

# Privacy Policy (Workers)

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**Barnardos**  
Australia

# Barnardos Privacy Policy

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# Barnardos Privacy Policy

## 1. Privacy Policy Summary

- 1.1 Barnardos Australia (Barnardos, we, us, our) take privacy very seriously.
- 1.2 Our Privacy Policy outlines the types of personal information that we collect, why we collect it, how we handle it and how we store it.
- 1.3 We collect different types of personal information depending upon how we engage with you. It is collected from various different sources including directly from you and from outside sources and third parties (e.g. when we contact a referee).
- 1.4 The primary purpose for which we collect personal information from you is to best manage our relationship with you. We may also collect your personal information for reasons associated with these primary purposes. We will only use your personal information if we have a lawful reason to do so.
- 1.5 The security of your personal information is very important to us, and we have systems in place to protect the personal information we hold. We securely store the personal information that we collect.
- 1.6 This is a summary only. For more detail about how we manage your personal information, please see the complete policy below.
- 1.7 To access or update your personal information or make a complaint in relation to Barnardos Privacy Practices, please contact the [insert position title] via [insert email address].

## 2. Commencement of Policy

- 2.1 This Privacy Policy (Policy) commences from 8 December 2021. This Policy relates to Barnardos and, where relevant, operates in conjunction with other policies relating to privacy and the disclosure of Personal Information and the contract of employment, agreement, or contract for services.

## 3. Scope

- 3.1 This policy applies to Workers and includes current and prospective employees (permanent, maximum-term and casual), board members, managers, volunteers, students, consultants, contractors and labour hire personnel who are engaged by Barnardos.
- 3.2 This Policy does not form part of any person's contract of employment, agreement, or contract for services.

## 4. Purpose

- 4.1 The purpose of this Policy is to:
  - a) provide for the fair collection and handling of Personal Information;

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- b) ensure that Personal Information we collect is used and disclosed for Relevant Purposes only;
- c) protect the confidentiality of Personal Information through appropriate storage and security;
- d) regulate access to and correction of Personal Information.

## 5. Definitions

5.1 In this Policy, the following terms are defined as:

- a) 'Personal Information' refers to information or an opinion about Workers from which an individual's identity can reasonably be ascertained. This includes any personal information or opinions about the person, whether true or not, no matter how the information or opinions are recorded. Barnardos only collects Personal Information that it needs for a Relevant Purpose.
- b) 'Sensitive Information' is a special category of Personal Information and includes information about a person's health (such as COVID-19 vaccination status or medical exemption information), race, or ethnic origin, political or religious beliefs, membership of a trade union or association, sexual preference or criminal record. Barnardos will not disclose a person's Sensitive Information without the person's consent, unless there is a need to disclose such information in accordance with Privacy Act or to comply with any other legislation.
- c) 'Employment Records' is a record of Personal Information relating to the employment of the employee or a former employee. This may include health information; the engagement, training, disciplining or resignation of the employee; the termination of employment of the employee; the terms and conditions of employment; the employee's personal and emergency contact details; leave records; taxation, superannuation or banking details; and the employee's salary or wages.
- d) 'Record of registered tradesperson (Contractors)' is a record held for contractors registered to deliver services for Barnardos. Examples of Personal Information relating to a Contractor include business registration, qualifications, insurance coverage, invoices and payments.
- e) 'Relevant Purpose' is a purpose related to the person's employment, interaction or engagement with Barnardos whether it be prospective, current or retrospective. Examples of a Relevant Purpose include but are not limited to, recruitment, selection, workforce planning, training, development, consulting, counselling or engagement of services.
- f) 'Confidential Information' includes (but is not limited to) the following, Barnardos: trade secrets; intellectual property; confidential know-how; policies, systems and protocols; information about the business and its affairs such as pricing and fee information, marketing or strategic plans, commercial and business plans, financial information and data, and operational information and methods; methodologies and supporting

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documentation; software products, manuals and associated tools; commercial information in relation to current and prospective operations; information about suppliers, dealers, clients or customers such as their specific requirements, arrangements and past dealings; client lists, supplier lists, dealer lists; customer, client and supplier lists; business cards and diaries, calendars or schedulers; reports; working papers; training manuals; equipment; computer information and programs; Personal and financial information of which an individual or entity becomes aware, and all other information obtained from Barnardos or obtained in the course of an individual's employment or engagement with Barnardos that is by its nature confidential.

