



**BuildSkills  
Australia**

## Privacy Policy

<b>Approval Authority</b>	Board
<b>Approval Date</b>	19/02/2025
<b>Review Date</b>	This document will be reviewed annually or as required to ensure continued effectiveness and improvement.

## 1. Purpose

The purpose of this Privacy Policy (Policy) is to:

- clearly communicate the personal information handling practices of the BuildSkills Australia (BuildSkills); and
- enhance the transparency of BuildSkills' operations.

## 2. Scope

This Policy applies to all BuildSkills employees, directors, officers, committee members, temporary workers, as well as independent contractors (collectively referred to in this Policy as 'employee/s').

## 3. Policy

BuildSkills is committed to providing quality services and this Policy outlines our ongoing obligations in respect of how we manage Personal Information.

We have adopted the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) (the Privacy Act). The APPs govern the way in which we collect, use, disclose, store, secure and dispose of personal information.

A copy of the APPs can be obtained from the website of The Office of the Australian Information Commissioner (OAIC) at <https://www.oaic.gov.au/>.

### Collection

#### Solicited Information

Personal information (and sometimes sensitive information) may be collected in order for BuildSkills to properly and efficiently carry out its functions. BuildSkills only collects such information for purposes that are reasonably necessary for, or directly related to, its functions or activities.

BuildSkills may also collect information in relation to recruitment, human resource management, and other corporate service functions.

BuildSkills will only collect sensitive information from individuals if the individual consents to the collection, unless:

- the collection of the information is required or authorised by or under an Australian law or a court/tribunal order
- a permitted general situation exists<sup>1</sup>

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<sup>1</sup> A list of permitted general situations can be found in section 16A of the Privacy Act

- a permitted health situation exists<sup>2</sup> or
- the sensitive information is required for an enforcement related activity.

#### *Information collected from an individual*

BuildSkills generally collects personal information about an individual directly from the individual or their authorised representative.

BuildSkills will, for example, collect personal information if an individual:

- submits an application relating to registration, including reconsideration of decisions relating to registration
- submits a “Case for Change” or enquiry
- registers for an event
- submits a complaint about BuildSkills
- contacts BuildSkills seeking information or advice about BuildSkills’ functions, application queries or to lodge a complaint
- provides intelligence information to BuildSkills for audit or investigation
- submits an application for, or commences employment with BuildSkills
- as an employee of BuildSkills, submits information to human resources for health records, or for a claim for compensation.

An individual may, in some circumstances, such as lodging a complaint, prefer to remain anonymous, or to use a pseudonym, when interacting with BuildSkills. Individuals should be aware that doing so however may make investigating complaints or providing specific information impracticable.

#### *Information collected from a third party*

Sometimes personal information is collected from a third party, or a publicly available source, but only if the individual consents to such collection or collection is required or authorised by or under an Australian law or court/tribunal order or it is unreasonable or impracticable to collect the information directly from the individual.

If BuildSkills collects personal information from a third party, BuildSkills will take reasonable steps to inform affected individuals that their personal information has been collected from a third party as soon as practicable after the collection has taken place.

#### Unsolicited Information

Sometimes BuildSkills receives personal information without prior request. In such cases, BuildSkills

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<sup>2</sup> A list of permitted health situations can be found in section 16B of the Privacy Act

will determine if the information is required to carry out its functions.

If BuildSkills determines that the information is not required, and does not form part of a record, then it will destroy or de-identify the information as soon as practicable. If BuildSkills determines that the information is required, then the information will be treated as solicited information.

## **Notification**

### *Notifying the individual at collection*

When collecting personal information directly from an individual, BuildSkills will take reasonable steps to notify, or otherwise ensure the individual is aware of:

- BuildSkills' contact details
- the fact and circumstances of collection
- whether the collection is required or authorised by law
- the purposes of collection
- the consequences if personal information is not collected
- BuildSkills' usual disclosures of personal information of the kind collected
- information about BuildSkills' Privacy Policy and how to make privacy complaints and requests for access to, and correction of, personal information
- whether BuildSkills is likely to disclose personal information to overseas recipients, and if practicable, the countries where they are located.

### *Notifying the individual if information is collected from a third party*

In addition to the matters above, if BuildSkills collects personal information from someone other than the individual or the individual may not be aware that the organisation has collected the personal information, reasonable steps will be taken to notify the individual, or otherwise ensure that the individual is also aware of the following matters:

- that BuildSkills collects or has collected the information
- the circumstances of the collection, including from whom the information was collected.

## **Use and Disclosure of Personal Information**

BuildSkills will only use and disclose personal information for the primary purposes for which it was collected unless:

- the individual has consented to the information being used for a secondary use or disclosure
- the individual would reasonably expect BuildSkills to use or disclose the information for the secondary purpose and that purpose is related to the primary purpose

- the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order
- a permitted general situation<sup>3</sup> exists in relation to the use or disclosure of the information, for example, if BuildSkills believes that the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual
- a permitted health situation<sup>4</sup> exists in relation to the use or disclosure of the information

BuildSkills will only use sensitive information for a secondary purpose if it is directly related to the primary purpose. BuildSkills will not disclose personal information or sensitive information to other countries.

