



Employment Services Guideline:

Privacy Guideline

This Guideline assists jobactive providers, Transition to Work Project providers, Employability Skills Training providers, Empowering Youth Initiatives providers, Time to Work Employment Service providers, ParentsNext providers, Transitions Services Panel (TSP) Members and Career Transition Assistance providers with notifying and obtaining consent from individuals for collecting, using and disclosing ‘personal information’, including police, Working with Children and Working with Vulnerable People checks.

All agencies, including the Department of Jobs and Small Business (Department), providers, and Host Organisations have obligations under the *Privacy Act 1988* (Cth) (Privacy Act) to ensure that ‘personal information’ (including sensitive information) is collected, held, used and disclosed in accordance with that Act.

Information that a provider holds about an individual will be ‘personal information’, even if it is only a limited amount of information. The information or opinion does not have to be true and does not have to be recorded in material form. This includes information contained in paper files or computer systems and in documents provided by the individual, including résumés and application forms. A provider will also hold other ‘personal information’ about employers or persons associated with a Host Organisation.

Providers may handle ‘sensitive information’ including:

- information about an individual’s racial or ethnic origin, such as whether they identify as being Aboriginal or Torres Strait islander
- information about an individual’s criminal convictions such as information on any time served in prison or
- health information about individuals such as information about medical issues.

With limited exceptions under the Privacy Act, an individual’s consent is required for the collection and subsequent use and disclosure of ‘sensitive information’.

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Policy changes:

Nil.

Wording changes:

Inclusion of CTA logo

A full document history and archived guidelines are available on the [Provider Portal](#).

Related documents and references

jobactive

[Activity Management Guideline](#)

[Assessments – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessment \(ESAs\) Guideline](#)

[Complete Privacy Policy](#)

[Direct Registration Guideline](#)

[Eligibility, Referral and Commencement Guideline](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[Job Plan and Setting Mutual Obligation requirements](#)

[Managing PaTH Internship Guideline](#)

[Norfolk Island Guideline](#)

[Public Interest Certificates – Releasing protected information to a third party \(including the police\)](#)

[Records Management Instructions](#)

[Regional Employment Trials Guideline \(from 1 October 2018\)](#)

[Transition Services Panel Guideline \(via department website\)](#)

[Volunteers Guideline](#)

[Work for the Dole Guideline](#)

Employability Skills Training

[Managing Employability Skills Training Guideline](#)

NEIS

[How people access NEIS and participate in NEIS Training](#)

[NEIS Participant Agreement](#)

[Support NEIS Participants to start and run their small business](#)

Harvest Labour Services

[Managing Harvest Labour Services Guideline](#)

Time to Work

[Time to Work Employment Service Guideline](#)

ParentsNext

[Activities and Referrals Guideline](#)

[Challenging Behaviours and Incident Management](#)

[Direct Registration Guideline](#)

[Documentary Evidence Guideline](#)

[Eligibility, Referrals and Commencement Guideline](#)

[Job Seeker Classification Instrument \(JSCI\)](#)

[Assessment Guideline](#)

[Participation Requirements and Participation Plan Guideline](#)

[Regional Employment Trials Guideline](#)

[Work Readiness Assessment Guideline](#)

Transition to Work (TtW)

[Activity Management Guideline](#)

[Assessments – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessment \(ESAs\) Guideline](#)

[Direct Registration Guideline](#)

[Eligibility, Referral, Commencement and Caseload Guideline](#)

[Participation Requirements Guideline](#)

[Regional Employment Trials Guideline](#)

Career Transition Assistance (CTA)

[Managing Career Transition Assistance Guideline](#)

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Definition of Terms

The term 'employment services Deed' refers to any of the following deeds that a provider provides service under:

- jobactive Deed 2015–2020
- Transition to Work Deed 2016–2020
- ParentsNext Deed 2018-2021
- Time to Work Employment Service Deed 2018–2021
- Career Transition Assistance Trial Panel Deed 2018-2022
- Career Transition Assistance Panel Deed 2019-2022
- Transition Services Panel Deed 2018-2020.

In this Guideline all capitalised terms have the same meaning as in the relevant Deed(s).

The terms 'Employment Provider', 'Provider' (as used in the ParentsNext Deed 2018-2021) 'TSP Member' (as used in the TSP Deed 2018-2020) and 'Funding Recipient' are abbreviated to 'provider'.

In this document, 'must' means that compliance is mandatory and 'should' means that compliance represents best practice for providers.

An 'individual' has the same meaning as an Eligible Job Seeker, Stream Participant, Participant or Transition to Work Participant, ParentsNext Participant, Career Transition Assistance Participant and Participant.

The terms 'Activity Host Organisation', 'Work for the Dole Host Organisation' and 'Outbound Visit to an Employer' are abbreviated to 'Host Organisation'.

A 'Lead Provider' is a provider assigned to that role in accordance with the rules set out in the Guidelines.

For the purposes of this guideline, referrals to third parties will be referred to as 'placements'. They include but are not restricted to:

- Paid employment
- Work for the Dole Activities
- Work Experience (Other) placements
- Placements in non-government programs approved for Annual Activity Requirement purposes
- Education or training courses
- EST Courses
- Outbound Visit to an Employer
- National Work Experience Placements
- Voluntary Work Placements
- PaTH Internships
- ParentsNext Placements
- Transition to Work Placements
- Transition Services

- Regional Employment Trials Activities
- Referrals to non-vocational activities.

Disclaimer

This Guideline is not a stand-alone document and does not contain all of providers' obligations contained in the respective employment services Deed(s).

Providers must ensure they comply with the Privacy Act at all times. Providers must also comply with other legislation or laws relevant to the respective jurisdictions in which they operate, including privacy, work health and safety or anti-discrimination obligations that apply under State or Territory law.

This Guideline is not legal advice and the Commonwealth accepts no liability for any action purportedly taken in reliance upon it. This Guideline does not reduce the obligation of providers to comply with their relevant legal obligations.

It must be read in conjunction with the respective Deeds and any relevant Guidelines or reference material issued by the Department under, or in connection with, the respective Deed.

The Australian Privacy Principles

The Australian Privacy Principles (APPs) set out in Schedule 1 of the Privacy Act are principle-based laws that govern the way 'personal information' (including 'sensitive information') must be handled.

'Personal information' means information or opinion about an identified individual or an individual who is reasonably identifiable. The information or opinion does not have to be true and does not have to be recorded in material form.

'Sensitive information' is a subset of 'personal information' and is subject to a higher level of protection under the Privacy Act because its misuse could have greater adverse consequences for the individual concerned. 'Sensitive information' is information regarding certain characteristics of an individual, as specified in section 6(1) of the Privacy Act.

A flexible approach to implementing the APPs is encouraged, however compliance is mandatory.

The APPs should be embedded in daily operations. For example, providers should regularly and openly discuss with individuals how their personal (including sensitive) information is being handled. Providers are encouraged to tailor their privacy practices to suit the needs of individuals and their own businesses whilst also meeting their privacy obligations.

