JOBS AUSTRALIA ENTERPRISES

PRIVACY POLICY

Document Number:	JA-0-D006
Version:	2.4
Approval Date:	03/11/2025

This document contains our Policies and procedures for Privacy within our organisation. It should be read in conjunction with relevant JAE Policies and Procedures.

Authorised by CEO

CHANGE SUMMARY			
REVISION	DATE	SUMMARY OF CHANGE	AUTHORISED BY
1.0	25/08/2020	INITIAL DRAFT	CEO
2.0	01/11/2021	NEW FORMAT	CEO
2.1	11/11/2022	UPDATE TO FORMATING	CEO
2.2	10/10/2023	PERIODIC REVIEW	CEO
2.3	27/09/2024	PERIODIC REVIEW	DEPUTY CEO
2.4	03/11/2025	PERIODIC REVIEW	CEO

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1. INTRODUCTION

All personal information collected by Jobs Australia Enterprises (JAE) is protected by the Privacy Act 1988 (the Privacy Act). Further information about the Privacy Act is available on the Office of the Australian Information Commissioner's website.

This Privacy Policy embodies JAE's commitment to protecting the privacy of personal information. It applies to personal information collected by JAE and any contractors and agents.

PURPOSE

The purpose of this privacy policy is to:

- describe the types of personal information that we collect, hold, use and disclose;
- outline our personal information handling systems and practices;
- enhance the transparency of our management of personal information;
- explain our authority to collect your personal information, why it may be held by us, how it is used and how it is protected;
- notify whether we are likely to disclose personal information to overseas recipients and, if so, to whom;
- provide information on how you can access your personal information, correct it if necessary and complain if you believe it has been wrongly collected or inappropriately handled.

SCOPE

This privacy policy has been developed in accordance with APP and embodies our commitment to protecting the privacy of personal information.

It covers how we collect and handle personal information, including sensitive information.

'Sensitive information' means personal information about you that is of a sensitive nature, including information about health, genetics, biometrics or disability; racial or ethnic origin; religious, political or philosophical beliefs; professional association or trade union memberships, sexuality; or criminal record. Special requirements apply to the collection and handling of sensitive information.

This document applies to all JAE interested parties, including:

- employers;
- workers;
- job seekers;
- employment service providers;
- a participant in a program or service delivered by us;
- a contractor, consultant, or supplier of goods or services to us;
- a person whose information may be given to us by a third party, including other Australian Government agencies
- a person seeking employment with us;
- a current or past employee;
- any other individual whose personal information we may collect or hold.

This privacy policy is not intended to cover our handling of commercially sensitive information or other information that is not personal information as defined in the Privacy Act.

2. ROLES AND RESPONSIBILITIES

MANAGERS

Managers are to:

- Ensure the effective implementation of the Privacy Policy.
- Participate in all areas of information security and to conduct their allocated tasks in the required timeframe.

STAFF

All staff shall contribute to ensuring the objectives of the Privacy Policy are met as well as ensuring their work is in line with all company policies and procedures.

3. DEFINITIONS

Sensitive information	Personal information about you that is of a sensitive nature, including information about health, genetics, biometrics or disability; racial or ethnic origin; religious, political or philosophical beliefs; professional association or trade union memberships, sexuality; or criminal record.

4. APPLICABLE DOCUMENTS

Document No.	**Document title**
N/A	Privacy Act 1988 (Cwth)
JA-0-D019	Information Security Management System
JA-0-D014	ICT & Resources Policies and Procedures
JA-0-D035	Legislative Compliance Policy

5. ABBREVIATIONS

CEO	Chief Executive Officer
JAE	Jobs Australia Enterprises
APP	Australian Privacy Principles

6. PRIVACY ACT 1988 (CWTH)

Jobs Australia Enterprises, including its employees, contractors and agents, is subject to the Privacy Act 1988 (the Privacy Act) and to the requirements of the Australian Privacy Principles (APPs) contained in the Privacy Act.

The APPs regulate how federal and ACT public sector agencies and certain private sector organisations can collect, hold, use and disclose personal information and how you can access and correct that information.

'Personal information' means information (or an opinion), whether true or not, in any form that can identify a living person.

The APPs only apply to information about individuals, not information about corporate entities such as businesses, firms or trusts. Detailed information and guidance about the APPs can be found on the website of the Office of the Australian Information Commissioner (OAIC)

7. OUR PERSONAL INFORMATION HANDLING PRACTICES

COLLECTION OF PERSONAL INFORMATION

Personal information may be collected directly by us, or by people or organisations acting on our behalf (e.g. contracted service providers). It may be collected directly from you, or on your behalf from a representative you have authorised. For example, JAE will collect information from you in order to provide employment services under Government contract. At your initial appointment, JAE will provide you with a privacy notice that details its practice in relation to that employment programme.