BuildSkills may only use or disclose personal information for direct marketing purposes in limited circumstances, for example where the individual would reasonably expect BuildSkills to use their information in that way or the individual consents to such use or disclosure.

### **Data Quality**

BuildSkills will take reasonable steps to ensure that the personal information they collect is accurate, up-to-date and complete. These steps include maintaining and updating personal information when advised by individuals that their personal information has changed, and at other times as necessary. BuildSkills will also take reasonable steps to ensure the accuracy and completeness of the information prior to any use or disclosure of the information.

### **Data Security**

BuildSkills takes all reasonable steps to protect the personal information they hold against misuse, interference, loss and unauthorised access, modification or disclosure.

When no longer required, personal information is destroyed in a secure manner, or deleted. However, most of the Personal Information is or will be stored in files which will be kept by us for a minimum of 7 years.

### **Artificial Intelligence (AI)**

BuildSkills, when considering adoption of AI tools, will take a “privacy by design” approach which includes conducting a Privacy Risk Assessment.

Privacy obligations will apply to any personal information input into an AI system, as well as the output data generated by AI (where it contains personal information). BuildSkills will not enter personal

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<sup>3</sup> A list of permitted general situations can be found in section 16A of the Privacy Act

<sup>4</sup> A list of permitted health situations can be found in section 16B of the Privacy Act

information in publicly available generative tools. BuildSkills will ensure any public facing AI tools (such as Chatbots) are clearly identified as such to external users.

### Access and Correction

You may request access to personal information that BuildSkills holds about you. Unless BuildSkills is authorised to refuse access to the information under any applicable provisions of any law of the Commonwealth, BuildSkills will grant such a request.

Individuals may also request that BuildSkills correct any personal information about the individual that BuildSkills holds. BuildSkills will only update the information if it is satisfied the information it holds is inaccurate, out-of-date, incomplete, irrelevant or misleading. If so satisfied, BuildSkills will take reasonable steps to correct that information.

BuildSkills will provide a response to any request for access to or correction of personal information within 30 days. If refusing the request, BuildSkills will provide a written statement of the reasons for the refusal and remind the individual of the available complaint mechanisms, which are outlined below in **Complaints**.

BuildSkills will not charge individuals for requests for access to or correction of their personal information held by BuildSkills. Members of the public should direct their requests to BuildSkills' Privacy Contact Officer using the contact details set out below in **Privacy Contact Officer**.

### Complaints

If an individual wishes lodge a complaint about how BuildSkills handles personal information, or if they feel BuildSkills has breached the APPs and/or an APP code, they can do so via:

Email: [oceo@buildskills.com.au](mailto:oceo@buildskills.com.au)  
Post: PO BOX 855 New Farm, QLD, 4005  
Phone: 07 3073 6154.

BuildSkills will provide a response to privacy complaints within 30 days of receipt.

If an individual is dissatisfied with BuildSkills' response, they may submit their complaint to the OAIC for further investigation. Please note however that the OAIC may not investigate a complaint if the complainant has not firstly lodged their complaint with BuildSkills. The OAIC's contact details are as follows:

Telephone: 1300 363 992  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Post: OAIC  
GPO Box 5218  
SYDNEY NSW 2001

### Privacy Contact Officer

If you have any questions about how BuildSkills collects, holds, uses or discloses your personal information or about requests for access to or correction of your personal information or lodging a privacy complaint, please contact BuildSkills' Privacy Contact Officer via:

**Email:** [oceo@buildskills.com.au](mailto:oceo@buildskills.com.au)

## 4. Definitions

<p>Personal information</p>	<p>Personal information is defined under the Privacy Act as: information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <ul style="list-style-type: none"> <li>(a) whether the information or opinion is true or not, and</li> <li>(b) whether the information or opinion is recorded in a material form or not.</li> </ul> <p>Some examples of personal information include names, addresses, phone numbers and email addresses.</p> <p>The definition of personal information only relates to 'natural' persons. It does not extend to other 'legal' persons, such as companies.</p>
<p>Sensitive information</p>	<p>Under the Privacy Act, sensitive information is defined as:</p> <ul style="list-style-type: none"> <li>(a) information or an opinion about an individual's: <ul style="list-style-type: none"> <li>i. racial or ethnic origin</li> <li>ii. political opinions</li> <li>iii. membership of a political association</li> <li>iv. religious beliefs or affiliations</li> <li>v. philosophical beliefs</li> <li>vi. membership of a professional or trade association</li> <li>vii. membership of a trade union</li> <li>viii. sexual orientation or practices, or</li> <li>ix. criminal record</li> </ul> </li> </ul> <p>that is also personal information; or</p>

	<ul style="list-style-type: none"><li>(b) health information about an individual</li><li>(c) genetic information about an individual that is not otherwise health information</li><li>(d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification, or</li><li>(e) biometric templates.</li></ul>
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## 5. References

[Federal Register of Legislation - Privacy Act 1988](#)

[Australian Privacy Principles | OAIC](#)

[Guidance on privacy and the use of commercially available AI products | OAIC](#)