Failure to comply with the APPs is considered to be an interference with the privacy of an individual. An individual who considers that their privacy has been interfered with can contact the Department to make a complaint. Alternatively, they can contact the Australian Information Commissioner who has powers to investigate possible interferences with privacy, either following a complaint by an individual, or

on the Commissioner's own initiative. In some circumstances, compensation may be paid to an individual whose privacy has been breached.

For more information on the APPs refer to the Office of the Australian Information Commissioner's [quick reference tool](#).

Notifiable Data Breaches (NDB) scheme

All providers with personal information security obligations under the Privacy Act must also comply with the requirements of the Notifiable Data Breaches Scheme¹ when dealing with breaches of privacy.

Each breach of privacy must be assessed promptly in accordance with the requirements of the NDB scheme to determine whether an 'eligible data breach' has occurred and, if required, notification is to be provided to affected individuals and to the Office of the Australian Information Commissioner.

The Deeds and Funding Agreements under which providers operate also require immediate notification to be made to the Department about any unauthorised access to, or disclosure of, personal information, or a loss of personal information the provider holds. This applies to all breach incidents, whether or not they are an 'eligible data breach' for the purposes of the NDB scheme.

Details about the NDB scheme are available from the [Office of the Australian Information Commissioner website](#).

Requests for access to or correction of an individual's personal information

Under APP 12, individuals have a statutory right to request access to or correction of their own personal information held by their provider. If a provider receives a request under APP 12, they generally must process that request in accordance with the Privacy Act.

In accordance with the Deeds, certain requests must be directed to the Department for consideration where they encompass records containing information falling within the following categories:

- records also containing information about another person
- medical/psychiatric records (other than those actually supplied by the individual, or where it is clear that the individual has a copy or has previously sighted a copy of the records)
- psychological records
- information provided by other third parties.

If the provider has other particular concerns about the documents (for example, because they are sensitive in nature), they should refer the request to the Department to consider.

¹ Commenced on 22 February 2018

If someone is seeking access to personal information on behalf of another individual, providers must obtain written authority from the individual whose personal information is being sought before releasing any documents. If the provider is unable to obtain written authority, they should direct the individual to submit a formal Freedom of Information request to the Department's Information Law team at FOI@jobs.gov.au.

Referring individuals to the Department in relation to privacy matters

Generally, requests or complaints under the Privacy Act should be directed to an individual's provider where possible. However, an individual can also contact the Department to query how their personal information is handled, request access to or correction of their personal information, or make a privacy complaint in relation to the Department or a provider.

Individuals should be provided with the following privacy contact details for the Department, on request:

By post:

- Privacy Contact Officer
- Corporate Legal
- Location Code C12MT1-LEGAL
- Department of Jobs and Small Business
- GPO Box 9880
- Canberra ACT 2601

By email: Privacy@jobs.gov.au

By telephone: 1300 488 064 (please note this is the main number).

For further information refer to the [Department of Jobs and Small Business Complete Privacy Policy](#).

Notifying an individual of provider privacy requirements and seeking consent

During the initial interview or initial appointment, the provider must ensure individuals are aware of the types of personal information they may be required to provide and how this information will be handled. Information is collected for the Department and the provider to provide individuals with appropriate employment services and support, including:

- delivering employment services and help to find a job; or assisting in preparation for employment
- helping to evaluate and monitor the programs and services provided by the Department and its contracted providers
- contacting individuals about their participation in the Department's programs and, where applicable, their mutual obligation requirements
- helping to resolve complaints made by individuals or providers

- involving individuals in surveys conducted by the Department or on behalf of the Department.

During the initial interview or initial appointment, the provider must also seek the individual's consent to collect and use their sensitive information by asking the individual to sign the relevant Privacy Notification and Consent Form of the following:

[Attachment A – jobactive Privacy Notification and Consent Form](#)

[Attachment B – Transition to Work Privacy Notification and Consent Form](#)

[Attachment C – Harvest Worker Participation Form](#)

[Attachment D – ParentsNext Privacy Notification and Consent Form](#)

[Attachment E – Time to Work Employment Service Privacy Notification and Consent Form](#)

[Attachment F – Career Transition Assistance Privacy Notification and Consent Form](#)

[Attachment G - Transition Services Panel Privacy Notification and Consent Form](#)

If the individual refuses to sign the Privacy Notification and Consent Form this may limit the number of options and types of services the provider can offer. The individual should be made aware of this at the initial interview or initial appointment.

jobactive Deed 2015-2020 clause reference: 35. (Personal and Protected Information) and 85. (Initial Interviews)

Transition to Work Deed 2016-2020 clause reference: 82. (Initial Interviews)

ParentsNext Deed 2018-2021 clause reference: 29. (Personal and Protected Information)

Time to Work Employment Services Deed clause reference: 46. (Personal and Protected Information)

Career Transition Assistance Panel Deed 2019-2022 clause reference: 27 (Personal and Protected Information)

Career Transition Assistance Trial Panel Deed 2018-2022 clause reference: 28 (Personal and Protected Information)

Transition Services Panel Deed 2018-2020 clause reference: 59 (Personal and Protected Information)

Participant privacy requirements when conducting the Job Seeker Classification Instrument (JSCI)

The JSCI measures an individual's relative level of labour market disadvantage.

Information collected in the JSCI is personal (including sensitive) information under the Privacy Act. The Privacy Notification and Consent Forms attached to this Guideline outline how this information is collected, held, used and disclosed in accordance with the Privacy Act.

When conducting the JSCI, providers must:

- notify the individual and obtain consent for the collection of personal (including sensitive) information
- advise that the information provided is protected by the Privacy Act
- obtain consent for the collection of sensitive 'personal information' collected in the process of conducting the JSCI
- ensure they comply with the Privacy Act at all times.



System step: The JSCI Change of Circumstances screen in the IT system includes a Privacy Statement that should be provided to or read to the individual each time the JSCI is conducted.



Documentary evidence: Best practice is for providers to ask the individual to sign the relevant Privacy Notification and Consent Form attached to this Guideline when:

- the JSCI is conducted
- the JSCI Change of Circumstances Reassessment is conducted
- where new personal (including sensitive) information is being collected, or
- it has been a long time since the consent was last provided to and signed by the individual.



Documentary evidence: Consent can be given verbally or in writing. Where the individual provides written consent, the signed copy must be retained on file.

System step: If verbal consent is given for the collection of sensitive information, the provider should make a record of the verbal agreement in the individual's record in ESS Web in the job seeker comments section.

More information on Assessments (JSCI and ESAt) can be found in the relevant programs' assessments guideline.

jobactive Deed 2015 – 2020 clause reference: 35 (Personal and Protected Information) and 79 (Change of Circumstances Reassessment)

Transition to Work Deed 2016–2020 clause reference: 35 (Personal and Protected Information) and 81 (Initial Phase)

ParentsNext Deed 2018-2021 clause reference: 29. (Personal and Protected Information)

Time to Work Employment Services Deed clause reference: 46 (Personal and Protected Information)

Releasing the Employment Services Assessment (ESAt) report

An ESAt is used by the Department of Human Services to identify if an individual has multiple or complex barriers to employment and may require more intensive support.

