

## 4.3 PRIVACY AND CONFIDENTIALITY POLICY

### Our privacy commitment

ATC Work Smart is committed to the security of your personal and sensitive information and maintains all such information in accordance with the 13 Australian Privacy Principles in the Privacy Act 1988, which regulates how ATC Work Smart will collect, update, use, keep secure or where necessary disclose and give access to personal information, as well as how complaints should be handled.

Personal Information is any information that identifies you or by which your identity can be reasonably determined. We will always be honest and transparent about how we use your personal information. All information collected by ATC Work Smart is in accordance with the Australian Privacy Principles (APP's) and will only be disclosed in accordance with these Principles.

All personnel will be made aware of this Privacy and Confidentiality Policy in their induction.

### 4.3.1 Collection of Personal Information

In the course of our function and activities as a Group Training Organisation (GTO) a Registered Training Organisation (RTO) and a Recruitment and Labour Hire organisation, ATC Work Smart collects personal information from apprentices, trainees, host employers, students, employers, job seekers, customers, staff and labour hire employees to provide you with the best possible service.

Personal information that we may collect and hold about you includes:

- your name, mailing and/or street address, phone numbers, fax numbers, email addresses;
- Information pertaining to enrolment and/or employment including; date of birth, employment status, Student ID, fee concession entitlement, qualifications, employment/work history, emergency contact details, Tax File Number, bank account, superannuation, proof of residency, sensitive information like relevant medical information and other information reasonably necessary to conduct our services. We may also require parental/guardian (name/contact) information for those under 18 years of age; We collect additional types of personal information to assess the credit risk when registering a host employer. For those details refer to the 'credit related information' further below. Wherever possible, we will collect personal information directly from you, except where you have consented to us collecting the personal information from a third party or the law permits us to do so or it is unreasonable or impractical to do so.

You may decide to provide your personal information to ATC Work Smart for a range of different reasons and in a range of means including:

- When you complete an enrolment form online or in-person
- When you complete an employment contract
- When you apply for a position online or in-person
- When you complete market research
- When you email ATC Work Smart or contact us by telephone or mail
- When you engage in ATC Work Smart Social Media activities
- When you send us documents containing your personal information
- When you enter a competition or promotion being conducted by us
- When you register to attend events held by ATC Work Smart
- When you access and use our website

We may also collect information from other sources such as written material sent to us, and publically available sources such as newspapers, social media, directories and public registers.

### 4.3.2 Use of Personal Information

ATC Work Smart will only use information that we hold about you for the primary purposes of delivering services as a GTO, RTO, Recruitment or Labour Hire organisation. Including but not limited to:

- Employing apprentices/trainees

- Hosting apprentices/trainees to host employers
- Enrolment and delivery of training courses
- Permanent Recruitment
- Employing Labour Hire personnel

We may also use your personal information to provide you with information about ATC Work Smart products, services, events and industry updates which we consider may be of interest to you.

#### **4.3.3 Government related Identifiers**

We will not adopt a government related identifier of an individual as our own identifier of the individual. We will not use or disclose a government related identifier of an individual unless:

- The use or disclosure of the identifier is reasonably necessary to verify the identity of the individual for the purposes of our activities or functions or
- The use or disclosure of the identifier is reasonably necessary to fulfil our obligations to a government agency or State authority or
- We reasonably believe that the use or disclosure of the identifier is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

#### **4.3.4 What happens if you don't provide the information requested?**

If you choose not to provide the personal information that we ask for, or the information that you provide us is incomplete or inaccurate, it may mean that ATC Work Smart may be unable to provide our services including processing your enrolment or employment.

#### **4.3.5 Direct Marketing**

ATC Work Smart may use or disclose personal information (other than sensitive information) about you for the purposes of direct marketing if:

- ATC Work Smart collected the information from you and
- you would reasonably expect ATC Work Smart to use or disclose the information for that purpose

We will consider that you consent to direct marketing, unless you opt out. You may opt out at any time if you no longer wish to receive marketing information or do not wish to receive marketing information through a particular channel, like email. Refer to 4.3.6 below.

The personal information that ATC Work Smart collects from or about you may also be used for secondary purposes such as updating you on industry requirements and developing products and services that may be available through us.

#### **4.3.6 Unsubscribing from ATC Work Smart communications**

If you don't wish to receive marketing material from ATC Work Smart, you can unsubscribe by advising us using the contact details below or use the unsubscribe function on electronic communications.

#### **4.3.7 Disclosure of Personal Information**

In order to provide you with our service, we may disclose some of your personal information to a number of organisations including but not limited to:

- Organisations engaged by, in partnership with or other service providers of ATC Work Smart for the purpose of establishing or administering services and promotions (direct marketing) such as Group Training Australia.
- Host Employer/Employer
- Your authorised representative or legal advisors.
- Banks or credit providers for payroll purposes or credit related functions such as the provision of account facilities.

