



ECU Student Guild

ACCESS TO PERSONAL FILES POLICY

POLICY TYPE	Operational
POLICY SUBTYPE	Human Resources
POLICY TITLE	Access to Personal Files
POLICY OWNER	Operations Manager

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1. INTENT

- 1.1. The purpose of their policy is to regulate how, within its governance framework, Edith Cowan University Student Guild manages collection, storage and access to Employee and Senate Information.

2. ORGANISATIONAL SCOPE

- 2.1. This policy applies to all staff employed by ECU Student Guild.
- 2.2. This policy also applies to all Senate members of the ECU Student Guild.
- 2.3. This policy applies to any other persons associated with the ECU Student Guild.

3. DEFINITIONS

- 3.1. The singular includes the plural and vice-versa.
- 3.2. Words importing a gender include any other gender.
- 3.3. A reference to:
 - 3.3.1. A person includes a corporation and government or statutory body or authority;
 - 3.3.2. A person includes the legal personal representatives, successors, and permitted assigns of that person; and
 - 3.3.3. A statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them by any legislative authority.
- 3.4. The word “including” and similar expressions are not words of limitation.
- 3.5. The word “under” includes by and by virtue of; as well as, pursuant to and in accordance with.
- 3.6. **CIDC** means the Continuous Improvement and Development Committee.
- 3.7. **The Guild** means Edith Cowan University Student Guild.
- 3.8. **Senate** means the duly elected student representatives of the Guild.
- 3.9. <Enter any other definitions that may be pertinent in the document>

4. OVERVIEW

- 4.1. Employee and Senate information is collected and stored by Edith Cowan University Student Guild for a number of purposes.

- 4.2. It is essential that employees and Senate officers are able to feel confident that information relating to them is treated in an appropriate manner with due attention paid to the need for non-disclosure of file contents outside normal Guild business transactions.
- 4.3. Failure by any staff member to comply with the policy outlined below may result in disciplinary action.
- 4.4. All Guild policies are approved, amended or repealed by the Senate in accordance with the Guild's Policy Framework and compliance with relevant governance instruments, following consultation with CIDC.
- 4.5. The Guild shall maintain a policy manual of all current policies in a manner which is easily accessible to members, Senate, staff and other stakeholders where appropriate.
- 4.6. All Guild policies will be reviewed annually.

5. POLICY

- 5.1. The Guild collects and maintains employee and Senate Officer information in accordance with the following legislation: Fair Work Act 2009 (Cth); the Freedom of Information Act 1992 (WA) and the Occupational Health & Safety Act 1984.
- 5.2. Information collected by the Guild may be stored electronically on the Guild's central payroll system and other Human Resource Information Systems. The Guild will also store information on the centralised IT network system, maintaining restricted access relevant staff only.
- 5.3. The Guild may also store paper based data in lockable cabinets or offices on-site.
- 5.4. Designated Officers will have unrestricted access to staff and senate files. Designated staff members with unlimited access are as follows:
 - 5.4.1. Operations Manager
 - 5.4.2. Financial Controller
 - 5.4.3. Administrative Services Coordinator
- 5.5. Other staff members will be permitted access to personal files of other staff under their direct line management.
- 5.6. The Guild President and General Secretary will have unrestricted access to the personal file of the Operations Manager.
- 5.7. Staff using files in their normal course of business are requested to ensure the security of the file and its contents.
- 5.8. Staff files will not normally be distributed to any member of Senate unless special permission is granted by the Operations Manager in writing, and only where legitimate administrative requirements necessitate the sharing of information.
- 5.9. In limited circumstances, the Guild may disclose employee/Senate Officer records to a third party as follows:

5.9.1. Fairwork Inspectors and Government Officials such as ATO officers, or Worksafe investigators;

5.9.2. Permit holders, i.e. Union Officials, may access employee records including personal information, to determine if there has been a contravention of relevant Commonwealth workplace laws. An organisation official must have a valid and current entry permit from the Fairwork Commission. Note: The Fairwork Commission will only issue an entry permit to a proper person, and may impose conditions which limit the use of the entry permit.

5.10. Requests by Staff to View Files

5.10.1. A current or former employee or Senate Officer may request to view their files by submitting a formal written request to the Operations Manager.

5.10.2. The Administrative Services Coordinator will review the file to ensure that items with limitations are removed before being viewed by the employee.

5.10.3. The Administrative Services Coordinator will arrange for the file to be viewed in an appropriate location under supervision.

5.10.4. No material may be removed from the file during viewing but permission may be granted by the Operations Manager for material to be copied.

5.10.5. Staff/Senate officers may have access to all material placed on their own file with the exception of:

- 5.10.5.1. Referee reports (unless the author gives written permission);
- 5.10.5.2. Medical reports (unless the author gives written permission);
- 5.10.5.3. Correspondence relating to workers' compensation (other than correspondence between the Guild and the person concerned or their agent.);
- 5.10.5.4. Material relating to litigation;
- 5.10.5.5. Information which relates to the personal circumstances of another employee/senate officer;
- 5.10.5.6. Information which could, in the opinion of the Operations Manager, lead to harassment or victimisation of other employees or Senate Officers.

5.10.6. Where access to any information is denied, the Operations Manager must advise the employee, Senate Officer or the external organisation in writing of the refusal and of their right to seek access under Freedom of Information provisions.

6. RELATED DOCUMENTS

Related Policy	<ul style="list-style-type: none">N/A
Related Procedure	<ul style="list-style-type: none">N/A
Other Related Documents	<ul style="list-style-type: none">N/A
Related Legislation	<ul style="list-style-type: none">Fair Work Act 2009 (Cth)

	<ul style="list-style-type: none"> • Freedom of Information Act 1992 (WA) • Occupational Health & Safety Act 1984
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7. CONTACT INFORMATION

For queries relating to this document please contact:

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8. APPROVAL HISTORY

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Revised by	Anthea Marshall & Lisa Dwyer
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