The ESAt report may be released to an individual except where it contains information that may be prejudicial to the health of the individual as identified by the following statement: This report does contain information, which if released to the client, might be prejudicial to his/her health.

If the individual requests an ESAt report that contains the above statement, the individual should contact the Department's Information Law team at FOI@jobs.gov.au.

Privacy Requirements when sharing information with third parties

When referring individuals to Activities, employment opportunities or Host Organisations, providers may need to share personal information about the individual with a third party organisation. It is important that all provider staff is aware of their obligations in relation to the disclosure of another individual's personal information.

Providers are encouraged to regularly review and discuss privacy matters with the individual, obtaining explicit consent to the collection, use and disclosure wherever possible to ensure compliance with their privacy obligations.

It is important that provider staff receive privacy training as providers who conduct the checks /or have access to the results need to be aware of their privacy obligations.

Note: Participants under the age of 18 are permitted to sign the Privacy Notification and Consent Form as long as they do not have a guardian or administrator appointed. If appointed, the guardian or administrator should sign the Privacy Notification and Consent Form.

The jobactive Work for the Dole Phase and sharing information with other parties

As the individual moves into the jobactive Work for the Dole Phase, the provider may need to share personal information about the individual with other parties such as the Lead Provider or Host Organisation to ensure the individual is placed into a suitable Work for the Dole Place.

When an individual commences in the Work for the Dole Phase the provider must ask the individual to sign the relevant Privacy Notification and Consent Form. This needs to be done each time an individual enters the Work for the Dole Phase and can be done when the Job Plan is being updated. This will ensure that:

- consent to the collection of the individual's sensitive information is current
- the individual continues to be appropriately informed of the types of 'personal information' they may be required to provide and how this information will be used and disclosed.

jobactive Deed 2015 – 2020 clause reference: 8 (Checks and Reasonable Care), 35 (Personal and Protected Information), 111 (Supervision), Section B2.2 (Stream A (General) Participants), Section B2.1 (Stronger Participation Incentives Participants), and Section B2.3 (Stream B (General) Participants).

Privacy implications when conducting 'checks' and sharing information with a third party

If an individual is offered paid work (either part or full-time) the Employer may seek a police/Working with Children check or require disclosure of the individual's health/medical information, however the Employer should be responsible for sourcing the checks and should seek the health/medical information directly from the individual.

In all other instances the provider should refer individuals to a third party and may need to arrange for 'checks' to be undertaken prior to placement. 'Checks' refers to police checks, Working with Children checks, Working with Vulnerable People checks, and Visa Entitlement Verification Online (VEVO) checks.

The provider can choose an organisation to process police checks, however Working with Children or Vulnerable People checks will be processed by the relevant state or territory authority. A VEVO check will be processed on the Department of Home Affairs website.

The provider must comply with relevant legal obligations in their respective state or territory to ensure individuals and/or supervisors have the appropriate checks in place prior to commencing the individual in an Activity. Refer to the relevant program's activity management or participation guideline for information on what checks are required for an Activity.

A check form may include an 'Applicant's Consent' or an 'Applicant's Declaration' which will allow the information from a check to be given to a provider. The information in the check will need to be taken into account when determining the individual's suitability for placement in an Activity.

The provider must ensure the individual understands why the check is being undertaken, what information will be collected, and how that information will be used.

The provider must not disclose the individual's information to other parties unless consent is obtained using the relevant Privacy Notification and Consent Form to ensure the individual understands what type of information is being released, for what purpose and to which parties.

The results of checks should be treated as sensitive information, and be handled in accordance with the Records Management Instructions of the relevant Deed, the Department's Security Policies, and any Privacy Act obligations.

If the individual and/or supervisor request a copy of the results of their check, the provider must ensure the individual and/or supervisor provides proof of identity before they are provided with a copy.

jobactive Deed 2015 – 2020 clause reference: 8 (Checks and Reasonable Care), 35 (Personal and Protected Information), 37 (Records the Provider must keep), 38 (Access by Participants and Employers to Records held by the Provider) and 111 (Supervision)

Transition to Work Deed 2016–2020 clause reference 8 (Checks and Reasonable care), 35 (Personal and Protected Information), 37 (Records the Provider must keep), 38 (Access by Participants and Employers to Records held by the Provider) and 102 (Supervision)

ParentsNext Deed 2018-2021 clause reference: 8 (Checks and reasonable care) and 29 (Personal and Protected Information), 31 (Keeping and dealing with Records), 32 (Access by Participants and Employers to Personal Information held by the Provider), 94 (Supervision)

Time to Work Employment Services Deed clause reference Clause 27 (Checks and Reasonable Care)

Transition Services Panel Deed clause references Clause 16 (Supervision of Participants), 27 (ATS 7: Industry Awareness Experiences), 35 (Checks and reasonable care), 59 (Personal and protected information), 62 (Records the TSP Member must keep), 63 (Access by Participants and Employers to Records held by the TSP Member)

Disclosing the result of a police check to a third party

Before commencing an individual in a placement with a third party, the provider must ensure required police checks have been finalised. The third party will advise the provider if the placement requires individuals to have checks completed for the paid work or Activity. EST Providers will identify any individual's prerequisites for an EST Course.

If a police check of an individual indicates an offence that has a direct bearing on the placement, the provider may be under a duty of care to the Host Organisation or EST Provider and have a legal obligation to disclose this, even where the police check was not required by the Host Organisation or EST Provider. Rather than disclose sensitive, personal information, in these instances, the provider must consider another placement.

Where there is no legal requirement or obligation to disclose the information to the Host Organisation or EST Provider the results of the police check must not be disclosed.

If the individual's police check indicates an offence that is not relevant to the Activity/place/course/Outbound Employer Visit (e.g. driving related offences, where driving is not part of the Activity/course) the provider needs to decide the best course of action for the individual.

It should be noted even where a particular criminal record may not appear to be directly relevant to an Activity, it may be indirectly relevant. For example, numerous recent drink driving offences may be relevant where no driving is required as part of the Activity, if they are indicative of a drinking problem and part of the Activity/course requires the safe operation of dangerous machinery.

In these circumstances, the provider needs to consider the results of the check and use careful judgment to decide the best course of action for the individual, subject to any overriding legal obligations, such as the existence of a duty of care. Unless there is a specific legal obligation to disclose the results of the check, a provider can generally only disclose the information to the Host Organisation or EST Provider with the individual's consent. If the Host Organisation then reasonably decides it cannot accommodate that individual in the placement, the provider should seek another placement that does not require a check and complies with any Court ordered restrictions, or with a Host Organisation that will accommodate the individual.