- Government and statutory authorities, where required by law, for example the reporting of training results for a registered trainee; Australian Taxation Office; or nominated superannuation fund

Where personal information is disclosed ATC Work Smart will take all reasonable steps to ensure third parties use this information in accordance with the Australian Privacy Principles.

We do not disclose your personal information overseas.

#### **4.3.8 Credit related information**

ATC Work Smart may use your information to assess your credit risk when you apply for some services. For example we conduct a credit assessment before you hire an apprentice, trainee or labour hire employee.

#### **4.3.9 Anonymity and pseudonymity**

In accordance with the Australian Privacy Principles, a customer may where practicable deal with ATC Work Smart anonymously or by using a pseudonym. Customers dealing with ATC Work Smart anonymously or by pseudonym must accept that ATC Work Smart can take no responsibility for providing further information or services related to any transaction or communication.

#### **4.3.10 Storage and Security of Personal information**

ATC Work Smart will take reasonable steps to ensure all personal information held by the organisation is kept secure, both in a physical and electronic form, and will protect from misuse, loss and unauthorised access, modification or disclosure. Limited access will be given to authorised personnel only, and only where ATC Work Smart believes they reasonably need to come into contact with that information to provide products or services to you or in order to do their jobs. When the information is no longer needed for any purpose for which the information may be used or disclosed, it will be destroyed or permanently de-identified unless it is required to be kept by law.

#### **4.3.11 Openness**

ATC Work Smart's Privacy Policy is available to anyone who asks for it. It can also be accessed via our website: [www.atcworksmart.com.au](http://www.atcworksmart.com.au)

If a copy of our Privacy Policy is requested in a particular form, we will take such steps as are reasonable in the circumstances to provide a copy in that form. On request ATC Work Smart will take reasonable steps to let you know, generally, what sort of personal information we hold, for what purposes, and how we collect, hold, use, update and disclose that information about you.

#### **4.3.12 Access to and updating your personal information**

We take reasonable steps to ensure that all your personal information that we collect, use or disclose is accurate and up-to-date.

If you believe your personal information holds errors or information is missing please notify ATC Work Smart and we will endeavor to correct or add the information as soon as possible. You may access your personal information held by us (subject to some exceptions allowed by law). For details and access to this information please contact ATC Work Smart (as per details below).

For security reasons, you may be required to put your request in writing.

We will not disclose any personal information without first establishing the identity of the person requesting the information.

Adequate identification by, or authority from, an individual must be supplied to ATC Work Smart before any personal information will be provided.

A fee may apply for the administration of information provision.

#### **4.3.13 Links on our websites**

Our websites contain links to other sites. The terms of this Privacy Policy does not apply to external websites ATC Work Smart is not responsible for the privacy practices or the content of such websites.

#### **4.3.14 Concerns and complaints**

If you have any questions, concerns or complaints about this Privacy Policy, or our handling of your personal information, please contact us as per below.

To enable a complaint to be properly understood and acted upon it is requested that it be made in writing, specifying the personal information involved and the contact or process at ATC Work Smart that is the subject of the complaint.

Once a complaint has been lodged, we will respond to you as soon as possible. If you are not satisfied with our response, you are entitled to lodge a complaint with the Office of the Australian Information Commissioner on 1300 363 992 or [www.oaic.gov.au](http://www.oaic.gov.au)

#### **4.3.15 Responsibilities**

The General Manager will take responsibility for:

- investigating any complaints raised with respect to privacy and personal information
- reviewing the organisation's current and future practices and procedures to ensure compliance with this policy and current legislation
- reviewing this policy and advising on the education of staff of their responsibilities under this policy.

#### **4.3.16 Contacting Us**

If you have any questions, concerns or complaints about this Privacy Policy, or our handling of your personal information, please contact:

Peter Adams, General Manager, Phone: 6819 5300

Email: [peter@atcworksmart.com.au](mailto:peter@atcworksmart.com.au)

PO Box 1409 Albany WA 6330

If we receive a privacy complaint it will be treated seriously and dealt with promptly, in a confidential manner, and in accordance with ATC Work Smart internal complaints handling procedures. In the event that your complaint is not resolved to your satisfaction, you may refer your complaint to the Office of the Australia Information Commissioner (OAIC) using the online Privacy Complaints Form, which can be accessed via the OAIC's website at <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>. The OAIC can also receive complaints via mail, fax or email. If you need help lodging a complaint, you can call the OAIC enquiries line on 1300 363 992.

#### **4.3.17 Need more information?**

If you would like more information about privacy and the Privacy Act (including the Australian Privacy Principles), you can access the Privacy Commissioner's website on [www.privacy.gov.au](http://www.privacy.gov.au) Management reserves the right to update the ATC Work Smart Privacy Policy in line with technological advancements or as required by law.

#### **4.3.18 Policy Review**

ATC Work Smart shall review this document twelve (12) months after initial publication and thereafter at twelve (12) monthly intervals.