



ATSILS

Aboriginal and
Torres Strait Islander
Legal Service (Qld) Ltd

Chapter 2: Human Resources and Workplace Health and Safety

Policy Number: 2.4

Version Number: 2

Date of Issue: May 2017

Review Date: May 2019

Next Review: May 2021

Workplace Privacy (Online) Policy

As per its Privacy and Confidentiality policies relating to governance and service delivery, ATSILS is committed to treating the personal information we collect in accordance with the Australian Privacy Principles in the *Privacy Act 1988 (Cth) (Privacy Act)*. This Privacy Policy procedure sets out how ATSILS handles personal information.

The ATSILS Privacy Policy and these procedures do not apply to personal information collected by ATSILS that is exempted under the *Privacy Act*, for example, employee records. In this Privacy Policy, 'ATSILS', 'we', 'us' and 'our' is a reference the Aboriginal & Torres Strait Islander Legal Service (Qld) Limited.

1. Personal Information We Collect in the ATSILS Employment Cycle

The types of personal information we collect at work include:

1. names, job titles, contact and address details
2. information in identification documents (for example, passport, driver's licence)
3. tax file numbers and other government-issued identification numbers
4. date of birth and gender
5. bank account details, salary sacrifice accounts (eg. mortgage details, rental accounts)
6. details of superannuation and insurance arrangements
7. educational qualifications, employment history, salary and referee reports
8. visa or work permit status
9. criminal record
10. your online activity from our workplace equipment
11. your Internet Protocol (IP) address
12. your medical, health, "return to work" and rehabilitation records
13. personal information about your next of kin, possibly other family members.

It may be necessary in some circumstances for ATSILS to collect sensitive information about you for Recruiting and Work Experience student placement purposes. Examples of the types of sensitive information that may be collected in such circumstances include professional memberships, ethnicity, criminal record, residential address, duration of professional association admission, and fitness-for-work or health information.

At other times you may be requested to give your opinion about your recruitment or service delivery experience. In these circumstances ATSILS will take care to avoid identifying you in any report.

2. How We Collect and Manage Personal Information

2.1. How we collect personal information

Generally, we collect your personal information from you directly (for example, when we deal with you in person or over the phone, when you enter data into our Recruitment Online Portal Database, send us correspondence (including via email), when you complete a form or survey, when you subscribe to our publications or when you use our website or our social media).

Sometimes it may be necessary for us to collect your personal information from a third party. For example, we may collect your personal information from your employer when checking your employment history, or carry out a *Working With Children* check, or a tertiary institution to check your qualifications records. Many of these services require us to submit your personal information (e.g. date of birth, full name).

We may also collect personal information about you from your use of our website and information you provide to us through contact mailboxes or through the registration process on our website. You may also be asked about your experience as a candidate for employment, a client, or a third-party seeking service from ATSILS. In these circumstances you will be given the option to avoid providing private information to us – e.g. your residential address, your date of birth, your full name.

Workplaces: From time to time, in offices where security incidents with the public or clients have resulted in an increased surveillance, some ATSILS workplace have surveillance cameras in operation. Such surveillance is always notified by written advice upon entry to our facilities.

Monitoring of staff entry, exit and attendance is commonplace in most ATSILS workplaces. In some circumstances, with Executive staff approval, monitoring of employee use of email, the internet and other computer resources is undertaken through its information technology systems.

2.2. Where you provide us with personal information about someone else

If you provide us with someone else's personal information, (eg. a Referee, a Credit Checking Service) you should only do so if you have their authority or consent to provide us with their personal information. You should also take reasonable steps to inform them of the matters set out in this document.

No ATSILS employee is authorised to provide sensitive information without the current and written consent of the employee at any stage in the employment cycle, including upon termination of service, during a WorkCover claim, insurance matters, post-employment medical services, income or real estate enquiries and accident investigation matters etc..

2.3. Holding personal information

ATSILS holds personal information in hard copy and electronic formats. We take security measures to protect the personal information we hold including physical (for example, security passes to enter our offices and storage of files in lockable cabinets) and technology (for example, restriction of access, firewalls, the use of encryption, digital certificates, passwords) security measures. We also have document retention policies and processes. In some cases, ATSILS engages third parties to host electronic data (including data in relation to the services we provide) on our behalf.

2.4. Purpose for collecting, holding, using and disclosing personal information

ATSILS collects, holds and uses personal information for a number of purposes including:

1. to provide professional services
2. to provide specific case management solutions
3. to respond to requests or queries
4. to notify of professional development seminars and other events
5. to verify your identity and employment or work-placement application records
6. for administrative purposes, including processing payment transactions
7. for purposes relating to the employment of our personnel

8. when engaging service providers, contractors or suppliers relating to the operation of our organisation
9. to manage any conflict of interest or independence (including auditor independence) obligations or situations
10. for seeking employee, prospective employee and former employee feedback
11. to arrange mentors, coaches, counsellors or health services
12. to brief emergency personnel in the event of an incident or safety alert
13. to meet any regulatory obligations
14. to perform internal statistical analysis, including of our databases and website
15. for any other service delivery related purposes.