In the case of an EST Provider, if the EST Provider decides it cannot accommodate that individual in an EST Course, the EST Provider should seek another EST Course with an EST Provider that will accommodate the individual or an EST Course that does not require a check and complies with any Court ordered restrictions.

jobactive Deed 2015 – 2020 clause reference: 8 (Checks and Reasonable Care) and 35 (Personal and Protected Information)

Transition to Work Deed 2016–2020 clause reference 8 (Checks and Reasonable care) and 35 (Personal and Protected Information)

ParentsNext Deed 2018-2021 clause reference: 8 (Checks and reasonable care) and 29 (Personal and Protected Information)

Time to Work Employment Services Deed clause reference Clause 27 (Checks and Reasonable Care)

Career Transition Assistance Panel Deed 2019-2022 clause reference: 18.2 (Checks and reasonable care)

Career Transition Assistance Trial Panel Deed 2018-2022 clause reference: 19.2 (Checks and reasonable care)

Transition Services Panel Deed 2018-2020 clause reference: 27.4 (Relevant Checks on Participants, Personnel and Supervisors) and 35 (Checks and reasonable care)

Managing the privacy implications when sharing an individual's 'sensitive information' with third parties

Certain information regarding an individual is 'sensitive information' for the purposes of the Privacy Act and should be handled carefully and afforded a greater level of protection from unnecessary disclosure to third parties.

'Sensitive information' includes the individual's criminal history, religious beliefs, race, and medical history/issues. For example, the results of a police check may contain sensitive information about an individual's criminal convictions and/or any time served in prison.

Under the Privacy Act, sensitive information can only be disclosed for the purpose it was collected unless an exception applies, such as where the individual has consented or it is required or authorised by law. That is, where information in a check is obtained for the purpose of undertaking paid employment or a placement with a Host Organisation, then it is within the primary purpose to disclose the results to the Employer/Host Organisation so that the individual can undertake that employment or placement.

The disclosure of sensitive information in checks may be authorised or required by law, or in circumstances where a duty of care arises. Determining whether a duty of care exists must be assessed on a case by case basis and it may be necessary to seek legal and/or other professional advice in this regard.

It may be necessary for the provider to consider whether there is a duty of care such that the individual:

- should not be referred to that Host Organisation as a result of the sensitive information, or
- may only be referred to that Host Organisation if the sensitive information is disclosed (for example, for the health and safety of other persons).

If the provider determines that a duty of care exists, the following principles should be taken into account in deciding whether to share an individual's sensitive information:

- the currency, accuracy and reliability of the information and the relevance of the information to the proposed placement
- whether the Host Organisation needs to know the information (e.g. does the information indicate a risk to the individual or others?)
- whether the disclosure is relevant to the servicing of the individual
- whether the information is relevant to the placement.

That is:

- Is there a duty of care such that the individual should not be referred to that Host Organisation as a result of the sensitive information? or,
- Is there a duty of care such that the individual may only be referred to that Host Organisation if the sensitive information is disclosed (for example, for the health and safety of other persons)?

Wherever possible, disclosing sensitive information to a third party should be discussed with the individual to clarify what information, if any, they are comfortable to give their consent to disclose. This discussion should take place at the same time the individual is requested to sign the relevant Privacy Notification and Consent Form and a record of the conversation should be retained.

Disclosing an individual's medical information to a third party

Any health or medical information relating to an individual will also be sensitive information and should be handled carefully to prevent unauthorised disclosure to a third party in relation to a placement.

When a provider is aware of a health or medical issue the individual has disclosed, this should always be considered in making referrals. This is because, amongst other things, the health of the individual could be affected or exacerbated by the placement.

In these circumstances, the provider should consider, subject to the individual's consent, passing on the information to the relevant third party. The provider should discuss the information with the third party to determine whether the individual can be accommodated and whether the placement will be suitable. If the provider, in conjunction with the third party decides the place is not suitable or they cannot mitigate the associated risk, the provider should seek another suitable placement that does not pose a health risk to the individual.

Example 1 – The provider has organised four weeks of unpaid work experience in a bakery, however the individual has advised they have a mild nut allergy. In the case of an EST Course, or a Career Transition Assistance Outbound Employer Visit, the industry awareness experience is an afternoon tour of the bakery.

Following a risk assessment and consultation with the Host Organisation, it is agreed the individual will undertake the placement but steps will be taken to ensure the individual is protected appropriately and suitable medical contingencies will be put in place.

jobactive Deed 2015 – 2020 clause reference: 8 (Checks and reasonable care), 35 (Personal and Protected Information), 37 (Records the Provider must keep)

Transition to Work Deed 2016–2020 clause reference 8 (Checks and reasonable care), 35 (Personal and Protected Information) and 37 (Records the Provider must keep)

ParentsNext Deed 2018-2021 clause reference: 8 (Checks and reasonable care) and 29 (Personal and Protected Information)

Time to Work Employment Services Deed clause reference Clause 27 (Checks and Reasonable Care), 46 (Personal and Protected Information) and 48 (Keeping and dealing with Records)

Career Transition Assistance Panel Deed 2019-2022 clause reference: 27 (Personal and Protected Information) and 29 (Records the CTA Provider must keep)

Career Transition Assistance Trial Panel Deed 2018-2022 clause reference: 28 (Personal and Protected Information) and 30 (Records the CTA Provider must keep)

Transition Services Panel Deed 2018-2020 clause reference: 59 (Personal and Protected Information) and 62 (Records the TSP Member must keep)

Personal Information is directly relevant to a placement.

Example 2 – The provider organises a placement e.g. Work for the Dole Place with their Host Organisation in local parkland which is close to a school.

The Working with Children and police check, indicate that the individual has convictions which preclude him/her from being within 100 metres of a school.

The provider finds another placement not close to schools or other organisations involving children in order to ensure the individual complies with his/her Court ordered agreement/restrictions.

Example 3 – An EST Course specialising in care services, proposes an industry awareness experience which will include a tour of a child care facility.

Following a standard Working with Children check, it is revealed that an individual has convictions which preclude the Participant from being within 100 metres of a school.

The provider works with the EST Provider to determine if an alternative industry awareness experience can be provided within the course and if not refers the individual to another EST Course not involving children in order to ensure the Individual complies with his/her Court ordered agreement/restrictions.

Example 4 – A Facilitator of Career Transition Assistance proposes an Outbound Employer Visit to an Aged Care Nursing facility.

Following a Working with Vulnerable People check, it is evident that an individual has convictions which preclude the Participant from working with or being within 100 metres of an aged care facility.

The Career Transition Assistance Facilitator determines this Outbound Employer Visit is unsuitable for the particular Participant and arranges an alternative Outbound Employer Visit not involving vulnerable people to ensure the Individual complies with his/her Court ordered agreement/restrictions

Personal information is not directly relevant to a placement.

Example 5 – A provider identifies a Work for the Dole activity at a school canteen. The Host Organisation requests a Working with Children check as required by legislation. The provider applies for a Working with Children check (which includes a police check).