We may also obtain personal information collected by other Australian Government agencies, state or territory governments, other third parties, or from publicly available sources. This will only occur where you consent, where it is unreasonable or impractical to collect the information only from you or where we are required or authorised to do so by law.

We are also authorised to collect personal information (which may also be defined as '*protected information*' where relevant) under a range of Acts that we administer. These include:

Fair Entitlements Guarantee Act 2012

Fair Work Act 2009

Fair Work (Building Industry) Act 2012

Safety, Rehabilitation and Compensation Act 1988

Social Security (Administration) Act 1999

Work Health and Safety Act 2011

Under the APPs, we will only collect information for a lawful purpose that is reasonably necessary for, or directly related to, one or more of our functions and activities under the portfolio legislation listed above, or where otherwise required or authorised by law.

When we collect personal information, we are required under the APPs to notify you of a number of matters. These include the purposes for which we collect the information, whether the collection is required or authorised by law, and any person or body to whom we usually disclose the information, including if those persons or bodies are located overseas. We usually provide this notification by including privacy notices on our paper-based forms and online portals.

TYPES OF PERSONAL INFORMATION COLLECTED BY JAE

JAE helps the Australian Government to achieve its objective of quality employment outcomes for Australians. JAE collects personal information in order to carry out our functions. JAE only uses personal information for the purpose for which it was given to JAE and for directly related purposes (unless otherwise required by or authorised by law) or as consented to by the individual concerned.

We collect and hold a range of personal information in records relating to:

- employment and personnel matters for our staff and contractors (including security assessments);
- the performance of our legislative and administrative functions;
- individuals participating in our funded programs and initiatives;
- the management of contracts and funding agreements;
- the management of fraud and compliance investigations;

- the management of audits (both internal and external);
- correspondence from members of the public to us and our Ministers and Parliamentary Secretaries, or correspondence otherwise referred to us by other departments, Ministers or Parliamentary Secretaries;
- complaints (including privacy complaints) made and feedback provided to us;
- requests made to us under the *Freedom of Information Act 1982*; and
- the provision of legal advice by internal and external lawyers.

This personal information may include but is not limited to:

- your name, address and contact details (e.g. phone, email and fax);
- photographs, video recordings and audio recordings of you;
- information about your personal circumstances (e.g. marital status, age, gender, occupation, accommodation and relevant information about your partner or children);
- information about your financial affairs (e.g. payment details, bank account details and information about business and financial interests);
- information about your identity (e.g. date of birth, country of birth, passport details, visa details, drivers' licence);
- information about your employment (e.g. work history, referee comments, remuneration);
- information about your background (e.g. educational qualifications, the languages you speak and your English proficiency);
- government identifiers (e.g. Centrelink Reference Number or Tax File Number);
- information about assistance provided to you under our funding arrangements; and
- information about entitlements under Australian Government legislation.

COLLECTION OF SENSITIVE INFORMATION

In carrying out our functions and activities we may collect personal information that is *sensitive information* (see section 1.4). The APPs impose additional obligations on us when collecting, using or disclosing sensitive information. We may only collect sensitive information from you:

- where you provide your consent; or
- where required or authorised by law; or
- where a permitted general situation exists such as to prevent a serious threat to safety.

We also collect sensitive information where authorised to do so for the purposes of human resource management, fraud investigations, taking appropriate action against suspected unlawful activity or serious misconduct, and responding to inquiries by courts, tribunals and other external review bodies.

COLLECTING PERSONAL INFORMATION FROM CHILDREN & YOUNG PEOPLE

In carrying out our functions and activities we may collect personal information about children and young people, either directly from them, through their parents or guardians, or from their education providers. Where children and young people are over the age of 16, our general policy is to collect information directly from them as they are likely to have the capacity to understand any privacy notices provided to them and to give informed consent to collection. For children under the age of 16, or where capacity to provide consent is at issue, our policy is that a parent or guardian will be notified and their consent sought.

COLLECTION OF UNSOLICITED INFORMATION

Sometimes personal information is not sought by us but is delivered or sent to us by either the individual or a third party without prior request.

Where unsolicited information is received by us, we will, within a reasonable period, determine whether that information is directly related to one or more of our functions or activities. If this cannot be determined, we will, as soon as practicable, destroy or de-identify the information. If this can be determined we will notify you of the purpose of collection and our intended uses and disclosures according to the requirements of the APPs, unless it is impracticable or unreasonable for us to do so.