If you do not provide us with the personal information we have requested, we may not be able to complete or fulfil the purpose for which such information was collected, including providing you or our clients with the services we are contracted to perform.

The types of third parties to whom we may disclose your personal information include:

1. probity (Merit) checking agents such as “CV Check” or professional bodies such as Law Societies, Bar Associations, etc.;
2. your educational institution(s);
3. our agents, contractors and external service providers, including Legal Super, our default superannuation fund and Alltech, our payroll provider, and our information technology providers (such as Action HRM);
4. our professional advisers (e.g. fraud investigation service);
5. as part of an alliance associated with service-delivery or research (such as a University regarding the evaluation of our service or one of its programmes);
6. government or regulatory bodies or agencies, as part of an engagement, reporting or otherwise, (for example, the Australian Taxation Office, our Commonwealth funders, Queensland Government funding agencies etc..). Where we have an option to avoid identifying our personnel, we will always take this option (e.g. Workplace Gender Equality Agency or WorkCover reporting).

We do not disclose personal information to third parties for the purpose of allowing them to send marketing, sales, or other enticement material to you. However, we may share non-personal, de-identified or aggregated information with them for research purposes.

3. Direct Marketing: Project calls

ATSILS may also use your personal information for the purpose of marketing its employment services and related projects. This is not a common practice, but may be utilised to attract sudden interest in a role or vacancy, opportunity or call of project assistance. If you do not want to receive invitations or “marketing material” from us, you can contact us as detailed below:

1. for electronic communications, you can click on the unsubscribe function in any of our marketing email or social media communications, or
2. through our contact details (eg. careers@atsils.org.au or info@atsils.org.au).
3. In response to a request for your continued interest to be considered for workplace employment with us.

4. Privacy On Our Website

4.1. Links to third party websites

ATSILS's websites may contain links to or from third parties' websites, including

1. sites maintained by our contracted providers (eg. Action HRM)
2. social media, such as Facebook, Linked In, YouTube.
3. "Job Boards" such as Seek, Indeed, or Ethical Jobs etc..
4. University or industry employment portals.

Those other websites are not subject to our privacy policy and procedures. You may need to review those websites to view a copy of their privacy policy.

ATSILS also does not endorse, approve or recommend the services or products provided on third party websites.

4.2. Your choices

You have several choices regarding your use of this ATSILS' website. In general, you are not required to provide personal information when you visit our websites. However, if you apply to receive information about our services, events and advocacy updates or wish to apply for a job or consultancy or student placement, provision of certain personal information will generally be required.

4.3 Your feedback

From time to time we may seek your opinion about services you have received from us. This usually asks for some information about you. ATSILS takes care to avoid providing information that is not available through public sources (eg. your court feedback).

5. Gaining Access to Personal Information We Hold

You can request access to your personal information, subject to some limited exceptions permitted or required by law. Such requests must be made in writing to the ATSILS Principal Legal Officer (PLO). Please write to info@atsils.org.au with your request, allowing around two weeks for a reply.

6. Keeping Personal Information Current

If you believe that any personal information ATSILS has collected about you is inaccurate, not up-to-date, incomplete, irrelevant or misleading, you may request correction. To do so, please contact our Executive Support Officer and we will take reasonable steps to correct it in accordance with the requirements of the *Privacy Act*.

7. Complaints

If you wish to make a complaint to ATSILS about our handling of your personal information, you can contact the Principal Legal Officer via email to info@atsils.org.au. You will be asked to set out the details of your complaint in writing in a form provided.

ATSILS will endeavour to reply to you within 30 days of receipt of the completed complaint form and, where appropriate, will advise you of the general reasons for the outcome of the complaint. In some circumstances, the Principal Legal Officer may decline to investigate the complaint, for example if the complaint relates to an act or practice that is not an interference of the privacy of the person making the complaint. In some circumstances, particularly regarding privacy and security, the Principal Legal Officer will escalate your complaint to our Chief Executive Officer.

Please note that ATSILS Qld is not a public employer, and as such many of the privacy protections for an individual relating to workplace privacy are not addressed under the *Privacy Act 1988 (Cth)*.

If you are not satisfied with the outcome of your complaint, you can refer your complaint to the Office of the Australian Information Commissioner.

8. How To Contact Us

If you have a query in relation to this Privacy Procedure or you would like to notify ATSILS that you no longer wish to receive any information from us, access or correct your personal information or to make a complaint about ATSILS's handling of your personal information, please contact ATSILS as follows:

Executive Support Officer

info@atsils.org.au

Tel: Australia 61 (07) 3025 3888