

Maxima Privacy Policy

1. Introduction

Privacy is a human right.

We manage personal information in accordance with the *Privacy Act 1988, Australian Privacy Principles and State and Territory privacy laws*. This policy applies to information collected by Maxima Training Group (AUST) Ltd. We only collect information that is reasonably necessary for the proper performance of our activities or functions.

We do not collect personal information just because we think it could be useful at some future stage if we have no present need for it.

We may decline to collect unsolicited personal information from or about you and take steps to purge it from our systems.

If you have any questions please contact Maxima in writing addressed to: *Lesley How, Maxima Privacy Officer, PO Box 210, Hindmarsh SA 5007.*

1.1 PP Entity

The Maxima Training Group (AUST) Ltd manages personal information, as an APP Entity, under the Australian Privacy Principles (APPs).

Because we are a contracted service provider to a range of Commonwealth, State and Territory government agencies, it sometimes becomes necessary for us to collect and manage personal information as an Agency under different privacy arrangements.

1.2. Information Flow

When we collect your personal information:

- we check that it is reasonably necessary for our functions or activities as a Provider of Vocational Training, Group Training, Employment Services and NDIS;
- we check that it is current, complete and accurate. This will sometimes mean that we have to cross check the information that we collect from you with third parties;
- we record and hold your information in our Information Record System. Information will not be disclosed to overseas recipients.
- we retrieve your information when we need to use or disclose it for our functions and activities. At that time, we check that it is current, complete, accurate and relevant. This will sometimes mean that we have to cross check the information that we collect from you with third parties once again - especially if some time has passed since we last checked.
- subject to some exceptions, we permit you to access your personal information in accordance with APP:12 of the APP's.
- we correct or attach associated statements to your personal information in accordance with APP:13 of the APP's.
- we destroy or de-identify your personal information when it is no longer needed for any purpose for which it may be used or disclosed provided that it is lawful for us to do so. We do not destroy or de-identify information that is contained in a Commonwealth Record.

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- As an NDIS provider, we respect and protect the privacy of everyone that receives supports and services from them, or provides those supports and services. This may include health information.

1.3 Confidentiality

Confidential information is information that is provided in confidence and is assumed by the individual who provided it that it will not to be shared with others and/or the release of which would cause personal distress to a person. Maxima's commitment to Confidentiality, refer to the Confidentiality of Information Policy.

2. Kinds of information that we collect and hold

Personal information that we collect and hold is information that is reasonably necessary for the proper performance of our functions and activities as a Provider of Vocational Training, Group Training, Employment Services and NDIS is likely to differ depending on whether you are:

- a Jobseeker
- a Client
- a Participant in a Training Programme
- a Referee
- an NDIS participant

2.1. For Jobseekers

The type of information that we typically collect and hold about Jobseekers is information that is necessary to assess amenability to work offers and work availability; suitability for placements; or to manage the performance in work obtained through us and includes:

- Employment Service Assessments Skills assessments
- Medical reports
- Work history including details of previous employers
- Education and training history
- Details of licenses held
- Cultural background

2.2. For Clients

The type of information that we typically collect and hold about Clients is information that is necessary to help us manage the presentation and delivery of our services and may include:

- Company contact details and details of those responsible for purchasing employment or training services, managing or supervising on-hire or group training placements.
- The nature of the business you are engaged in
- Qualifications of those supervising Australian Apprentices
- WHS site assessments
- Service history with our organisation
- Credit history

2.3. For Participants in a Training Programme

The type of information that we typically collect and hold about Clients is information that is necessary to help us manage the presentation and delivery of our services and may include:

- Skills assessments
- Work history including details of previous employers
- Education and training history
- Details of licenses held

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2.4. For Referees

The type of information that we typically collect and hold about Referees is information that is necessary to help to make determinations about the suitability of one of our Jobseekers for particular jobs or particular types of work and includes:

- The position held, role and employer of the referee
- Relationship of the referee to jobseeker
- Comments made about the jobseeker's work performance, technical skill levels and/or general employability skills

2.5. An NDIS Participant

The type of information that we typically collect and hold about NDIS participants is information that is necessary to help us plan and deliver registered NDIS services and may include:

