

Employee Records Privacy Policy

Policy Overview

K1 Payroll Pty Ltd has implemented a Employee Records Privacy Policy. The policy takes effect immediately.

What is the Employee Records Privacy Policy?

The Employee Records Privacy Policy provides individuals with information around how personal employment information is collected, used and accessed at K1 Payroll Pty Ltd.

Some important points to consider

The policy outlines the guidelines that the Company will follow when collecting, using and providing access to personal information related to employment matters.

With regard to access of information:

- Staff members may make a written request to access their personal information. There are certain circumstances under which access may be denied .The policy sets out these circumstances.
- The Company will not disclose personal information regarding staff members except under certain conditions. These conditions are outlined in the policy.

What do I need to do?

You need to carefully read through the Employee Records Privacy Policy to make yourself familiar with the contents of the policy and with Company guidelines.

Failure to comply with the policy may lead to disciplinary action including termination of employment.

Who is involved?

The Employee Records Privacy Policy applies to all employees (including temporary and casual workers, contractors and subcontractors) at K1 Payroll Pty Ltd.

Policy and Further information

Your manager is available to assist with any queries you have relating to the policy which is detailed below.

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Policy Purpose

The purpose of the Policy is to protect employees' private information and where necessary, to ensure that K1 Payroll Pty Ltd conforms with the *Privacy Act 1988* (Cth), and the National Privacy Principles of the Act.

Importantly, the handling of employees' personal information by private sector employers is exempt from the Privacy Act if it is directly related to:

- your current or former employment relationship
- an employee record relating to you.

Definition of Employee Record

An employee record is a record of personal information either conventional or in electronic format relating to the employment of a staff member. The record comprises information about your employment and may include:

- employee, referee and emergency contact details
- applications for employment and supporting documents
- selection committee reports
- employment contracts, and other records relating to terms and conditions of employment
- details of financial and other personal interests supplied by employees and their immediate family members for the purpose of managing perceived or potential conflicts of interest
- proof of Australian citizenship
- certified copies of any academic qualifications and/or certifications including but not limited to academic transcripts, working with children checks and police record checks
- records relating to salary, employment benefits and leave
- medical certificates or health related information supplied by an employee or their medical practitioner
- taxation details
- banking information necessary to pay salary and wages
- superannuation contributions
- details of an employee's membership of a professional or trade association or trade union membership;
- information relating to employees' training and development
- information about an employee's performance.

Collection of Information

Personal information must only be collected for purposes necessary to the functions and activities of the Company. These include:

- Selection, employment, appraisal, discipline, remuneration of staff, and Company administrative activities.

Personal information must only be collected by means that are permissible by law.

When personal information is collected by the Company, the Company must clearly state:

- the fact that the information is being collected;
- the purposes for which the information is being collected;
- the intended recipients of the information;
- whether the supply of the information by the individual is required by law or is voluntary, and any consequences for the individual if the information is not provided; and,
- the existence of any right of access to, and correction of, the information.

When the Company collects personal information from a staff member, the Company must take such steps as are reasonable in the circumstances (having regard to the purposes for which the information is collected) to ensure that:

- the information collected is relevant to that purpose, is not excessive, is accurate, up to date and complete; and
- the collection of the information does not intrude to an unreasonable extent on the personal affairs of the staff member to whom the information relates.

Where reasonably possible, the Company will only collect personal information directly from the staff member to whom the information relates. Frequently this will be collected from official Company forms but it may also be collected from email, letters or other forms of communication. However, the staff member may authorise the collection of information from a third party or, in the case of a person under the age of 16, authorisation may be given by a parent or guardian of that person.

If the Company collects personal information about a staff member from a third party, reasonable steps must be taken to ensure that the staff member is or has been made aware of the collection and the reason for the collection.

Use of Information

The Company must not use the information for a purpose other than that for which it was collected unless:

- the staff member to whom the information relates has consented to the use of the information for that other purpose;
- the other purpose for which the information is used is directly related to the purpose for which the information was collected;
- the use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual to whom the information relates or of another person; or
- if so directed by a court of law.

Access to Information

Current and previous staff members are entitled to know whether personal information about them is held by the Company, the nature of the information, the main purposes for which it is used and their entitlements to gain access to it.

Access to personal information includes opportunity for the staff member to inspect records, take notes or obtain a photocopy or computer printout however, this must be in the presence of a representative from Human Resources.

Access for the Individual

The Company will provide the staff member access to their personal employee record upon written request by the staff member, except:

- in the case of personal information, other than health information, providing access would pose a serious and imminent threat to the life or health of any staff member;
- providing access would have an unreasonable impact upon the privacy of other staff members;
- the request for access is frivolous; or
- providing access would be likely to prejudice the outcome of an internal investigation.
- providing access would reveal the intentions of the organisation in relation to negotiations with the

- staff member in such a way as to prejudice those negotiations;
- providing access would be likely to prejudice an investigation of possible unlawful activity; and
- denying access is required or authorised by or under law.

Access for others

The Company will not disclose personal information to anyone or any organisation, unless:

- the disclosure is related to the purpose for which the information was collected. There must be no reason to believe that the staff member concerned would object to the release of the information;
- the staff member concerned was reasonably likely to have been aware, or had been notified, that the personal information is usually disclosed to the person or agency;
- the disclosure is necessary to prevent or lessen a serious and imminent threat to life or health of any person;
- in relation to some investigations and law enforcement process; and
- where legislation recognises lawful access by some government agencies.

The Company must provide reasons for denial of access or a refusal to correct personal information.

Provision of Information

The Company will respond to a staff member's written and signed request for their personal information as soon as practicable.

The time taken to respond to a staff member's request for access may be influenced by various factors. These may include the method of communication, the type or amount of personal information requested, how the personal information is held, if a third party needs to be consulted and how it is to be provided to the individual making the request.

Grievances

Any grievance arising from the application of these arrangements shall be managed using the grievance management process set out in the Grievance Policy.

What happens if someone breaches this policy?

The Privacy Policy is designed to promote and enhance the confidentiality of staff in the workplace. A failure to comply with this policy will be viewed seriously and may result in disciplinary action, including dismissal.

Staff must report breaches of this policy to their manager or another appropriate senior manager.

The Company will use its utmost endeavours to protect staff who, in good faith and with good grounds, report breaches of the privacy policy.

The consequences of a breach of this policy will vary depending on the type and seriousness of the breach and will be at the discretion of K1 Payroll Pty Ltd. Depending on the circumstances, the following may take place, including but not limited to disciplinary action including counselling, a formal written warning or the termination of employment.