

ATEC PRIVACY POLICY

Adelaide Training and Employment Centre Inc. (ATEC) values your privacy. This policy sets out the way we manage personal information about individuals.

ATEC is an organisation which is bound by the Australian Privacy Principles (APPs) <https://www.oaic.gov.au/assets/privacy/guidance-and-advice/app-quick-reference-tool.pdf> in the *Privacy Act 1988*. A copy of the Australian Privacy Principles can be obtained from the Office of the Australian Information Commissioner (OAIC) or accessed at <http://www.oaic.gov.au/>

a) Types of personal information held by ATEC

ATEC only collects personal information (other than sensitive information) which is reasonably necessary for one or more of its functions or activities – that is, the provision of education, training and employment services. The type of information we collect will depend on the service being provided. (ATEC may also be required by law to collect certain personal information in some situations).

The kinds of personal information we hold include:

- Names (of learners, jobseekers);
- Contact details including addresses, phone numbers, fax numbers and e-mail addresses;
- Emergency contact details (ie next of kin or guardian);
- Dates of birth;
- Country of birth, citizenship and Aboriginality (where this information is required to determine eligibility for a particular service);
- Details of education, training and skills;
- Employment details and history;
- Health and disability information (where it is relevant to eligibility for a service, or the ability to undertake employment or training);
- Resumes and employer references;
- Details of services provided – ie, records of training undertaken at ATEC and associated records, records related to employment placements by ATEC, and other services provided by ATEC.

ATEC only collects sensitive information about an individual when:

- The individual consents to the collection of the information; and
- The information is reasonably necessary for one or more of its functions or activities; or
- The collection of the information is required or authorized by an Australian law or a court/tribunal order; or
- A permitted general situation exists in relation to the collection of the information by ATEC.

b) How ATEC collects and holds personal information

ATEC collects personal information only by fair and lawful means and not in an unreasonably intrusive way.

- ATEC collects personal information directly from the individual unless it is unreasonable or impracticable to do so.
- If ATEC receives unsolicited personal information, we will (within a reasonable period after receiving the information) determine whether or not ATEC could have collected the information under APP 3 had ATEC solicited the information.

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- In some situations we may collect information from someone else, where the information is necessary for us to provide a service. For example, we may collect personal information from employers or referees in relation to jobseekers, or from educational institutions in relation to learners. If we collect information from a source other than the individual concerned, at the time of collecting personal information or as soon as practicable afterwards, ATEC takes such steps (if any) as are reasonable in the circumstances to notify the individual that we have collected the information.
- We use tracking technology to gather statistical information about users of our web site. No personally identifying information is collected by this means. However, if an individual chooses to contact us by e-mail using a link on our web site, then we collect their name, e-mail address and phone number for the purpose of responding to their request or query.
- Personal information that is not reasonably necessary for one or more of ATEC's functions or activities will, as soon as practicable but only if it is lawful and reasonable to do so, be destroyed or will be de-identified.

ATEC retains and securely stores personal information in electronic and paper forms.

- ATEC takes reasonable steps to protect the personal information it holds from interference, misuse, loss, and unauthorized access, modification and disclosure.
- These steps include:
 - Ensuring that our staff are aware of their obligations with respect to privacy and confidentiality, and including a clause in their employment contracts requiring them to comply with the Privacy Act 1988 and this policy;
 - Protecting access to computer databases by the use of passwords to restrict access;
 - Securing hard copy files and ensuring that buildings are locked and secured after business hours;
 - Secure disposal of waste paper (eg by shredding prior to disposal) which contains personal information.
- ATEC destroys personal information when it is no longer required in accordance with the Privacy Act 1998.

c) The purposes for which ATEC collects, holds, uses and discloses personal information. The purpose for which we collect personal information depends on the service provided, including:

- Assessing eligibility for education, training and employment placements, and assessing learner or clients' needs.
- Administering enrolments, delivering education, training and assessing learners, and issuing qualifications.
- Assisting learners/clients to gain Australian Apprenticeships.
- Assisting jobseekers to obtain training and/or employment (including profiling for employment, vacancy referrals, up-skilling and other related employment services), and providing post-placement support.
- Recruiting, placing, monitoring and training Group Training Apprentices and Trainees.
- Program monitoring and evaluation, statistical and reporting purposes, and internal business purposes related to the provision of training and employment services.
- We may also use the information to provide you with information about other services we provide. You may inform us if you do not wish to receive this kind of information.
- We are required by law to collect certain personal information in some cases. These laws relate to our status as a training provider and recruitment agency. Examples of laws which

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require us to collect information are the *Training and Skills Development Act 2008 (SA)*, the *Employment Agents Registration Act 1993 (SA)*, the *Fair Work Act 2009 (Cth)* and the *Work Health & Safety Act 2012*.