- A person's name
- Address
- Date of birth
- Details about the participants health or disability
- Banking details
- Gender
- Religion

3. Purposes

The purposes for which we collect, hold, use and disclose your personal information are likely to differ depending on whether you are:

- a Jobseeker
- a Client
- a Participant in a Training Programme
- a Referee
- an NDIS participant

3.1. For Jobseekers

Information that we collect, hold, use and disclose about Jobseekers is typically used for:

- work placement operations;
- recruitment functions;
- statistical purposes and statutory compliance requirements;

For Jobseekers seeking assistance through Joblink Job Services Australia or Disability Employment Services Offices, information that we collect, hold, use and disclose is typically also used for:

- Supported wage and/or ongoing support assessments
- Unpaid Work Experience placements
- Work for the Dole placements

3.2. For Clients

Personal information that we collect, hold, use and disclose about Clients is typically used for:

- client and business relationship management;
- recruitment functions;
- marketing services to you;
- statistical purposes and statutory compliance requirements;

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3.3. For Participants in a Training Programme

Personal information that we collect, hold, use and disclose about participants in Training programmes is typically used for:

- Assessing eligibility for entry into training programmes
- Assessing eligibility for assistance under State and/or Federally funded training arrangements
- statistical purposes and statutory compliance requirements;
- Assessing applications for credit transfer and recognition of prior learning

3.4. For Referees

Personal information that we collect, hold, use and disclose about Referees is typically used for:

- to confirm identity and authority to provide references;
- Jobseeker suitability assessment;
- recruitment functions.

3.5. For NDIS participants

Personal information that we collect, use and disclose about NDIS participants is typically used for:

- determining appropriate services and establishing a service agreement;
- delivering services specified under the service agreement;
- to assist employees in providing direct services and care;
- for administrative requirements;
- to provide information to community services and health providers who provide; necessary follow-up and ongoing services if required;
- for reporting in a de-identified form for service monitoring, evaluation and reporting;
- to provide data in both an identified and de-identified form to Government; agencies in compliance with legislative and contractual funding obligations.

4. Our Policy on Direct Marketing

- Personal information might be used for direct marketing purposes
- Customer lists may be obtained from third parties for marketing purposes
- We give individuals the direct option as to whether or not they wish to receive marketing communications

5. How your personal information is collected

The means by which we will generally collect your personal information are likely to differ depending on whether you are:

- a Jobseeker
- a Client
- a Participant in a Training Programme
- a Referee

We sometimes collect information from third parties and publicly available sources when it is necessary for a specific purpose such as checking information that you have given us or where you have consented or would reasonably expect us to collect your personal information in this way.

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5.1. For Jobseekers

Personal information will be collected from you directly when you fill out and submit one of our application forms or any other information in connection with your application to us for work or registration with us for work with a third party.

With reference to Disability Employment Services provision, personal information is also collected when:

- You undertake an ESA
- Ongoing Support and Supported Wage Assessments are completed
- You provide us with medical reports during the course of your service
- Gathering feedback in relation to placement related activity

We may also collect personal information about you from a range of publicly available sources including newspapers, journals, directories, the Internet and social media sites. When we collect personal information about you from publicly available sources for inclusion in our records we will manage the information in accordance with the APP's and our Privacy Policy.

5.2. For Participants in a Training Programme

Personal information will be collected from you directly when you fill out and submit one of our enrolment forms or any other information in connection with your application to us for enrolment into a vocational training programme or course.

5.3. For Clients

Personal information about you may be collected:

- when you provide it to us for business or business related social purposes;

We may also collect personal information about you from a range of publicly available sources including newspapers, journals, directories, the Internet and social media sites. When we collect personal information about you from publicly available sources for inclusion in our records we will manage the information in accordance with the APP's and our Privacy Policy.

5.4. For Referees

Personal information about you may be collected when you provide it to us:

- in the course of our checking Jobseeker references with you and when we are checking information that we obtain from you about Jobseekers;

We may also collect personal information about you from a range of publicly available sources including newspapers, journals, directories, the Internet and social media sites. When we collect personal information about you from publicly available sources for inclusion in our records we will manage the information in accordance with the APP's and our Privacy Policy.

