

<b>Name of Policy</b>	<b>Recruitment Privacy Policy</b>	
<b>Description of Policy</b>		
<input type="checkbox"/> New Policy		<input type="checkbox"/> Revision
<b>Description of Revision</b>		

### Human Resources Directorate

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## Table of Contents

1.	Background Information.....	2
2.	Policy Statement.....	2
3.	Policy Purpose .....	2
4.	Application of Policy.....	2
4.1	Collection of Information .....	2
4.2	Use of Information.....	3
4.3	Use of Referee Reports .....	3
4.4	Access to Information .....	3
4.5	Provision of Information .....	4
4.6	Security .....	4
4.7	Communication .....	4
4.8	Breach of the Privacy Policy .....	4
4.9	Grievances .....	4
5.	Policy Review.....	5
6.	Further Assistance .....	5

## 1. Background Information

This policy has been developed to promote and support confidentiality in the recruitment process at ACU.

## 2. Policy Statement

A recruitment file is created when a delegated officer approves an action to fill a vacant position. It consists of the approval to fill, job advertisement, position information, shortlist report, references or referees reports, selection committee report, job offer, unsuccessful letters and any other supporting documentation provided by an applicant. Recruitment information exists both conventionally and in electronic form. Recruitment records are not exempt records from the provisions of the Privacy Amendment (Private Sector) Act 2000. The formal recruitment file exists within Human Resources.

## 3. Policy Purpose

The purpose of the policy is to protect private information about individuals and to ensure that the University conforms with the *Privacy Amendment (Private Sector) Act 2000*, and the National Privacy Principles of the Act.

## 4. Application of Policy

This policy applies to all staff members of the University.

### 4.1 Collection of Information

Personal information collected from applicants of advertised positions must only be collected for purposes necessary to complete the recruitment and selection functions and activities of the University in line with University policy.

The personal information must only be collected by means that are permissible by law.

When personal information is collected by the University, the University must clearly state:

- the fact that the information is being collected;
- the purposes for which the information is being collected;
- the intended recipients of the information;
- whether the supply of the information by the individual is required by law or is voluntary, and any consequences for the individual if the information is not provided; and,
- the existence of any right of access to, and correction of, the information.

When the University collects personal information from an applicant, the University must take such steps as are reasonable in the circumstances (having regard to the purposes for which the information is collected) to ensure that:

- the information collected is relevant to that purpose, is not excessive, and is accurate, up to date and complete; and,
- the collection of the information does not intrude to an unreasonable extent on the personal affairs of the staff member to whom the information relates.

Where reasonably possible, the University will only collect personal information directly from an applicant to whom the information relates. Frequently this will be collected from official University forms but it may also be collected from email, letters or other forms of communication. However, the applicant may authorise the collection of information from

a third party or, in the case of a person under the age of 16, authorisation may be given by a parent or guardian of that person.

If the University collects personal information about an applicant from a third party, reasonable steps must be taken to ensure that the staff member is or has been made aware of the collection and the reason for the collection.

The applicant does not need to be informed about collection of information if it is obvious or has been explained previously. However, if there were some change in the circumstances since the University was last in contact, it would need to take reasonable steps to make an applicant aware of it.

The University will employ best practice in soliciting or collecting information from individuals using electronic forms or e-mail. The risks associated with using the Internet as a transmission medium will be made clear and the individual will be notified of any other options available for providing the information required.

Only when applications are addressed to a specific job code that has been advertised will the University assume consent to the use of information in the recruitment process. However, unsolicited applications will not be kept, they have not been addressed to a specific advertisement and hence consent cannot be assumed, therefore the applications will be destroyed.

#### **4.2 Use of Information**

The University will not use the information for a purpose other than that for which it was collected unless:

- the applicant to whom the information relates has consented to the use of the information for that other purpose; and,
- the other purpose for which the information is used is directly related to the purpose for which the information was collected

If the University uses or discloses personal information (authorised above), it must make a written note of the use of disclosure and of the reason for its disclosure.

#### **4.3 Use of Referee Reports**

*Responses by the University:* When the University is contacted for a reference or referee's report for a current or past employee, the response needs to be considered carefully after viewing the EO, AA and Privacy Policies. Any response provided by the University may be viewed by the applicant in accordance with legislation. For this reason, any response made by the University should be appropriate and relevant.

*Responses to the University:* When the University contacts persons for a reference or referee's report for applicants for a position at the University, the referees should be made aware that their response may be viewed by the applicant in accordance with legislation and that they do not have anonymity from the applicant.

#### **4.4 Access to Information**

Applicants are entitled to know whether personal information about them is held by the University, the nature of the information, the main purposes for which it is used and their entitlements to gain access to it.

Applicants may not have access to the complete recruitment file and may only request access to the information in the file that relates to them. Information about any other applicant may not be accessed.

Access to personal information includes opportunity for the applicant to inspect records, take notes or obtain a photocopy or computer generated report in the presence of a representative from Human Resources.

The University will not disclose recruitment files to anyone or any other organisation except for:

- nominated supervisors or Executive Team members responsible for the position, members of the selection committee, personnel and employment relations staff;
- queries in relation to some investigations and law enforcement processes; and,
- where legislation recognises lawful access by some government agencies.

#### **4.5 Provision of Information**

The University will respond to the applicant's written and signed request for their personal information as soon as practicable.

The time taken to respond to an applicant's request for access may be influenced by various factors. These may include the method of communication, the type or amount of personal information requested, how the personal information is held, if a third party needs to be consulted and how it is to be provided to the individual making the request.

#### **4.6 Security**

The University will take reasonable steps to protect the personal information it holds from misuse and loss, and from unauthorised access, modification or disclosure.

#### **4.7 Communication**

The Recruitment Privacy Policy will be distributed to all existing staff and new staff of the University.

#### **4.8 Breach of the Privacy Policy**

The Privacy Policy is designed to promote and enhance the confidentiality of ACU staff in the workplace. A failure to comply with this policy will be viewed seriously and may, in line with the enterprise agreement(s) in place at the time, result in disciplinary action, including dismissal.

Staff must report breaches of this policy to the Deputy Vice-Chancellor (Administration and Resources, or Delegate, who is responsible for the application of legislation.

The University will use its utmost endeavours to protect staff who, in good faith and with good grounds, report breaches of the privacy policy.

#### **4.9 Grievances**

Any grievance arising from the application of these arrangements shall be managed using the grievance management process foreshadowed in the General Staff Enterprise Agreement. In the interim, any unresolved issue should be raised in the first instance with the relevant supervisor. If the nominated supervisor is unable to resolve the matter, it may be referred to the relevant Executive Team member.

**5. Policy Review**

The University may make changes to this policy and procedures from time to time to improve the effectiveness of its operation. In this regard, any staff member who wishes to make any comments about the Policy may forward their suggestions to the Director, Human Resources.

**6. Further Assistance**

Any staff member who requires assistance in understanding this Policy should first consult their nominated supervisor who is responsible for the implementation and operation of these arrangements in their work area. Should further advice be needed, they should contact the Human Resources Consultant responsible for their campus.