- g) 'Worker/s' means, as defined in the WHS Act, any person who carries out work in any capacity for the Agency (paid or unpaid). The term includes employees (current and prospective, contractors or sub-contractors, labour hire workers, apprentices or trainees, students gaining work experience, outworkers and volunteers. The Barnardos Board is covered under the term 'volunteers' as the Board Members perform unpaid duties for Barnardos.

## 6. Method of Collection

6.1 The main way that we collect Personal Information is when we ask a person to give it to us.

6.2 Personal Information and Sensitive Information, may be collected from Workers:

### Collection of Personal Information

6.3 Personal information will only be collected where it is reasonably necessary for one or more of our functions or activities.

6.4 Barnardos only collect Personal Information about an individual by fair and lawful means and only if the information is necessary for one or more of Barnardos functions and collection of the Personal Information is necessary to:

- a) provide appropriate services;
- b) comply with the provisions of state or commonwealth law;
- c) provide data to government agencies in compliance with state or commonwealth law;
- d) lawfully liaise with a nominated representative; or
- e) to contact an emergency contact if requested or needed.

6.5 Examples of the types of Personal Information that we may collect include:

- a) Employment Records and Contractor Records;
- b) general identification information such as name, occupation, date of birth, gender;
- c) contact details such as address, email address, mobile phone number;
- d) educational qualifications, employment history, referee report;
- e) financial information such as credit card and bank account details;
- f) visa or work permit status and related information;
- g) communications between us and you.

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6.6 Where Personal Information is collected from an entity, we consider it is that entity's responsibility to ensure they are entitled to disclose that information for Barnardos perusal in accordance with our Privacy Policy, without us taking any additional steps.

## Collection of Sensitive Information

6.7 We only collect Sensitive Information about an individual if the collection of the information is reasonably necessary for or directly related to one or more of our functions and:

- a) you have consented to the collection of this information; or
- b) the collection of the information is required or authorised by or under an Australian law or a court/tribunal order; or
- c) a permitted general situation exists in relation to the collection of the information; or
- d) a permitted health situation exists in relation to the collection of the information; or
- e) the information relates to our activities.

## 7. Unsolicited Information

7.1 If we receive Personal Information from an individual or entity that we have not solicited and we could not have obtained the information by lawful means, we will destroy or de-identify the information as soon as practicable and in accordance with the law.

## 8. Prospective employees

### Information collected

8.1 Barnardos collects Personal Information from job applicants and candidates in the recruitment process.

8.2 The collection of Personal Information about job applicants may be obtained from a third-party source, such as a recruitment agency.

8.3 If a prospective employee seeks access to and/or correct their Personal Information held by Barnardos, they should contact [hr@barnardos.org.au](mailto:hr@barnardos.org.au).

## 9. Use and Disclosure of Personal Information

9.1 We only use Personal Information (including Sensitive Information) for reasons related to the proper operation of our business, a person's interaction with Barnardos or a person's employment. Reasons include:

- a) to provide services to our clients;
- b) to comply with legal and work, health and safety requirements including Public Health Orders and our own requirements in relation to COVID-19 vaccinations;
- c) for administrative purposes;

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- d) for purposes relating to the employment or engagement of our Workers, including recruitment processes such as contacting referees, assessment of suitability, background checks, and workforce management;
- e) for governance and compliance purposes including meeting any legal requirements;
- f) for marketing material such as the use of images in promotional material;
- g) for other purposes relating to our business.

9.2 We do not use or disclose Personal Information for a purpose other than the primary purpose of collection (secondary purpose), unless one of the following applies:

- a) you have consented to our using or disclosing your Personal Information for a secondary purpose;
- b) the secondary purpose is related (or directly related for Sensitive Information) to the primary purpose and you would reasonably expect disclosure of the information for the secondary purpose;
- c) we believe on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to an individual's life, health or safety or a serious threat to public health or public safety;
- d) the use or disclosure is otherwise required or authorised by law.

9.3 We will not disclose personal information for the purpose of direct marketing by other organisations.

9.4 We are unlikely to disclose Personal Information to overseas recipients.

## 10. Access to Personal Information

10.1 An individual may request access to any Personal Information we hold about them. Any such requests must be made in writing to the [hr@barnardos.org.au](mailto:hr@barnardos.org.au).

10.2 We will consider any requests but may refuse to provide access in circumstances where we entitled to refuse access under the Privacy Act.

## 11. Correcting Personal Information

11.1 Barnardos will take reasonable steps to correct Personal Information if we are satisfied that it is inaccurate, out-of-date, incomplete, irrelevant, or misleading; or if the individual asks us to correct the information.

