



Australian Government
Department of Education,
Skills and Employment

Data Matching Protocol

Supporting Apprentices and Trainees:
2019-20 to 2021-22

Data matching between the Australian Taxation Office and
the Department of Education, Skills and Employment

July 2020



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Description of the data matching program

Overview

The *Supporting Apprentices and Trainees* (SAT) data matching protocol has been developed in accordance with the Guidelines on Data Matching in Australian Government Administration 2014 (Guidelines) published by the Office of the Australian Information Commissioner (OAIC). The Guidelines aim to assist agencies to use data matching as an administrative tool in a way that complies with the Australian Privacy Principles (APP) and the *Privacy Act 1988 Cth* (Privacy Act) and is consistent with good privacy practice. They set out the legal basis for any collection, use or disclosure of personal information involved in the data matching program. They also set out the objectives of the program and the procedures to be employed.

The purpose of this data matching program is to confirm eligibility and mitigate risk in relation to the SAT measure. The measure is administered by the Department of Education, Skills and Employment (DESE). The JobKeeper Payment is a separate wage subsidy program administered by the Australian Taxation Office (ATO). Employers are not eligible to claim both the SAT and JobKeeper Payment for the same apprentice in the same claim period.

The data matching program seeks to match details held at DESE with the ATO to identify employers who have incorrectly claimed under the SAT measure. This information will be used to conduct further investigations and develop guidance for SAT stakeholders.

Undertaking the data matching program will assist in protecting public revenue and maintaining community confidence in the integrity of the SAT measure.

Objectives

The objectives of this data matching program are to:

- confirm that the employer is eligible to receive the *Supporting Apprentices and Trainees* wage subsidy;
- validate information provided by the employer claiming the *Supporting Apprentices and Trainees* wage subsidy; and
- confirm that employers are not claiming both the *Supporting Apprentices and Trainees* wage subsidy and JobKeeper Payment at the same time in respect to the same employee.

To be eligible under the SAT measure, an apprentice must have been in an Australian Apprenticeship with a small business as at 1 March 2020. Employers of any size who re-engage an eligible out of trade apprentice are also eligible to claim the SAT wage subsidy. Group Training Organisations, with an apprentice working in a host business of any size in receipt of the JobKeeper Payment for other employees, may be eligible for a subsidy equivalent to \$1,500 per fortnight. However, employers cannot claim under the SAT for an employee if they are claiming JobKeeper at the same time for the same employee.



Agencies involved

DESE is the data matching and sole user agency and the ATO is the sole source agency.

Data Issues

Data will be transferred into a standardised format and validated to ensure that it contains the required data elements prior to being exchanged between DESE and the ATO.

It is estimated the data will capture records that relate to around 117,000 apprentices and trainees and more than 70,000 employers.

DESE data is held in secure data platforms that have strict security controls. DESE staff are subject to the provisions detailed in the Privacy Act and the Australian Privacy Principles.

All DESE computer systems are strictly controlled, with features that include:

- system access controls and security groupings
- login identification codes and password protection
- full audit trails of data files and system accesses.

The matching process

Under the data matching program, DESE will provide the ATO with information relating to employers and apprentices that has been extracted from DESE's Training and Youth Internet Management System (TYIMS) and SmartForms completed by employers. The ATO will match the information against their data holdings to verify DESE information.

The ATO will then provide DESE with data on employers that:

- claimed eligibility for the SAT as a small business
- claimed the SAT wage subsidy and JobKeeper Payments at the same time for the same apprentice.


The ATO will provide this information to DESE with explanatory notes on the quality of DESE's data. DESE will then use the information for program administration and risk management purposes. Secure internet-based data transfer facilities will be used when transferring data between agencies.

Action resulting from the program

Where DESE detects a discrepancy that requires verification it will contact the claimant and provide them with an opportunity to verify the accuracy of the information on which their eligibility was based. Claimants will be given at least 28 days to respond and individual circumstances, if any, will be taken into consideration.

Time limits

The first data matching activity is intended to be conducted as soon as practicable, and to occur at regular intervals as required over the life of the measure.



DESE will handle the data received from the ATO in accordance with the *Privacy Act 1988 (Cth)*, the *Archives Act 1983* and any relevant records authority.

Public notice of the program

The Program Protocol will be published on the DESE website. A notice will also be published in the Australian Government Gazette (refer Attachment A) before the commencement of the program.

Reasons for conducting the data matching program

Relationship to lawful functions

The data matching program relates to DESE's lawful function of limiting payments to those eligible under the [Australian Apprentices Training Incentive Program Guidelines](#) under the SAT measure.

