



# PRIVACY POLICY

## HTA Policy PL.033 Privacy Policy

### 1. APPLICABLE STANDARDS

National Standards for Group Training Organisations (GTO's) 2017  
Standard 3.1

### 2. PURPOSE

To ensure that HTA meets its legislative requirements regarding the management of personal information for trainees (and prospective trainees). This policy covers the collection, storage, use and disclosure of personal information.

### 3. DEFINITIONS

<b>APP's</b>	Australian Privacy Principles
<b>Personal Information</b>	Defined by the legislation as: Information or an opinion about an identified individual, or an individual how is reasonably identifiable: Whether the information or opinion is true or not AND whether the information or opinion is recorded in a material form or not.
<b>Sensitive Information</b>	Information or an opinion about an individual's racial or ethnic origin, political opinion, membership of a political association, religious beliefs, memberships of professional or trade associations, sexual preferences or practices, criminal record, medical/health information.
<b>Employee Record</b>	An employee record is defined under section 6(1) of the Privacy Act 1988 (Cth) to mean a record of personal information relating to the employment of the employee. Examples include health information about an employee, as well as personal information relating to: <ul style="list-style-type: none"><li>• the engagement, training, disciplining, resignation or termination of employment of an employee</li><li>• the terms and conditions of employment of an employee</li><li>• the employee's personal and emergency contact details, performance or conduct, hours of employment or salary or wages</li><li>• the employee's membership of a professional or trade association or trade union membership</li><li>• the employee's recreation, long service, sick, maternity, paternity or other leave</li><li>• the employee's taxation, banking or superannuation affairs.</li></ul>
<b>HTA</b>	Health Training Australia Inc.

### 4. POLICY

#### 4.1. Overview

- 4.1.1. HTA will comply with the Privacy Act 1988 (Cth.) and the Australian Privacy Principles. HTA is committed to respecting individual's rights to privacy and to protecting their personal information.



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- 4.1.2. Employee records (for current or former employment relationships) are exempt from the Australian Privacy Principles and therefore the requirements of this Policy, except as otherwise required by law.<sup>1</sup> In line with best practice, HTA may elect to apply any element of this Policy to employee records at their discretion.

### 4.2. Why Personal Information is Collected

- 4.2.1. HTA collects personal information from individuals in order to carry out their business activities as a Group Training Organisation. Primarily this is the recruitment, employment and placement of trainees, and associated activities including:
- promotional and marketing activities;
  - representing individual's interests in dealing with any relevant government or municipal authority dealing with recruitment and training, health and community services.
- 4.2.2. Examples of situations where HTA may collect personal information include, but are not limited to the following: traineeship enquiries and expressions of interest, trainee recruitment processes (including applications), trainee employment processes (including payroll processes), and ongoing management of employees during their traineeship period.

### 4.3. How Personal Information is Collected

- 4.3.1. HTA generally collects personal information directly from the individual and this information is usually provided to HTA on a voluntary basis by the individual as part of their application for an advertised traineeship (employment) with HTA, and if successful, their ongoing employment.
- 4.3.2. HTA will take reasonable steps to notify an individual prior to or at the time of collecting personal information from them.
- 4.3.3. HTA collects personal information through a variety of mechanisms, including but not limited to: telephone and face to face communications, web and hardcopy forms (e.g. job applications, application forms, payroll forms), online survey platforms (e.g. survey monkey), email and other written correspondence.
- 4.3.4. HTA also collects information from individuals who visit the HTA website ([htawa.com.au](http://htawa.com.au)). HTA uses cookies as a way of carrying authentication and transaction-state information between web pages. IP addresses are stored for

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<sup>1</sup> For clarity, this exemption does not apply to personal information of prospective employees, except where that prospective employee then becomes an employee. The exemption does not apply to prospective employees who do not become an employee, i.e. unsuccessful job applicants. The exemption does not apply for acts or practices of HTA that fall outside of the scope of the employment relationship.