## 12. Personal Information Security

12.1 Barnardos is committed to keeping secure the Personal Information you provide to us. Barnardos will take all reasonable steps to ensure the Personal Information it holds is protected from misuse, interference, loss, from unauthorised access, modification or disclosure.

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12.2 We store emails and personal information with third-party data service providers. We ensure that these service providers comply with the Privacy Act or are subject to laws or schemes that provide similar standards and protections.

12.3 Barnardos also keeps records of Workers in a secure storage area. Records of previous Workers are archived and stored in a locked service away from general use. All records shall only be used for the purpose it was intended. An individual or their representative can request access to records relating to them, as requested and after consultation with the [hr@barnardos.org.au](mailto:hr@barnardos.org.au).

12.4 Our security measures include, but are not limited to:

- a) training our employees on their obligations with respect to your Personal Information;
- b) use of passwords when accessing our data storage system;
- c) the use of firewalls and virus scanning tools to protect against unauthorised interference and access.

## 13. Breaches of this Policy

13.1 A breach of this Policy by an employee may lead to disciplinary action including, but not limited to, termination of employment.

13.2 A breach of this Policy by an independent contractor may lead to, but not limited to the termination of the contractor's agreement.

13.3 A breach of this policy by a volunteer may lead to the relationship ending.

## 14. Amendments of this Policy

14.1 Barnardos reserves the right to vary, replace or terminate this policy from time to time.

## 15. Complaints and grievance procedures

15.1 If you wish to make a complaint about the way we have managed your Personal Information you may make that complaint verbally or in writing by setting out the details of your complaint to Barnardos Privacy Officer, Rita D'Arcy, on (02) 9218 2450 or email [privacy@barnardos.org.au](mailto:privacy@barnardos.org.au)

15.2 Alternatively, if you remain dissatisfied, complaints may also be referred to the Australian Information Commissioner. The Australian Information Commissioner receives complaints under the Act. Complaints can be made:

- a) online <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>; or
- b) email [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au);
- c) by phone (1300 363 992); or
- d) fax (02 9284 9666); or



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- e) in writing to this address: Office of the Australian Information Commissioner. GPO Box 5218 Sydney NSW 2001

## 16. How we will deal with your complaint

16.1 The complaint will be investigated by us in accordance with our internal procedures and processes.

16.2 You may be invited to participate in a conference by the person conducting the investigation. At the discretion of Barnardos Privacy Officer, other interested parties may also be invited to participate in the conference to discuss the nature of the complaint and attempt to resolve it. This may include the presence or participation of a support person or advocate for the complainant.

16.3 You will be provided with a response to your complaint within a reasonable timeframe after completion of any investigation. This response will be in writing and will include the outcome of the investigation, any proposed action and details of the right to lodge a complaint with any relevant external organisations.

## 17. Barnardos Privacy Officer

17.1 The Barnardos Privacy Officer manages and administers all matters relating to protecting the privacy of individual's Personal Information.

17.2 The Barnardos Privacy Officer can be contacted if any relevant person wishes to obtain more information about any aspect of this policy or about the way in which we operate to protect the privacy of individual's Personal Information.

17.3 As stated above, complaints may also be made to the Barnardos Privacy Officer if any person suspects we have breached this Privacy Policy, the Australian Privacy Principles or they are otherwise unhappy with the management of their Personal Information or if they are responsible for another person, that person's Personal Information.

## 18. Related Information

### Barnardos

This policy has been written with reference to and operates in conjunction with the following policies:

- Policy – Privacy (Clients)
- Policy – Archiving
- Policy – Code of Conduct
- Policy - Complaints
- Policy – IT
- Policy – Social Media
- Policy – Donor Privacy Policy
- Procedure – Data Breach Response Plan

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## External

This policy has been written with reference to and operates in conjunction with the following legislation and external standards:

## Commonwealth

- Privacy Act 1988

## New South Wales

- Children and Young Persons (Care and Protection) Act 1998
- Privacy and Personal Information Protection Act 1998
- Health Records and Information Privacy Act 2002

## Australian Capital Territory

- Children and Young People Act 2008
- Information Privacy Act 2014
- Health Records (Privacy and Access) Act 1997

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## Version control and change history

<b>Approved by:</b>	Executive Leader, People & Culture	<b>Approval date:</b>	December 2021
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<b>Contact for Queries:</b>	People & Culture		

Version Number	Approval Date	Approved by	Amendment
1.0	December 2021	Executive Leader, People & Culture	New Policy to align with the Privacy Policy - Clients