HOW WE COLLECT PERSONAL INFORMATION

We primarily use forms, online portals and other electronic or paper correspondence to collect your personal information. By signing paper documents or agreeing to the terms and conditions and disclaimers for electronic documents you are consenting to the collection of any personal information you provide to us.

We may also collect your personal information if you:

- communicate with us by telephone, mail, email, fax or SMS;
- attend a face to face meeting or event conducted by us or our contractors;
- use our websites;
- interact with us on our social media platforms.

For further information on what information we collect online see section 2.12 of this privacy policy.

As noted at section 2.1, in certain circumstances we may collect and receive personal information about you from third parties including other Australian Government agencies and state and territory governments.

REMAINING ANONYMOUS OR USING A PSEUDONYM

We understand that anonymity is an important element of privacy and you may wish to remain anonymous, or use a pseudonym when interacting with us.

In some cases, you will be able to advise us that you wish to remain anonymous or use a pseudonym during your contact with us. However, there will be occasions where it will not be practicable for you to remain anonymous or use a pseudonym and we will notify you accordingly at the time of collection. For example, it may be impracticable to investigate and resolve your particular complaint about how your case was handled or how Jobs Australia Enterprises behaved unless you provide your name or similar information.

INFORMATION COLLECTED BY OUR CONTRACTORS

Under the Privacy Act, we are required to take contractual measures to ensure that contracted service providers (including subcontractors) comply with the same privacy requirements applicable to us.

STORAGE & DATA SECURITY

STORAGE

We hold personal information in a range of paper-based and electronic records, including cloud computing.

Storage of personal information (and the disposal of information when no longer required) is managed in accordance with the Australian Government's records management regime, including the *Archives Act 1983* Records Authorities and General Disposal Authorities. This ensures your personal information is held securely.

DATA SECURITY

We take all reasonable steps to protect the personal information held in our possession against loss, unauthorised access, use, modification, disclosure or misuse.

Access to your personal information held by us is restricted to authorised persons who are Jobs Australia Enterprises employees or contractors, on a need to know basis.

Electronic and paper records containing personal information are protected in accordance with Australian Government security policies including the Attorney General's Department's Protective Security Policy Framework and the Australian Signals Directorate's Information Security Manual

DATA QUALITY

We take all reasonable steps to ensure that the personal information we collect is accurate, up-to-date, complete, relevant and not misleading.

These steps include responding to requests to correct personal information when it is reasonable and appropriate to do so. For further information on correcting personal information see section 3 of this privacy policy.

Audits and quality inspections are also conducted from time to time to ensure the accuracy and integrity of information, and any systemic data quality issues are identified and resolved promptly.

PURPOSES FOR WHICH DATA IS COLLECTED, HELD, USED & DISCLOSED

We collect personal data for a variety of different purposes relating to our functions and activities including:

- performing our employment and personnel functions in relation to our staff and contractors;
- performing our legislative and administrative functions;
- policy development, research and evaluation;
- complaints handling;
- program management;
- contract management; and
- management of correspondence with the public.

We use and disclose personal information for the primary purpose for which it is collected. You will be given information about the primary purpose of collection at the time the information is collected.

We will only use your personal information for secondary purposes where we are able to do so in accordance with the Privacy Act. This may include where you have consented to this secondary purpose, or where the secondary purpose is related (or if sensitive information, directly related) to the primary purpose and you would reasonably expect us to use or disclose the information for the secondary purpose, where it is required or authorised by law or where a permitted general situation exists such as to prevent a serious threat to safety.

Likely secondary purposes for which we many use or disclose your personal information include but are not limited to: quality assurance, auditing, reporting, research, evaluation and analysis, and promotional purposes.

OUR WEBSITE

LOG INFORMATION (BROWSING)

When you use our online services, our servers automatically record information that your browser sends whenever you visit a website. These server logs may include information such as your server address, your top-level domain name (for example, .com, .gov, .au, .uk, etc.), the date and time of visit to the site, the pages accessed and documents viewed, the previous sites visited, the browser type, the browser language, and one or more cookies that may uniquely identify your browser.

No attempt is made to identify you through your browsing other than in exceptional circumstances, such as an investigation into the improper use of the website.

COOKIES

A cookie is a small file that uniquely identifies your browser. It contains information that your web browser sends back to our website server whenever you visit it again.

We use cookies to 'remember' your browser between page visits. In this situation, the cookie identifies your browser, not you personally. No personal information is stored within our cookies.