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system administration and security purposes, and may additionally be used for profiling purposes.

4.3.5. HTA may also collect personal information about individuals from other parties where relevant, for example HTA may collect personal information about individuals from:

- A prior employer (as part of reference checking during selection);
- A Job Network Provider (where the individual has indicated a JNP is assisting them with employment);
- A Host Employer or Registered Training Organisation (to determine progress of a trainee during their traineeship).

### 4.4. Types of Personal Information Collected

4.4.1. Personal information collected from prospective trainees/employees or trainees/employees includes but is not limited to: name, address, date of birth, gender, contact details (phone, mobile phone, email address, residential address, postal address), identification details (driver's license details, passport, student/proof of age cards, birth certificate, marriage certificates, change of name certificates), credit card details, concession card details, prior employment history and referee details, you job network provider's details and jobseeker number, prior qualifications and certifications, photographs of you, health and medical information/history, workers compensation claim history.

### 4.5. Unsolicited Personal Information

4.5.1. Where HTA receives unsolicited personal information (such as a job application that is unrelated to current advertisements or EOI's), they will take action as follows:

- If the information could have been collected by HTA lawfully if it was solicited by HTA, then HTA may retain the information and may use/disclose the information for the primary purpose for which it was collected
- If the information could NOT have been collected by HTA lawfully if it was solicited by HTA, then HTA will destroy or de-identify the information if it is lawful and reasonable to do so.

### 4.6. Declining to Provide Personal Information and Anonymity

4.6.1. An individual may decline to provide personal information to HTA. However if an individual does not provide all the information HTA is seeking to collect, this may limit HTA's ability to provide traineeship and employment services. Similarly, while an individual may be able to interact anonymously with HTA in some circumstances, this may also limit HTA's ability to provide traineeship and employment services.



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### 4.7. Storing Personal Information

- 4.7.1. HTA will take reasonable steps to securely store personal information (whether held electronically or physically) and will take all reasonable measures to ensure that personal information is protected from unauthorised access or disclosure.
- 4.7.2. Where no longer required, HTA will destroy personal information in a secure manner, in compliance with HTA Records Management Procedures.
- 4.7.3. HTA or HTA's contracted data storage providers may use servers, systems and cloud computing providers outside of Australia. HTA contracts require these providers to protect the privacy of information when held on these servers and/or using cloud computing. HTA contractors are required to comply with the Australian Privacy laws.

### 4.8. Using/Disclosing Personal Information

- 4.8.1. HTA will only use, and where applicable disclose, personal information for the purpose for which it was collected and for other related purposes that an individual would reasonably expect. The primary use of personal information will be to undertake the recruitment of an individual for a traineeship (and evaluate their application), to place the individual with a host employer, and to manage and maintain the employment relationship during the period of employment.
- 4.8.2. In order to facilitate traineeship placements and ongoing employment of a trainee, HTA may need to disclose personal information about prospective trainees and trainees to a number of parties, including: Registered Training Organisation, Apprenticeship Support Network, Host Employer, Department of Training and Workforce Development (Apprenticeship Office). To this end:
  - Prospective trainees who are successful through to interview will be asked to complete a Personal Information Collection and Disclosure Form covering the recruitment and selection phase.
  - Prospective trainees, who are then employed under a traineeship, will be asked to complete Personal Information Collection and Disclosure Form, covering the employment phase.
- 4.8.3. If it is necessary to use/disclose personal information for any other purpose, not covered by the consent provided, HTA will seek further consent from the prospective trainee/employee or trainee/employee prior to doing so.
- 4.8.4. To protect the privacy and confidentiality of prospective trainees/employees or trainees/employees HTA will not release information about them to their relatives or friends unless a specific written consent has been provided. *[For example, if a personal calls claiming to be a relative of the prospective trainee/employee or employee/trainee and seeks information about their whereabouts, their place of*



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*work, their pay information or other details, HTA will not disclose this information or confirm/deny that they are associated with HTA unless a specific written consent is on file from the trainee/employee].*

- 4.8.5. HTA will not use or disclose any personal information that is contrary to its legal obligations under any law. Written consent must be obtained from the party involved should this information be disclosed outside of these obligations.