The Working with Children check indicates that the individual is permitted to work with children but discloses a recent Driving Under the Influence charge. After conducting the required Risk Assessments (place and job seeker), the provider is

satisfied that the results of the police check are not relevant to the individual's ability to safely carry out the activity.

In this case, the personal information would not be required to be disclosed to the Host Organisation.

The provider needs to consider each case on its merits as to whether the check is relevant and should be passed to the Host Organisation or EST Provider. Results of checks must not be passed to Host Organisations or the EST Provider in all cases.

(jobactive Deed 2015 – 2020 clause reference: 8 (Checks and reasonable care), 35 (Personal and Protected Information) and 37 (Records the Provider must keep)

Transition to Work Deed 2016–2020 clause reference 8 (Checks and reasonable care), 35 (Personal and Protected Information) and 37 (Records the Provider must keep)

ParentsNext Deed 2018-2021 clause reference: 8 (Checks and reasonable care), 29 (Personal and Protected Information) and 31 (Keeping and Dealing with Records).

Transition Services Panel Deed 2018-2020 clause reference 35, (Checks and reasonable care) and 59 (Personal and Protected information).

Managing New Enterprise Incentive Scheme (NEIS) Participant privacy requirements

NEIS Providers may need to exchange information with other parties to service Participants or other persons referred to NEIS. This may include:

- Registered Training Organisations that provide NEIS training
- other providers and/or third parties including Employment Providers, ParentsNext Providers, Disability Employment Services Providers, or Transition to Work Providers
- other Government agencies and departments.

NEIS Providers are encouraged to regularly review and discuss privacy matters with Participants or other persons referred to NEIS. The NEIS Provider should ensure that all persons referred to them are appropriately informed about the collection and use of their personal information (including sensitive information). NEIS Providers should exercise their judgement to meet their privacy obligations.

Example 1 – An individual commences with a provider and is referred to a NEIS Provider four weeks after commencement. The NEIS Provider may consider that the individual has been recently and adequately briefed on the collection and use of their personal information, and reasonably decide not to obtain any further consent to the use of their information.

Example 2 – The individual may not have been referred to a NEIS Provider until nine months after the commencement with a Provider. In these circumstances, the NEIS Provider may decide to have a discussion about the privacy of their information and may decide to ask the person to sign the relevant Privacy Notification and Consent Form.

When a NEIS Prospective Participant has an approved Business Plan, they are required to sign the NEIS Participant Agreement which contains further information about the collection and sharing of personal information.

jobactive Deed 2015 – 2020 clause reference: 35 (Personal and Protected Information), 37 (Records the Provider must keep), 127 (General), 128 (NEIS Services for NEIS Prospective Participants) and 129 (NEIS Services for NEIS Participants)

Harvest Labour Services (HLS)

A Harvest Worker may directly register with a provider when they are seeking HLS.

The provider may need to share personal information with other parties including Harvest Employers, Harvest Labour Hire Firms or other providers during the referral process.

Providers must use departmental forms when engaging with Harvest Workers.

Using the prescribed Direct Registration Form or Harvest Worker Participation Form will ensure:

- the Harvest Worker's consent to the collection, use and disclosure of their sensitive information (where applicable) is current, and
- the Harvest Worker continues to be appropriately informed of the types of personal information they may be required to provide (including sensitive information) and how this information will be used and disclosed.

Providers are encouraged to regularly review and discuss privacy matters with Harvest Workers.

jobactive Deed 2015 – 2020 clause reference: 35 (Personal and Protected Information), 37 (Records the Provider must keep) and 134 (Harvest Labour Services)

Managing Youth Jobs PaTH Employability Skills Training (EST) Participant privacy requirements

To access Employability Skills Training, a Participant's Job Plan needs to record EST as an Activity before they are referred to an EST Course by their provider.

When referring Participants to an EST Course, providers may need to share personal information with other relevant parties. Relevant parties include but are not limited to EST Providers and Industry Awareness Experience Host Organisations.

Since EST can be included as an Activity within a Job Plan at any time, providers should exercise their judgement when ensuring compliance with their privacy obligations. Some EST Courses will have Participant pre-requisites such as Working with Children or Vulnerable People checks.

Providers should ensure that all Participants referred to an EST Course are appropriately informed about the collection and use of their personal information (including sensitive information). Providers should ask Participants to sign the relevant Privacy Notification and Consent Form when their Job Plan is updated with an EST Activity.

jobactive Deed 2015 – 2020 clause reference: 35 (Personal and Protected Information), 37 (Records the Provider must keep) and 109C (Employability Skills Training)

Managing Career Transition Assistance (CTA) Participant privacy requirements

CTA Providers may need to exchange information with other parties to service job seekers referred to CTA. This may include:

- third parties such as Employer or Industry Groups,
- jobactive Providers, and
- other Government agencies and departments.

CTA Providers must ensure that all job seekers referred to CTA are appropriately informed about the collection and use of their personal information, including sensitive information. During the Initial Meeting with the job seeker, the CTA Provider must ask the individual to sign the relevant Privacy Notification and Consent Form (Attachment F). This will allow the CTA Provider to share relevant information about the Participant with their jobactive Provider or with potential Employers and/or Industry Groups.

If the Participant refuses to sign the Privacy Notification and Consent Form, this may limit the number of options and the types of services the CTA Provider can offer. The Facilitator should make the Participant aware of this during the Initial Meeting.

Career Transition Assistance Panel Deed 2019-2022 clause reference: 27 (Personal and Protected Information) and 29 (Records the CTA Provider must keep)

Career Transition Assistance Trial Panel Deed 2018-2022 clause reference: 28 (Personal and Protected Information) and 30 (Records the CTA Provider must keep)

Managing privacy requirements of Participants accessing the Transition Services Panel

TSP Members may need to exchange information with other parties to service participants referred to TSP Members. This may include:

- third parties such as Employer or Industry Groups,
- jobactive Providers (where relevant),
- Registered Training Organisations that provide NEIS training, and
- other Government agencies and departments.

TSP Members must ensure that all Participants are appropriately informed about the collection and use of their personal information, including sensitive information. TSP Members must ask the individual to sign the relevant Privacy Notification and Consent Form (Attachment G). This will allow the TSP Member to share relevant information about the Participant with potential Employers and/or Industry Groups and if relevant their jobactive Provider.

If the Participant refuses to sign the Privacy Notification and Consent Form, this may limit the type of Transition Services the TSP Member can provide.

Transition Services Panel Deed 2018-2020 clause reference: 59 (Personal and Protected Information) and 62 (Records the TSP Member must keep).

Releasing protected information to a third party (including the police) using a Public Interest Certificate

Information held about individuals may be governed by both the Privacy Act and social security law. Importantly the same piece of information may be both personal information under the Privacy Act and protected information under social security law. For example, the name and contact details of a job seeker who receives a social security benefit or payment, will likely be both personal and protected information, disclosure of which will be governed by both social security law and privacy law.