- We only disclose personal information to other organisations where the individual would reasonably expect ATEC to disclose such:
 - i) personal information if it is related to the primary collection purpose, or
 - ii) sensitive personal information if it is directly related to the primary collection purpose as is necessary as part of our provision of services, and only to the extent necessary.
- Also ATEC is from time to time as a contracted service provider to the Commonwealth and State Governments and may contract out some services. The types of organisations to whom personal information may be disclosed include:

Australian Government:

- Department of Education and Training
- Department of Human Services
- Department of Home Affairs
- Department of Industry, Innovation and Science
- Department of Human Services (Centrelink)

Australian Government Agencies

- Australian Skills Quality Authority (ASQA)
- Fair Work Ombudsman

South Australian Government

- Department of Human Services (DHS)
- Department for Industry and Skills

State Bodies

- Training and Skills Commission
- Traineeship and Apprenticeship Services
- Equal Opportunity Commission

Other

- Australian Apprenticeship Support Network Provider
- Group Training Organisations
- Employment Service Providers
- Employment Placement Agents
- Registered Training Organisations
- Educational Bodies such as TAFE Institutes, colleges and schools
- Industry and Skills Committee
- Skills Services Organisations
- Business Enterprise Centres
- Local Councils
- Employers
- Host Employers

d) How to access your personal information and seek the correction

Generally, individuals have a right to access to personal information held about them, and to correct the information if it is incorrect.

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- Exceptions to when ATEC is not required to give individuals access to their personal information are when:
 - ATEC believes that giving access could pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
 - Giving access would have an unreasonable impact on the privacy of other individuals; or
 - The request for access is frivolous or vexatious; or
 - The information relates to existing or anticipated legal proceedings between ATEC and the individual, and would not be accessible by the process of discovery in those proceedings; or
 - Giving access would reveal ATEC's intentions in relation to negotiations with the individual in such a way as to prejudice those negotiations, or
 - Giving access would be unlawful; or
 - Denying access is required or authorized by or under an Australian law or a court/tribunal order; or
 - Both of the following apply:
 - i) ATEC has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to ATEC's functions or activities has been, is being or may be engaged in;
 - ii) giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
 - Giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
 - Giving access would reveal evaluative information generated within ATEC in connection with a commercially sensitive decision-making process.
- ATEC encourages individuals to put their request for access in writing where possible. Requests for access should be directed as follows:
 - Learner Administration at 275 Grand Junction Road, Ottoway SA 5013.
 - General requests: Training Services, Group Training or ATEC Privacy Officer at 275 Grand Junction Road, Ottoway SA 5013.
 - Employers: one of the addressees above, as appropriate.
- If ATEC refuses a request for access, we give written notice that sets out:
 - The reasons for the refusal unless, having regard to the grounds for the refusal, it would be unreasonable to do so; and
 - The mechanisms available to complain about the refusal; and
 - Any other matter prescribed in the regulations.
- If:
 - ATEC is satisfied that, having regard to the purpose for which the information is held, the personal information is inaccurate, out of date, incomplete, irrelevant or misleading, or
 - an individual requests ATEC to correct the information.

ATEC will take the steps (if any) as are reasonable in the circumstances to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.
- If we refuse to correct the personal information, at the individual's request ATEC will take the steps as are reasonable in the circumstances to associate a statement in such a way that will make it apparent to users of the information that the information is inaccurate, out of date, incomplete, irrelevant or misleading.

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- ATEC will respond to a request for access to personal information within a reasonable period after the request is made and will give access to the information in the manner requested by the individual, if it is reasonable and practicable to do so. If ATEC refuses to give access to the personal information in the manner requested by the individual, it will take steps (if any) as are reasonable in the circumstances to give access in a way that meets ATEC's needs and the needs of the individual.
- There is no charge for making a request for access, however a reasonable administrative fee may be charged for providing access depending on the work involved in locating and providing the information. ATEC requires the individual requesting access to provide proof of their identity before giving access to the information.

e) **How an individual may complain about a breach of the APPs or a binding registered APP code (if any), and how ATEC will deal with such a complaint**

ATEC is committed to ensuring any complaints are dealt with and resolved in a timely manner and that feedback is provided to the client.

- If you have any concerns or queries about our privacy policy, or if you would like more information about the way we manage personal information, please contact our Privacy Officer on by phone on 1300 112 832 or write to ATEC at: PO Box 754, Port Adelaide SA 5015
- Individuals may make an informal or a formal complaint directly to ATEC in accordance with the ATEC Client Complaints Resolution Procedure (SUP-PRO-DOC-010.1) which is available from our website at: <http://www.atec.asn.au/pre-enrolment-information.html> ATEC will deal with privacy complaints in accordance with the ATEC Client Complaints Resolution Procedure.
- An individual may contact the Office of the Australian Information Commissioner for advice, information or conciliation.
- De-identified details of the nature of complaints may be recorded for use in future privacy audits.

f) **Disclosure of personal information to overseas recipients**

Generally ATEC does not disclose personal information to overseas recipients.

- If information is disclosed overseas, ATEC will take reasonable steps as are reasonable in the circumstances to:
 - to notify the individuals of the countries in which such recipients are located; and
 - to ensure that the overseas recipient does not breach the APP (other than APP 1) in relation to the information;
 - comply with APP 8 – cross- border disclosure of personal information.