### 4.9. Direct Marketing

- 4.9.1. Personal information will not be used for the purposes of direct marketing, unless the individual would have a reasonable expectation that their personal information would be used for this purpose. An “opt out” option will be provided in any direct marketing campaign.

### 4.10. Overseas Disclosure

- 4.10.1. Personal information will not be provided to overseas recipients without the written permission of the individual.
- 4.10.2. HTA will not use or disclose any personal information that is contrary to its legal obligations under any law. Written consent must be obtained from the party involved should this information be disclosed outside of these obligations.

### 4.11. Government Related Identifiers

- 4.11.1. Trainees/employees (and prospective trainees/employees) are assigned internal identifiers by HTA. The identifier is classified as personal information.
- 4.11.2. HTA may also separately record government identifiers against trainees/employees (including prospective trainees/employees) where they are relevant to the recruitment or employment of the trainee (for example, Training Contract ID).

### 4.12. Quality of Personal Information Held

- 4.12.1. HTA will take reasonable steps to ensure that personal information is accurate and maintained up to date.

### 4.13. Accessing Personal Information Held

- 4.13.1. An individual may request access to their personal information held by HTA by contacting the person listed in 4.15.
- 4.13.2. An individual may need to provide proof of identify for HTA to supply the requested information to them. HTA may charge a fee for providing access to the information to cover the reasonable expenses incurred in responding to the request.



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- 4.13.3. HTA may provide access to the information requested in a number of different ways. This may include providing a copy (physical or electronic) or allowing an individual to view the record onsite.
- 4.13.4. HTA may refuse to provide an individual access to their personal information held if required or authorised by law to do so [such as where the information is covered by the Employee Record exemption]. If access is refused, HTA will provide the individual with an explanation in writing. An individual may lodge a complaint and/or appeal the decision.
- 4.13.5. Note: while a current or former employee may not be able to request access to their employee record under the Privacy Act (due to exemption for employee records), an access request may be able to be made under workplace relations laws in some circumstances for some information.

### 4.14. Correcting Information Held

- 4.14.1. If an individual provides reasonable evidence to demonstrate the personal information held by HTA is out of date, inaccurate, incomplete or otherwise incorrect, HTA will amend the personal information held.

### 4.15. Additional Information and Access Requests

- 4.15.1. If an individual requires further information, or wishes to submit a request for access, or make a complaint they may contact the HTA Privacy Officer:
- By Phone: 9273 3044
  - By Email: [hta@amawa.com.au](mailto:hta@amawa.com.au) (Attn: Privacy Officer)
  - By Post: to The Privacy Officer, HTA, PO Box 133 Nedlands WA 6909
- 4.15.2. If an individual is not satisfied with HTA's handling of a personal information access request or complaint they may refer the matter to:
- Office of the Privacy Commissioner
  - 1300 363 992 or [www.oaic.gov.au](http://www.oaic.gov.au)

## 5. POLICY LINKS

NA

## 6. POLICY DOCUMENTS AND SUPPORTING MATERIAL

- FT. 047 Privacy and Information Release Form



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### 7. POLICY REVIEW AND IMPLEMENTATION

The General Manager is responsible for the implementation of this Policy and may delegate responsibilities for elements of this Policy. Where this occurs, this delegation must be recorded within this document. This Policy is to be reviewed on an annual basis, or more frequently as required, with revisions detailed below.

Date of Issue and Revision	Description of Amendment	Reviewed (Coordinator/ Manager)	Authorised (General Manager)
Rev. 1.0 21/10/2019	Replace prior document 1.17	Samantha McPartland	Jan Norberger
Rev1.1 01/11/2022	Updates	Peita Alberti	Jan Norberger