However, there are certain provisions in the social security law that enables the disclosure of protected information in some circumstances. Section 208 of the *Social Security (Administration) Act 1999* makes provision for the Secretary of the Department of Jobs and Small Business to allow use or disclosure of protected information by issuing a Public Interest Certificate (PIC).

A PIC identifies the information that can be released about a job seeker; who it can be released to; who can release the information; and allows the information to be released.

Except in the specific circumstances described in the Class PIC below, providers will need to approach the Department through their Account Manager to arrange a PIC from the Department of Jobs and Small Business to cover the release of protected information as soon as they become aware of a circumstance where they wish to, or are being asked to, disclose protected information.

Class PIC (**ONLY** for jobactive providers and NEIS, HLS and NHLIS providers)

The Secretary of the Department of Jobs and Small Business has issued a [Class PIC](#), effective from 11 December 2017, that authorises specified senior staff (i.e. site manager or above) working for jobactive providers and New Enterprise Incentive Scheme (NEIS), Harvest Labour Services (HLS) and the National Harvest Labour Information Service (NHLIS) providers to disclose protected information only where:

- there is a threat to someone's life, health or welfare (Threats)
- an offence or threatened offence occurs on premises occupied by a Provider (Offences on Premises).

In the case of Threats, the protected information can only be released to: emergency services (including the police); health service Providers; and child protection agencies.

In the case of Offences on Premises, the protected information can only be released to police officers.

Once the Provider's site manager or more senior manager has released the information, the Provider must notify their Account Manager using the [Notification Form – Release of Personal Information using the Class Public Interest Certificate \(PIC\)](#).

Only people who hold the appropriate delegation can release protected information. For more information on who has appropriate delegation and the

requirements around releasing protected information under the Class PIC please refer to [the PIC Factsheet](#).

Providers are required to obtain a separate PIC for situations that are not covered by the Class PIC, for example, releasing protected information to police or other authorities to assist an investigation when there is no threat to anyone's life, health or welfare; and responding to a subpoena or other notice requiring production of documents.

jobactive Deed 2015 – 2020 clause reference: 37 (Records the Provider must keep) and 35 (Personal and Protected Information)

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2020 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the relevant Deeds and any relevant Guidelines or reference material issued by Department of Jobs and Small Business under or in connection with the relevant Deeds.

Attachment A - jobactive Privacy Notification and Consent Form



Privacy Notification and Consent Form

Privacy statement

Your personal information is protected by law, including the *Privacy Act 1988* (Cth) (Privacy Act).

Your personal information is collected by your jobactive provider on behalf of the Australian Government Department of Jobs and Small Business (the Department) for the purpose of administering jobactive and providing you with appropriate employment services and assistance, including

- delivering employment services to you and assisting you to find a job;
- evaluating and monitoring the programs and services provided to you by the Department and its contracted providers, including jobactive, Work for the Dole, Launch into Work and Harvest Labour Services;
- contacting you about your participation in jobactive and mutual obligation requirements
- helping to resolve complaints made by you or your provider; and
- involving you in surveys conducted by the Department or on behalf of the Department.

If you do not provide some or all of your personal information, the Department may not be able to provide you with appropriate employment services and assistance.

Your personal information may be collected from and given to third parties for the purpose of providing you with appropriate employment services and assistance including:

- the Department's contracted providers;
- Commonwealth agencies;
- contracted providers of other agencies where those providers are delivering services to you;
- parties who deliver employment services to you, including Activity Host Organisations, employers and Launch into Work.

Your personal information may also be used by the Department or given to other parties where you have agreed, or where it is otherwise permitted, including where it is required or authorised by or under an Australian law, such as social security law, a court or tribunal order, or where a duty of care exists.

Agreement to the collection of sensitive information

In order to provide you with appropriate employment services and assistance, your provider may also collect sensitive information, which is a type of personal information. Sensitive information may include details of your cultural or linguistic background, any criminal record, medical information and membership of a professional or trade association.

Declaration by Participant²

I agree to the collection of my sensitive information in accordance with this agreement form.

Name

Signature

Date

(Where applicable) Additional declaration by legal guardian or administrator of individual.³

I have been appointed the legal guardian or administrator of the Participant and, as such, I am authorised to sign this declaration for, and on behalf of the Participant (please tick box) Yes ☐

² Note: Participants under the age of 18 can sign this declaration as long as they do not have a guardian or administrator appointed.

³ Note: Where the Individual has been appointed a guardian or administrator, the guardian or administrator must sign the declaration.

The Department's Privacy Policy contains more information about the way in which we will manage your personal information, including information about how you may access your personal information held by the Department and seek correction of such information. The Privacy Policy also contains information on how you can complain about a breach of the APPs and how the Department will deal with such a complaint. A copy of the Department's Privacy Policy can be found on the [Privacy page](#) of our website or by requesting a copy from the Department via email at privacy@jobs.gov.au.



Privacy Notification and Consent Form

Privacy statement

Your personal information is protected by law including the *Privacy Act 1988* (Cth) (Privacy Act).

Your personal information is collected on behalf of the Australian Government Department of Jobs and Small Business (the Department) for the purpose of administering Transition to Work and providing you with appropriate employment services and assistance, including:

- delivering employment services to you and to help you find a job;
- evaluating and monitoring the programs and services provided to you by the Department and its contracted providers;
- contacting you about your participation in Transition to Work;
- helping to resolve complaints made by you or your provider; and
- involving you in surveys conducted by the Department or on behalf of the Department.

If you do not provide some or all of your personal information, the Department may not be able to provide you with appropriate employment services and assistance.

Your personal information may be collected from and given to third parties for the purpose of providing you with appropriate employment services and assistance including:

- the Department's contracted providers;
- Commonwealth agencies;
- relevant State and Territory Government agencies;
- contracted providers of other agencies where those providers are delivering services to you; and
- parties who deliver employment services to you, including Activity Host Organisations, employers and Launch into Work Organisations.

Your personal information may also be used by the Department or given to other parties where you have agreed, or where it is otherwise permitted, including where it is required or authorised by or under an Australian law, such as social security law, a court or tribunal order, or where a duty of care exists.

Agreement to the collection of sensitive information

In order to provide you with employment services and assistance, your provider may also collect sensitive information, which is a type of personal information. Sensitive information may include details of your cultural or linguistic background, any criminal record, medical information and membership of a professional or trade association.

Declaration by Participant⁴

By signing below, I confirm that I agree to the collection of my sensitive information in accordance with this agreement form.

Name

Signature

Date

(Where applicable) Additional declaration by legal guardian or administrator of Participant⁵

I have been appointed the legal guardian or administrator of the Participant and as such, I am authorised to sign this declaration for, and on behalf of, the Participant (please tick box). Yes ☐

⁴ Note: Individuals under the age of 18 are permitted to sign this declaration as long as they do not have a guardian or administrator appointed

⁵ Note: Where the individual has been appointed a guardian or administrator, the guardian or administrator should sign the declaration

The Department's Privacy Policy contains more information about the way in which we will manage your personal information, including information about how you may access your personal information held by the Department and seek correction of such information, and information on how you can complain about a breach of the APPs and how the Department will deal with such a complaint. A copy of the Department's Privacy Policy can be found on the [Privacy page](#) of our website or by requesting a copy from the Department via email at privacy@jobs.gov.au.