5.5. For NDIS Participants

Personal information about you may be collected when you provide it to us:

- delivering employment support and capacity building services that will help support you in your preparation to transition to open employment and/or a Disability Employment Service program;
- evaluating and monitoring the support services provided to you by the Maxima to ensure we work with you toward so you can achieve your employment goals and aspirations;

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- contacting you about the employment services support you have received;
- helping to resolve complaints made by you; and
- involving you in surveys conducted by the Maxima or the NDIS. If you do not provide some or all of your personal information, Maxima may not be able to provide you with appropriate employment services and assistance.

Informed consent will be obtained in writing.

5.6. Photos & Images

We will not request that you supply photographs, scan photo ID, or capture and retain video image data of you in cases where simply sighting photographs or proof of identity documents would be sufficient in the circumstances.

As required, video and photographic images may be used as an adjunct to worksite safety assessment and monitoring processes to provide a visual record of the site hazard environment and work processes. These worksite records will only be accessed by duly authorised persons. Worksite images may be also be provided to the relevant safety regulator or agency for the purpose of investigation in the event of an incident. These records will not be given to any other person or agency unless authorised or required by law.

Security camera surveillance may be used in service delivery and office areas to ensure the safety of staff, visitors and the public and if necessary, to facilitate the investigation and prosecution of criminal offences. Security footage will only be accessed by the facility manager and duly delegated persons authorised to do so. Security footage may also be provided to the relevant law enforcement agency for the purpose of investigation & prosecution in the event of an incident. This information will not be given to any other person or agency unless authorised or required by law.

Electronic Transactions

Sometimes, we collect personal information that individuals choose to give us via online forms or by email, for example when individuals:

- ask to be on an email list such as a job notification list;
- register as a site user to access facilities on our site such as a job notification board;
- make a written online enquiry or email us through our website;
- submit a resume by email or through our website;
- Submit applications for the Recognition of Prior Learning
- Undertake online skills, psychological or psychometric testing.

It is important that you understand that there are risks associated with use of the Internet and you should take all appropriate steps to protect your personal information. It might help you to look at the OAIC's resource on Internet Communications and other Technologies .

You can contact us by land line telephone on 08 8234 6677 or post PO Box 210 Hindmarsh SA 5007 if you have concerns about making contact via the internet

How your personal information is held

Personal information is held in our Information Record System until it is no longer needed for any purpose for which it may be used or disclosed at which time it will be de-identified or destroyed provided that it is lawful for us to do so

We take a range of measures to protect your personal information from:

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- misuse, interference and loss; and
- unauthorised access, modification or disclosure.

5.7. Our Information Record System

Our information management system includes:

- On-site storage of hard copy and electronic data;
- Third party secure storage of records required by law to be retained for extended periods;
- Storage on ISP servers and that of internet based service providers.

5.8. Information Security

The organisation has developed a comprehensive framework to protect the security of information that we hold, including:

- Staff training
- Need-to-know and authorisation practices
- Password protection
- Policies on laptop, mobile phone and portable storage device security;
- Culling procedures including shredding and secure disposal etc.
- Secure hard copy file storage in non-publicly accessible locations
- Pro-active computer network maintenance practices
- Pro-active website maintenance practices

6. Disclosures

We may disclose your personal information for any of the purposes for which it is primarily held or for a lawful related purpose.

We may disclose your personal information where we are under a legal duty to do so.

Disclosure will usually be:

- internally and to our related entities
- to our Clients
- to Commonwealth or State Government entities when required by contractual obligations
- to Referees for suitability and screening purposes.

6.1. Related Purpose Disclosures

We outsource a number of services to contracted service suppliers (CSPs) from time to time. Our CSPs may see some of your personal information. Typically our CSPs would include:

- Software solutions providers;
- I.T. contractors and database designers and Internet service suppliers;
- Legal and other professional advisors;
- Insurance brokers, loss assessors and underwriters;
- Superannuation fund managers;
- Background checking and screening agents;

We take reasonable steps to ensure that terms of service with our CSPs recognise that we are bound by obligations to protect the privacy of your personal information and that they will not do anything that would cause us to breach those obligations.

