short name will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.

Company short name must approve the use of personal computers in the workplace or for copying or transferring of personal information onto personal computers. At the time of separation from the Company, the Company will take all appropriate steps to identify personal information stored on personal computers and direct and supervise the removal of personal information.

**Grievance**

Any grievance arising from the application of these arrangements shall be managed using the process outlined in the Grievance Policy. In the interim, any unresolved issue should be raised in the first instance with the relevant manager. If the nominated manager is unable to resolve the matter, it may be referred to the HR team.

**Responsibilities**

**Company short name’s Responsibilities**

It is the Company short name’s responsibility to ensure that:

* there are policies and processes in place to protect the Personal and Sensitive Information of its Workerss
* management are empowered to educate their teams on a regular basis about the existence of this policy, and their rights and responsibilities
* any breach of this policy is dealt with in a fair and consistent manner.

**Managers’ Responsibilities**

Managers are required to:

* ensure their team understands this policy
* ensure any issues or queries raised by an Workers in relation to this policy are dealt with promptly and in a fair and consistent manner
* know who to escalate a request for Personal and/or Sensitive information to and can instruct their team accordingly.

**Workers’ Responsibilities**

At Company short name, Workerss are expected to:

* recognise what is classified as Personal and/or Sensitive Information
* make themselves familiar with the contents of this policy
* adhere to the contents of this policy, being sure to be proactive and speak with your Manager if they have any questions
* be accountable for the way in which they escalate a request for Personal and/or Sensitive Information from an external or internal party.

**Relevant Reference Material**

The following documents may provide relevant supplementary information:

* Company short name’s Code of Conduct
* Company short name’s Grievance Policy
* *Privacy Act 1988 (Cth)*

**Contact**

Should any clarification be needed for the contents of this Policy, the reader should contact your manager or the HR Team via phone (Company phone number) or email (Company email).

**Monitor and Review**

This Policy will be reviewed from two (2) years from date of adoption.

**Approval**

This Policy was drafted on date and approved by [NAME], [POSITION TITLE], on [DATE].