



EMPLOYEE RELATIONS TOOLBOX

Title: HR-004 PRIVACY POLICY

Date Issued: 23 July 2021

Supersedes: 11 August 2012

Next Review: 30 June 2022

1.0 POLICY STATEMENT

Owen Pacific Workforce policy is to protect and manage information collected for the purpose of running its business in compliance with the provisions of the *Privacy Act 1988* and *Australian Privacy Principles*. Our policy is publicly available on our website.

2.0 BACKGROUND

In the course of business a company is presented with information associated with its activities which is used to conduct that business. This policy explains how the company protects the privacy of such information.

2.1 Privacy Principles

The Australian Privacy Principles express in practical terms the application of the act.

1. Open and transparent management of personal information
2. Anonymity and pseudonymity
3. Collection of solicited personal information
4. Dealing with unsolicited personal information
5. Notification of the collection of personal information
6. Use or disclosure of personal information
7. Direct marketing
8. Cross-border disclosure of personal information
9. Adoption, use or disclosure of government related identifiers
10. Quality of personal information
11. Security of personal information
12. Access to personal information
13. Correction of personal information

2.2 Employment Records Exempt

Records related to the employment of workers (past and present) are expressly exempt from the terms of the act. As an employer of seasonal workers this includes solicited or unsolicited information such as passports, visas, tax records, bank account details, performance and personal information. Nevertheless in general terms and at the company's sole discretion, it will manage employment records along the lines of this policy.

3.0 OPERATION

3.1 APP Entity

Owen Pacific Workforce Pty Ltd is an Australian Privacy Principles Entity, meaning it is bound by the principles and act. Because OPW operates as an Approved Employer under the Seasonal Worker Program it is required to collect, exchange and manage personal information with Australian government departments under different privacy arrangements. OPW also exchanges information with agents and government agencies in the countries from which it recruits seasonal workers.

3.2 Information Flow

When OPW collects personal information for the necessary functions of its labour hire business it may take steps to verify it with third parties in Australia and overseas. It will be held in our information systems and may be accessed, checked, annotated and corrected by the owner making a request to the Privacy Officer.

3.3 Kinds of Information Held

OPW will only hold information that is necessary for its functions and activities such as personal and performance information for a job applicant to assess their suitability for employment, or contact details, roles and responsibilities for a client, government agency or supplier, to facilitate communication and the delivery of OPW services.

Except where permitted and necessary, OPW will not collect sensitive information, unrelated to employment or business transactions such as race, or political opinion. The collection of some sensitive information such as medical history and criminal record is permitted and if necessary will be collected.

Owen Pacific Workforce will not normally use for its own purposes an identifier that has been assigned by a government agency, such as a tax file number. The company will give people the option to interact anonymously with the company whenever it is lawful and practicable to do.

3.4 Overseas Disclosure

Worker's records are exempt from the provisions of the act. Nevertheless its provisions serve as a guide to sound policy. Therefore as most of OPW's workers come from overseas the company will usually only disclose information back to the sending country where the worker has given their consent; implied by authorising an agent or their Labour Sending Unit to send information to OPW first; or in writing in regard to other entities such as an accountant or superannuation agent.

3.5 Direct Marketing

OPW does not participate in direct marketing.

3.6 How Personal Information is Collected, Held and Disclosed

Personal information is collected directly from the owner or their authorised agent. If in rare circumstances OPW collects personal information from publicly available sources for inclusion in our records the company will manage the information in accordance with the APPs and its Privacy Policy.

Personal information is held in OPW computer systems such as email and cloud-based spreadsheets and documents which have limited access and are protected by passwords until no longer needed or required by law to be retained, at which time it will be deleted.

OPW may disclose personal information for any of the purposes for which it is held and as required by law. Disclosure will usually be in the normal course of providing the services and related activities of the company such as to obtain insurance, financial advice and other lawful activities.

3.7 Photos and Images

OPW is required to retain evidence of a worker's identity, such as a photograph of their passport bio page, or their right to perform certain functions such as a driver's or forklift licence or white card.

3.8 Data Breach Notifications and Response

In the event of a data breach, OPW would respond by measures appropriate to the nature and seriousness of the breach and the size and resources of the organisation in the context of the following steps set out in the Office of the Australian Information Commissioner's data breach guidelines.

Step 1: Contain the data breach to prevent any further losses

Step 2: Assess the data breach by gathering the facts and evaluating the risks

Step 3: Notify individuals and the Commissioner if required.

Step 4: Review and consider preventative action.

3.9 Access and Correction

Information collected from a job applicant, other individual or entity must be managed in accordance with this policy. If, for example, a job applicant requests to view the record of their application the request must be referred to the company Privacy Officer who will determine how to proceed. Except for evaluative opinion material obtained confidentially personal information will be made available to the owner to verify or correct under the direction of the Privacy Officer. If OPW has disclosed any information which is later found to be inaccurate the owner can request OPW to notify the third party of the correction if it is reasonable and lawful to do so.

There is no reason to retain job applicant records after the recruitment decision has been made. Following a decision to not hire a person has been made the application and all associated records should be destroyed.

3.10 Privacy Complaints Procedure

In the event that an individual has a concern or complaint about matters of privacy they should raise the matter with the company Privacy Officer. The Privacy Officer will arrange to investigate the matter and respond to the individual. Should the individual be dissatisfied with the company's response they may take the matter up with the Privacy Commission.

3.11 Privacy Officer

The company Privacy Officer is the Company Secretary, Grant Owen. He may be contacted at 0429585356 or grantowen@gmail.com.

3.12 Job Applicants - Notice of the Collection of Personal Information (APP 5 Notice)

You are about to apply for a job with Owen Pacific Workforce. Our contact details are found elsewhere in this website. Collection of your personal information is for the purpose of fairly assessing your suitability for the job for which you have applied and is private and confidential. Our commitment to protecting your interests in this regard is outlined in the preceding policy. Please read the policy before proceeding with your application.

If you decline to provide any information we have requested we may not proceed with your application. Your information will only be used to assess your suitability for employment and will not be disclosed outside OPW. If you are not offered employment your application and all related records will be destroyed in due course. If you do not believe these guidelines are adequate to protect your information you should not provide it.

References for further information:

[Office of the Australian Information Commissioner](#)
[Australian Privacy Principles](#)