Legal authority

The disclosure of information by DESE to the ATO is consistent with the primary purpose for which the information was collected which is to determine eligibility, making payments and general program administration, and is authorised by APP 6.1. In addition, there is a reasonable basis to apply the exception at APP 6.2(a) which provides a lawful basis to facilitate data disclosure.

ATO is permitted to disclose data to DESE under Item 4 in Table 1 in sub-section 355-65(2) of Schedule 1 to the *Taxation Administration Act 1953*.

Alternative methods

There are no practical alternatives to this data matching program, as the relevant data (information on business size and management of the JobKeeper program) is held by the ATO.

Costs and benefits

The data matching program is a cost effective way of examining a high volume of records. There will be some incidental costs in the conduct of this program, however, these are considered proportionate to the scale of the program. The costs include:

- data analyst resources to identify potential instances of non-compliance
- compliance resources to manage casework and educational activities
- governance resources to ensure compliance with the Guidelines and Privacy Act
- storage of the data

The data matching program will assist in identifying employers who are not complying with their obligations under the SAT measure. It will promote voluntary compliance by notifying the public of areas and activities under scrutiny and through successful targeting of communications and provision of self-help information. The benefits of data matching include maintaining community confidence in both the SAT program and DESE systems by detecting, dealing with and deterring those that provide incorrect information.



Changes to this Protocol

DESE and the ATO may agree to amend this Protocol, from time to time. If this Protocol is amended a revised copy of this Protocol will be made publicly available.

How we undertake data matching

The ATO uses sophisticated identity matching techniques to ensure it identifies the correct business or individual when providing data to third parties. The technique uses multiple details to obtain an identity match. For example, where a name, address and date of birth are available, all three are used in the identity matching process. Very high confidence matches will occur where all fields are matched.

Additional manual processes may be undertaken where high confidence identity matches do not occur, or a decision is taken to destroy the data with no further action. The ATO's manual identity matching process involves an ATO officer reviewing and comparing third party data identity elements against ATO information on a one-on-one basis, seeking sufficient common indicators to allow confirmation (or not) of an individual's or business's identity.

DESE will use the information sourced from ATO through this process to verify its own data holding. A manual process will be undertaken for data matching. A DESE officer will compare the information received from ATO with the information provided by employers claiming under the SAT measure. All discrepancies and anomalies will be dealt with on a case-by-case basis. Corrective treatment may involve seeking further information from employers and providing them with the opportunity for record correction.

DESE Privacy Policy

The DESE privacy policy has detailed information about how we collect, hold and disclose data as well as information about what a program user or stakeholder can do if not satisfied with how their information has been treated. If a program user or stakeholder is not satisfied with how DESE have collected, held, used or disclosed its personal information, they can make a formal complaint.

Via email:

privacy@dese.gov.au

Via pre-paid post:

The department prefers that you mail your complaint to the following address:

Privacy Officer, Legal Services

Department of Education, Skills and Employment

Location Code: C50MA10 - LEGAL

GPO Box 9880 Canberra ACT 2601



Via telephone:

The department's switchboard number is 1300 566 046.

In order to ensure that the department fully understands the nature of your privacy complaint and the outcome you are seeking, the department prefers that you make your privacy complaint in writing.

If you are unhappy with the department's response to your privacy complaint you can lodge a written complaint with the Office of the Australian Information Commissioner (OAIC). More information about the OAIC and how to lodge a complaint can be found on [the OAIC website](#). The OAIC generally prefers that individuals complain to the agency in the first instance before lodging a complaint to the OAIC.



Attachment A – Gazette notice content

Gazette notice content

Department of Education, Skills and Employment - Notice of a data matching program

The Department of Education, Skills and Employment will acquire data from the Australian Taxation Office (ATO) to support administration of the *Supporting Apprentices and Trainees (SAT)* program.

This data will include information about businesses currently employing apprentices, as well as information about apprentices contained in the Training and Youth Internet Management System (TYIMS) and SmartForms completed by employers.

It is estimated the data matching will capture records that relate to around 117,000 apprentices and trainees and more than 70,000 employers.

The records will be electronically matched with ATO data holdings. The objectives of the data matching program are to:

- confirm that the employer is eligible to receive the *Supporting Apprentices and Trainees* wage subsidy;
- validate information provided by the employer claiming the *Supporting Apprentices and Trainees* wage subsidy; and
- confirm that employers are not claiming both the *Supporting Apprentices and Trainees* wage subsidy and JobKeeper Payment at the same time in respect of the same employee.

The Department of Education, Skills and Employment complies with the Office of the Australian Information Commissioner's Guidelines on data matching in Australian government administration (2014) which includes standards for data matching to protect the privacy of individuals. A full copy of the Department's privacy policy can be accessed at www.dese.gov.au/privacy