Harvest Worker Participation Form

Your personal information (including protected information) is protected by law, including the *Privacy Act 1988* (Cth) (Privacy Act) and the Australian Privacy Principles (APPs). The personal information (including protected information) you provide on this form, or otherwise in relation to your registration for the Harvest Labour Services program, is collected by your Harvest Labour Services provider on behalf of the Australian Government Department of Jobs and Small Business (the Department) to:

- work out whether you are eligible for Harvest Labour Services and register you with a Harvest Labour Services provider if you are eligible
- help in evaluating and monitoring the programs and services provided to you by the Department's contracted providers (including handling complaints)
- so that you can be included in surveys conducted by the Department or on behalf of the Department

If you do not provide some or all of your personal information (including sensitive information), the Department cannot ensure that you are provided with the most suitable level of employment assistance.

Your personal information may be collected from and passed on to and between the Department's contracted employment services provider, employers, Commonwealth agencies and their respective contracted providers where those providers are delivering services to you. Your personal information (including sensitive information) may also be used by the Department or given to other parties where you have agreed, or otherwise permitted, including where it is required or authorised by or under an Australian law or a court or tribunal order.

The Department's Privacy Policy contains more information about the way in which we will manage your personal information, including information about how you may access your personal information held by the Department and seek correction of such information. The Privacy Policy also contains information on how you can complain about a breach of the APPs and how the Department will deal with such a complaint. A copy of the Department's Privacy Policy can be found on the Privacy page of our website or by requesting a copy from the Department via email at privacy@jobs.gov.au.

1. Your personal details

☐ Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other

Family name

First given name

Preferred name

Date of birth

Gender

☐ Male ☐ Female

☐ Indeterminate/Intersex/Unspecified

Country of birth

Do you identify as Aboriginal or Torres Strait Islander?

☐ Yes ☐ No

2. Your Customer Reference Number

Please supply your CRN if you have one

3. Overseas visitor

Are you an overseas visitor registering for the sole purpose of obtaining Harvest Work?

☐ Yes ☐ No

4. Your Contact Details

Postal Address

Number and street/PO Box

Suburb or town

State or Territory

Postcode

Country

Other contact details

Home phone:

()

Mobile phone:

Email:

5. Current working hours

Are you currently working 15 hours or more per week?

☐ Yes ☐ No

6. Proof of identity

You must be able to provide documentation specified in either **Group A** or **Group B** (see below for detail)

Group A

Photo identification issued by a government department or agency

Please specify type of identification

Please specify identification number

Visa type (if applicable)

Visa end date (if applicable)

Group B

You must provide two of the following:

Financial institution (bank) documents[#]

- Including ATM or credit cards showing your name and address or current passbook showing your name.

[#] Account numbers are not copied or recorded.

OR

Other documents – any of the following documents

- Australian Birth Certificate or Australian Birth Certificate Extract
- Certificate of Australian Citizenship
- Motor vehicle registration papers with current address
- Australian Marriage Certificate
- Documents showing registration of a change of name
- Divorce papers
- Trade certificate
- Insurance Renewal documents showing current address
- Medicare Card
- Other (please specify)

7. Declaration**Declaration by job seeker:**

By signing below, I confirm that:

- I have read and understood the completed form, and the information included therein is complete and true to the best of my knowledge
- I agree to the collection of my sensitive information
- I understand that my personal information may be provided to Department-contracted providers, who may view and use this information for the purposes of registering me for, and delivering programs and Services.
- I give permission for my visa to be checked.

(Where applicable) Additional declaration by legal guardian/administrator of job seeker.

I have been appointed the legal guardian/administrator of the job seeker and as such, I am authorised to sign this declaration for, and on behalf of, the job seeker (Please tick box). ☐ Yes

Printed Name:

Signature

Date:

Declaration by employment services provider:

By signing below, I declare that:

- the information about the job seeker, as entered on this form and in the department's IT Systems, is true and correct to the best of my knowledge.

Provider

Preferred name

Printed name:

Signature

Date:



Privacy Notification and Consent Form

Privacy statement

Your personal information is protected by law, including the *Privacy Act 1988* (Cth) (Privacy Act).

Your personal information is collected by your ParentsNext Provider on behalf of the Australian Government Department of Jobs and Small Business (the Department) to administer ParentsNext and to provide you with appropriate services and assistance, including:

- delivering ParentsNext services and assistance to you that will help you in your preparation for employment;
- evaluating and monitoring the program and services provided to you by the Department and its contracted providers;
- contacting you about your participation in ParentsNext;
- helping to resolve complaints made by you or your ParentsNext provider; and
- involving you in surveys conducted by the Department or on behalf of the Department.

If you do not provide some or all of your personal information, the Department may not be able to provide you with appropriate services and assistance.

Your personal information may be collected from and given to third parties for the purpose of providing you with appropriate services and assistance including:

- the Department's contracted providers;
- Commonwealth agencies;
- contracted providers of other agencies where those providers are delivering services to you;
- parties who deliver services to you, including Activity Host Organisations and employers.

Your personal information may also be used by the Department or given to other third parties where you have agreed, or where it is otherwise permitted, including where it is required or authorised by or under an Australian law, such as social security law, a court or tribunal order, or where a duty of care exists.

Agreement to the collection of sensitive information

In order to provide you with services and assistance, your ParentsNext provider may collect sensitive information, which is a type of personal information. Sensitive information may include details of your cultural or linguistic background, any criminal record, medical information and membership of a professional or trade association.

Declaration by Participant⁶

By signing below, I confirm that I agree to the collection of my sensitive information in accordance with this agreement form.

Name

Signature

Date

Declaration by Legal Guardian or Administrator of Participant (where applicable)⁷

⁶ Note: Individuals under the age of 18 are permitted to sign this declaration as long as they do not have a guardian or administrator appointed

⁷ Note: Where the individual has been appointed a guardian or administrator, the guardian or administrator should sign the declaration

I have been appointed the legal guardian or administrator of the Participant and as such, I am authorised to agree to the collection of the Participant's sensitive information in accordance with this form for, and on behalf of, the Participant (please tick box). Yes ☐

The Department's Privacy Policy contains more information about the way in which we will manage your personal information, including information about how you may access your personal information held by the Department and seek correction of such information. The Privacy Policy also contains information on how you can complain about a breach of the APP and how the Department will deal with such a complaint. A copy of the Department's Privacy Policy can be found on the [Privacy page](#) of our website or by requesting a copy from the Department via email at privacy@jobs.gov.au.