GOOGLE ANALYTICS

We use Google Analytics to collect information about visitors to our website. Google Analytics uses cookies and JavaScript code to help analyse how users use the site. It anonymously tracks how visitors interact with this website, including how they have accessed the site (for example from a search engine, a link, an advertisement) and what they did on the site. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purposes of compiling reports on website activity and providing other services relating to website activity and internet usage. You may refuse the use of cookies by selecting the appropriate settings on your browser.

LINKS TO EXTERNAL WEBSITES

Our website includes links to other websites. We are not responsible for the content and privacy practices of other websites. We recommend that you examine each website's privacy policy separately.

ELECTRONIC COMMUNICATION

There are inherent risks associated with the transmission of information over the internet, including via email. You should be aware of this when sending personal information to us via email or via our website or social media platforms. If this is of concern to you then you may use other methods of communicating with us, such as post, fax or telephone (although these also have risks associated with them).

We only record your email address when you send a message to us or subscribe to one of our mailing lists. Any personal information, including email addresses, will only be used or disclosed for the purpose for which it was provided.

DISCLOSURE OF PERSONAL INFORMATION OVERSEAS

We will not disclose your personal information to an overseas recipient unless at least one of the following applies:

- disclosure is required or authorised by law;
- disclosure is reasonably necessary for an enforcement related activity conducted by, or on behalf of, an enforcement body and the recipient perform similar functions.

It is not practicable to list every country to which we may provide personal information as this will vary depending on the circumstances.

ACCIDENTAL OR UNAUTHORISED DISCLOSURE OF PERSONAL INFORMATION

We will take seriously and deal promptly with any accidental or unauthorised disclosure of personal information. We follow the OAIC's *Data breach notification — A guide to handling personal information security breaches*

Legislative or administrative sanctions may apply to unauthorised disclosures of personal information.

8. ACCESSING AND CORRECTING YOUR PERSONAL INFORMATION

HOW TO SEEK ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

You have a right under the Privacy Act to access personal information we hold about you. You also have a right under the Privacy Act to request corrections of any personal information that we hold about you if you think the information is inaccurate, out-of-date, incomplete, irrelevant or misleading.

To access or seek correction of personal information we hold about you, please contact us using the contact details set out at section 5.1 of this privacy policy.

IF YOU ARE UNSATISFIED WITH OUR RESPONSE

If you are unsatisfied with our response, you may make a complaint, either directly to us (see section 5.1 below), or you may wish to contact:

- the Office of the Australian Information Commissioner at enquiries@oaic.gov.au or telephone 1300 363 992; or
- the Commonwealth Ombudsman at ombudsman@ombudsman.gov.au or telephone 1300 362 072.

9. COMPLAINTS

HOW TO MAKE A COMPLAINT

If you think we may have breached your privacy you may contact us to make a complaint using the contact details set out at section 9 of this privacy policy. In order to ensure that we fully understand the nature of your complaint and the outcome you are seeking, we prefer that you make your complaint in writing.

Please be aware that it may be difficult to properly investigate or respond to your complaint if you provide insufficient detail. You may submit an anonymous complaint, however if you do it may not be possible for us to provide a response to you.

OUR COMPLAINT HANDLING PROCESS

We are committed to quick and fair resolution of complaints and will ensure your complaint is taken seriously and investigated appropriately. Please be assured that you will not be victimised or suffer negative treatment if you make a complaint.

IF YOU ARE UNSATISFIED WITH OUR RESPONSE

If you are not satisfied with the way we have handled your complaint in the first instance, you may contact the Department of Employment to refer your complaint for further investigation. Please note that the Department of Employment may not investigate if you have not first brought your complaint to our attention.

The Department of Employment, on 1800 805 260, or GPO Box 9880 Canberra ACT 2601

10. CONTACT US

GENERAL INQUIRIES, COMPLAINTS, REQUESTS FOR ACCESS OR CORRECTION

If you wish to:

- query how your personal information is collected, held, used or disclosed by us;
- ask us questions about this privacy policy;
- request access to or seek correction of your personal information; or
- make a privacy complaint;

Please contact us:

By post: Chief Executive Officer
Jobs Australia Enterprises
PO Box 872
Armidale NSW 2350

By email: complaints@jobsaustralia.com.au

By telephone: 02 6776 0104 (please note this is our main number).

AVAILABILITY OF THIS PRIVACY POLICY

If you wish to access this privacy policy in an alternative format (e.g., hard copy) please contact us using the contact details set out at Section 9 above. This privacy policy will be made available free of charge.