

## Candidate Exclusion Clause

"I acknowledge that the obtaining and disclosure of information from referees may assist (or be detrimental to) my employment prospects and may be beneficial to the steps that Discovering People might take to locate suitable employment for me and I request that Discovering People take steps to obtain and disclose relevant personal information about me to the extent that it may be required to do so in connection with the supply or possible supply of any service to its clients or potential clients."

"I promise that I will not hold Discovering People, its consultants or any third party (including, but not limited to a referee, former employer, or client of Discovering People) liable for any detriment that might arise from the communication of any personal information collected about me and I authorise Discovering People to communicate the details of this promise to any third party to whom it may relate, acknowledging that both Discovering People, its consultants, and such third party may rely upon my promise and act upon it to their detriment."

"I acknowledge that my promise may be relied upon to stop me from bringing a claim or proceedings in connection with the disclosure of personal information about me."

"The promise which I have given above will not apply:

- to personal information collected by Discovering People or its consultants which is not necessary for one or more of Discovering People's functions or activities which it is not necessary; or
- in a situation where any such information is communicated by Discovering People, its consultants or the third party out of malice; or
- in a situation where Discovering People, consultant or third party reasonably believes that the information is false unless the disclosure of the information is qualified by a statement of the communicator's belief as to its falsity; or
- in a situation where Discovering People, consultant or third party is grossly or recklessly negligent with respect to the accuracy of the information disclosed."

Your rights as a candidate:

- That the employment placement service must not charge a job seeker a fee for the purpose of finding the job seeker employment.
- An employer placement service must not engage in misleading or deceptive conduct (such as advertising a position as being available when the agency knows no such position exists or knowingly giving misleading information to a job seeker about the nature of a position); and
- If a job seeker believes that an employment placement service has acted inappropriately, the job seeker may contact the Department of Fair Trading for information on possible action that may be taken.



## Protecting Your Privacy

Discovering People recognises the importance of protecting the privacy of our candidates. We have created the following policy guidelines in accordance with the National Privacy Principles established in the Privacy (Private Sector) Amendment Act 2000

For any other information regarding Discovering People's Privacy Policy, please contact our office on 9570 2411

Discovering Service, Discovering Value,  
Discovering People



### What your personal information is

Personal information is any information or an opinion (whether true or not) about you. It may range from the very sensitive (e.g. medical history or condition) to the everyday (e.g. address and phone number). It would include the opinions of others about your work performance (whether true or not), your work experience and qualifications, aptitude test results and other information obtained by us in connection with your possible work placements. Personal information includes sensitive information.

### What sensitive information is

Sensitive information is a special category of personal information. It is information or opinion about you:

- racial or ethnic origin;
- political opinion;
- membership of a political association or religious beliefs, affiliations or philosophical beliefs;
- membership of a professional or trade association or membership of a trade union;
- sexual preferences or practices;
- criminal record;
- health or disability (at any time);
- expressed wishes about the future provision of health services.

It includes personal information collected to provide a health service.

Sensitive information can, in most cases, only be disclosed with your consent.

### Who will be collecting your personal and sensitive information

Your personal and sensitive information will be collected by Discovering People for its own use.

### How to contact us

If you wish to contact us about your personal or sensitive information you should contact

Michelle Novotny  
Managing Director  
ph: 9570 2411  
email: mnovotny@discoveringpeople.com.au  
fax: 9570 3644

during normal office hours which are 8am – 6pm Mon - Fri

### How your information will be collected

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

Personal and sensitive information will also be collected when:

- we receive any reference about you;
- we receive results of inquiries that we might make of your former employers, work colleagues, professional associations or registration body;
- we receive the results of any competency or medical test;
- we receive performance feedback (whether positive or negative);
- we receive any complaint from or about you in the workplace;
- we receive any information about a workplace accident in which you are involved;
- we receive any information about any insurance investigation, litigation, registration or professional disciplinary matter, criminal matter, inquest or inquiry in which you are involved;
- you provide us with any additional information about you.

### Your information will be used

Your personal and sensitive information may be used in connection with:

- your actual or possible work placement;
- your performance appraisals;
- our assessment of your ongoing performance and prospects;
- any test or assessment (including medical tests and assessments) that you might be required to undergo;
- our identification of your training needs;
- any workplace rehabilitation;
- our management of any complaint, investigation or inquiry in which you are involved;
- any insurance claim or proposal that requires disclosure of your personal or sensitive information.

### Your personal and sensitive information may be disclosed to...

- potential and actual employers and clients of Discovering People;
- referees;
- other recruitment firms which Discovering People networks with;
- our insurers;
- a professional association or registration body that has a proper interest in the disclosure of your personal and sensitive information;
- a Workers Compensation body;

- our contractors and suppliers – e.g. our I.T. contractors and database designers
- any person with a lawful entitlement to obtain the information.

### If you do not give us the information we seek

- we may be limited in our ability to locate suitable work for you;
- we may be limited in our ability to place you in work;

### You can access your personal information to correct it if it is wrong

Subject to some exceptions which are set out in the *National Privacy Principles* (Principle 6 – Access and Correction), you have a right to access personal and sensitive information about you that we hold.

If you are able to establish that personal or sensitive information that we hold about you is not accurate, complete and up-to-date, we will take reasonable steps to correct it so that it is accurate, complete and up-to-date.

If we are unable to agree that personal or sensitive information that we hold about you is accurate, complete and up-to-date, you may ask us to place with the information a statement by you that claims that particular information is not accurate, complete and up-to-date.

If you wish to exercise your rights of access and correction you should contact Michelle Novotny whose details are shown above.

We will need to validate the identity of anyone making an access request, to ensure that we do not provide your information to anyone who does not have the right to that information.

We may charge you an administration fee for providing access in accordance with your request. Your request will usually receive a response within 30 days.