

Employee Privacy Policy

For Australian Small & Medium Enterprises

Template Version 1.0 | December 2024

Important Notice

This template is provided as a general guide only. Privacy policies require careful consideration of the Privacy Act 1988 and Australian Privacy Principles. We recommend having this policy reviewed by a legal or privacy professional before implementation.

1. Purpose

This policy explains how [Company Name] collects, uses, stores, and discloses personal information about employees and job applicants. We are committed to protecting the privacy of personal information in accordance with the Privacy Act 1988 (Cth) and the Australian Privacy Principles.

2. Scope

This policy applies to:

- All current employees (full-time, part-time, and casual)
- Job applicants and candidates
- Former employees
- Contractors and temporary workers
- Volunteers and work experience students

3. Types of Information Collected

[Company Name] may collect and hold the following types of personal information:

3.1 Contact and Identification

- Name, address, phone number, and email
- Date of birth
- Tax file number
- Bank account details
- Emergency contact details
- Proof of identity documents
- Work rights documentation

3.2 Employment Information

- Resume and employment history
- Qualifications and certifications
- References and background checks
- Performance reviews and disciplinary records
- Training records
- Leave records
- Payroll information

3.3 Sensitive Information

With consent, we may collect sensitive information including:

- Health information relevant to work capacity
- Workers compensation claims history
- Criminal history (where legally permitted)
- Membership of professional associations
- Diversity information (voluntarily provided)

4. How We Collect Information

Personal information is collected:

- Directly from you during recruitment and employment
- From referees you have nominated
- From third parties conducting background checks (with consent)
- From government agencies as required by law
- Through workplace systems and technology

5. Purpose of Collection

We collect personal information to:

- Assess job applications and suitability for employment
- Administer employment contracts and conditions
- Process payroll and superannuation
- Manage leave, performance, and training
- Comply with legal and regulatory requirements
- Provide employee benefits and support programs
- Maintain workplace health and safety
- Investigate complaints and misconduct
- Communicate with employees about work matters

6. Disclosure of Information

We may disclose personal information to:

- Government agencies (ATO, Fair Work, etc.) as required by law
- Superannuation funds
- Workers compensation insurers
- Payroll service providers
- Training providers
- External HR or legal advisors
- Health professionals for work-related matters

We will not sell or trade your personal information to third parties.

7. Storage and Security

[Company Name] will:

- Store personal information securely in locked files or password-protected systems
- Limit access to authorised personnel only
- Protect electronic data with appropriate security measures
- Dispose of information securely when no longer required
- Require third-party providers to comply with privacy obligations

7.1 Retention Periods

Personal information will be retained for:

- Current employees: duration of employment
- Employment records: 7 years after employment ends (as required by law)
- Unsuccessful applicants: 6-12 months
- Longer periods where required by law

8. Workplace Monitoring

[Company Name] may monitor workplace activities, including:

- Email and internet usage on company systems
- Computer and device activity
- CCTV in common areas (with signage)
- Phone calls for training and quality purposes
- Access card records

Employees will be informed of any monitoring activities. Monitoring is conducted for legitimate business purposes and complies with applicable laws.

9. Access and Correction

Employees have the right to:

- Request access to their personal information held by [Company Name]
- Request correction of inaccurate or outdated information
- Request details of how their information has been used

9.1 How to Request Access

To request access or correction:

- Submit a written request to HR or the Privacy Officer
- Provide proof of identity
- Specify the information you wish to access or correct

We will respond within 30 days. Access may be refused in certain circumstances permitted by law.

10. Direct Marketing

[Company Name] does not use employee personal information for direct marketing purposes unrelated to employment.

11. Cross-Border Disclosure

If [Company Name] transfers personal information overseas, we will ensure:

- The recipient is subject to similar privacy protections
- Consent is obtained where required
- Contractual protections are in place

12. Data Breaches

In the event of a data breach affecting employee personal information:

- [Company Name] will assess the breach and take remedial action
- Affected individuals will be notified as required
- The Office of the Australian Information Commissioner will be notified if required

13. Employee Obligations

Employees who handle personal information must:

- Only access information necessary for their role
- Keep personal information confidential
- Follow data protection procedures
- Report any actual or suspected breaches immediately
- Not disclose information to unauthorised persons

14. Complaints

If you believe your privacy has been breached:

- Raise the concern with your manager or HR
- Submit a written complaint to the Privacy Officer
- Complaints will be investigated and you will receive a response

If not satisfied with the outcome, you may complain to the Office of the Australian Information Commissioner.

15. Contact

For privacy-related inquiries, contact:

- Privacy Officer: [Insert name]
- Email: [Insert email]
- Phone: [Insert phone]

16. Review

This policy will be reviewed annually to ensure it remains current and compliant with privacy laws.

Employee Acknowledgement

I acknowledge that I have read and understood [Company Name]'s Employee Privacy Policy. I understand how my personal information will be collected, used, stored, and disclosed.

Employee Name: _____

Signature: _____

Date: _____