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6.2. Cross-Border Disclosures

The organisation is unlikely to make any cross-border disclosures and in the unlikely event that this becomes likely or necessary we will contact you for your consent.

6.3. Information Sharing

There are certain circumstances where Maxima Training Group (AUST) Ltd should disclose information about a person without consent from the person involved. This might include mandatory reporting requirements on matters relating to vulnerable people, obligations to report incidences of violence, exploitation, neglect and abuse, and sexual misconduct. For such matters, guidance will be sought from the relevant jurisdictions Information Sharing guidelines. This obligation will be communicated to individuals.

7. Access & Correction

Subject to some exceptions set out in privacy law, you can gain access to your personal information that we hold.

Important exceptions include:

- Evaluative opinion material obtained confidentially in the course of our performing reference checks; and access that would impact on the privacy rights of other people. In many cases evaluative material contained in references that we obtain will be collected under obligations of confidentiality that the person who gave us that information is entitled to expect will be observed. We do refuse access if it would breach confidentiality.

7.1. Access Policy

If you wish to obtain access to your personal information you should contact our Privacy Officer – *Lesley How, Maxima Privacy Officer, PO Box 210 Hindmarsh SA 5007*. You will need to be in a position to verify your identity. Access may be subject to:

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- Lawful charges made on a cost recovery basis to access the requested information
- Complaints under this policy should be directed to *CEO, Maxima Group, PO Box 210 Hindmarsh 5007*

7.2. Correction Policy

If you find that personal information that we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, you can ask us to correct it by contacting us.

We will take such steps as are reasonable in the circumstances to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

If we have disclosed personal information about you that is inaccurate, out of date, incomplete, irrelevant or misleading, you can ask us to notify the third parties to whom we made the disclosure and we will take such steps (if any) as are reasonable in the circumstances to give that notification unless it is impracticable or unlawful to do so.

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- If we refuse to make the correction you seek, we shall attach a note to the file outlining the correction that you sought to make and the date on which it was sought
- We undertake to respond to your request within 30 working days.

Complaints

You have a right to complain about our handling of your personal information if you believe that we have interfered with your privacy.

6.3. Complaints procedure

If you are making a complaint about our handling of your personal information, it should first be made to us in writing.

You can make complaints about our handling of your personal information to our Privacy Co-ordinator, whose contact details are *Lesley How, Maxima Privacy Officer PO Box 210 Hindmarsh SA 5007*

You can also make complaints to the Office of the Australian Information Commissioner.

- Only for Tempskill On-hire and Recruitment services, complaints may also be made to [RCSA](#). The industry association of which we are a member.

RCSA administers a Code of Conduct for the professional and ethical conduct of its members.

The RCSA Code is supported by rules for the resolution of disputes involving members.

NOTE: The Association Code and Dispute Resolution Rules do NOT constitute a recognised external dispute resolution scheme for the purposes of the APPs; but are primarily designed to regulate the good conduct of the Associations members.

Only for nationally recognised vocational training services delivered by us as a Recognised Training Organisation complaints may be made to ASQA.

When we receive your complaint:

- We will take steps to confirm the authenticity of the complaint and the contact details provided to us to ensure that we are responding to you or to a person whom you have authorised to receive information about your complaint;
- Upon confirmation we will write to you to acknowledge receipt and to confirm that we are handling your complaint in accordance with our policy.
- We may ask for clarification of certain aspects of the complaint and for further detail;
- We will consider the complaint and may make inquiries of people who can assist us to establish what has happened and why;
- We will require a reasonable time (usually 30 days) to respond;
- If the complaint can be resolved by procedures for access and correction we will suggest these to you as possible solutions;
- If we believe that your complaint may be capable of some other solution we will suggest that solution to you, on a confidential and without prejudice basis in our response;

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- Under certain circumstances, complaints regarding possible breaches of our policy and requirements under the APP need to be notified to State or Commonwealth Government entities to comply with contractual arrangements

If the complaint cannot be resolved by means that we propose in our response, we will suggest that you take your complaint to any recognised external dispute resolution scheme to which we belong or to the Office of the Australian Information Commissioner.