Your Privacy and Time to Work Employment Service Form

Privacy Statement

Your personal information is protected by law, including the *Privacy Act 1988* (Cth) (Privacy Act). Personal information includes your name, date of birth, contact details, education and employment history and details of your personal circumstances.

Your personal information is collected by your Time to Work Employment Service provider (Provider) on behalf of the Australian Government Department of Jobs and Small Business (the Department). Your Provider will generally collect this information directly from you but it may also be collected from other Australian Government agencies and third parties. Your personal information is collected to allow the Department to administer the Time to Work Employment Service and provide you with employment services and support, such as:

- assisting you prepare for employment and release
- helping the Department understand what Time to Work services and support worked and what could be done better
- helping solve problems raised by you or the Provider.

If you do not provide some or all of your personal information, the Department may not be able to provide you with suitable employment services and assistance.

Your personal information may be shared with third parties, including the Department's contracted providers, other Australian Government agencies (for example, Centrelink). You should discuss this with your Provider if you would like more information about when and why this occurs.

Agreement to the collection of sensitive information

In order to provide you with appropriate employment services and support, your Provider may also collect sensitive information, which is a type of personal information. Sensitive information may include details of your cultural or linguistic background, criminal record, membership of a professional or trade association and medical information.

Your Provider may collect sensitive information detailing medical conditions from your medical records held by the prison. If there are no medical records from your time in prison the Provider may seek medical information from your personal medical practitioner. Your medical information will only be used for the purposes of the Employment Services Assessment.

Agreement by Participant:

I agree to the collection of my sensitive information in accordance with this form.

Name

Signature

Date

Agreement to the disclosure of Transition Plan

With your consent the Department will provide a copy of your Transition Plan or draft Transition Plan (which includes your personal and sensitive information) to your parole board. Your parole board will only use this information in their assessment of your application for parole. You do not have to consent to this disclosure.

Agreement by Participant to disclose my Transition Plan

I agree to the disclosure of my Transition Plan to the parole board in accordance with this form.

Name

Signature

Date

Declaration by Provider:

I declare that I have explained the matters on this form to the Participant, including how their personal and sensitive information will be handled.

Name

Signature

Date

More information

The Department's Privacy Policy contains more information about how the Department will manage your personal information, including information about how you can access your own personal information held by the Department or ask for it to be corrected. The Privacy Policy also explains how you can complain about a breach of the Australian Privacy Principles and how the Department will deal with that complaint. You can ask your Provider for a copy of the Privacy Policy.



Privacy Notification and Consent Form

Privacy Statement

Your personal information is protected by law, including the *Privacy Act 1988* (Cth) (Privacy Act). Personal information includes your name, date of birth, contact details, education and employment history and details of your personal circumstances.

Your personal information is collected by your Career Transition Assistance provider (Provider) on behalf of the Australian Government Department of Jobs and Small Business (the Department) for the purpose of administering Career Transition Assistance (CTA) and provide you with appropriate employment services and support, including:

- delivering CTA services and assistance to you that will help you in your preparation for employment;
- evaluating and monitoring the program and services provided to you by the Department and its contracted providers;
- contacting you about your participation in CTA;
- helping to resolve complaints made by you or your Provider; and
- involving you in surveys conducted by the Department or on behalf of the Department.

If you do not provide some or all of your personal information, the Department may not be able to provide you with suitable employment services and assistance.

Your personal information may be collected from and given to third parties for the purpose of providing you with appropriate services and assistance including:

- the Department's contracted providers;
- Commonwealth agencies;
- relevant State and Territory Government agencies;
- contracted providers of other agencies where those providers are delivering services to you; and
- parties who deliver employment services to you, including Activity Host Organisations and employers.

Your personal information may also be used by the Department or given to other third parties where you have agreed, or where it is otherwise permitted, including where it is required or authorised by or under an Australian law, such as social security law, a court or tribunal order, or where a duty of care exists.

Agreement to the collection of sensitive information

In order to provide you with appropriate employment services and support, your Provider may also collect sensitive information, which is a type of personal information. Sensitive information may include details of your cultural or linguistic background, criminal record, membership of a professional or trade association and medical information.

Declaration by Participant:

I agree to the collection of my sensitive information in accordance with this form.

Name

Signature

Date

Declaration by Provider:

I declare that I have explained the matters on this form to the Participant, including how their personal and sensitive information will be handled.

Name

Signature

Date

More information

The Department's Privacy Policy contains more information about how the Department will manage your personal information, including information about how you can access your own personal information held by the Department and seek correction of such information. The Privacy Policy also contains information on how you can complain about a breach of the Australian Privacy Principles (APP) and how the Department will deal with such a complaint. A copy of the Department's Privacy Policy can be found on the [Privacy page](#) of our website or by requesting a copy from the Department via email at privacy@jobs.gov.au.



Privacy Notification and Consent Form

Privacy Statement

Your personal information is protected by law, including the *Privacy Act 1988* (Cth) (Privacy Act).

Your personal information is collected by your Transition Services Panel Member (TSP Member) on behalf of the Australian Government Department of Jobs and Small Business (the Department) for the purpose of administering Stronger Transitions and to provide you with appropriate employment services and support, including:

- delivering transition services that will help support you in your preparation to transition to new jobs and prepare for jobs of the future;
- evaluating and monitoring the transition services provided to you by the Department and its contracted providers;
- contacting you about the transition services support you have received;
- helping to resolve complaints made by you or your Provider; and
- involving you in surveys conducted by the Department or on behalf of the Department.

If you do not provide some or all of your personal information, the Department may not be able to provide you with appropriate employment services and assistance.

Your personal information may be collected from and given to third parties for the purpose of providing you with appropriate employment services and assistance including:

- the Department's contracted providers;
- Commonwealth agencies;
- relevant State and Territory Government agencies;
- contracted providers of other agencies where those providers are delivering services to you;
- your employer; and
- parties who deliver transition services to you, including Host Organisations and employers.

Your personal information may also be used by the Department or given to other third parties where you have agreed, or where it is otherwise permitted, including where it is required or authorised by or under an Australian law, such as social security law, a court or tribunal order, or where a duty of care exists.

Agreement to the collection of sensitive information

In order to provide you with appropriate employment services and support, your TSP Member may also collect sensitive information, which is a type of personal information. Sensitive information may include details of your cultural or linguistic background, criminal record, membership of a professional or trade association and medical information.

Declaration by Participant:

I agree to the collection of my sensitive information in accordance with this form.

Name

Signature

Date

Declaration by TSP Member:

I declare that I have explained the matters on this form to the Participant, including how their personal and sensitive information will be handled.

Name

Signature

Date

More information

The Department's Privacy Policy contains more information about how the Department will manage your personal information, including information about how you can access your own personal information held by the Department and seek correction of such information. The Privacy Policy also contains information on how you can complain about a breach of the Australian Privacy Principles (APP) and how the Department will deal with such a complaint. A copy of the Department's Privacy Policy can be found on the [Privacy page](#) of our website or by requesting a copy from the Department via email at privacy@jobs.gov.au.