



Australian Skills Guarantee

Advice for Relevant Entities – requiring Suppliers to obtain consent

Purpose

This supplementary guidance provides greater clarity on the importance of including Model Clauses or suitable terms and conditions in contracts that require the Supplier to obtain consents that will allow the Department of Employment and Workplace Relations (the department) to use personal information for verification purposes. Obtaining consent allows the department to handle (collect, use and store) information to administer the Australian Skills Guarantee (Skills Guarantee).

Collection of personal information

The collection of Apprentices', Trainees' and ICT Cadets' personal information, will support the department to verify reported data and enable the migration of reports to the new reporting system. Participant information collected will be used to verify they are a 'real' person through IT systems available to the department.

Use of the Model Clauses to collect personal information

For more information on the Model Clauses, please visit the department's website: [Australian Skills Guarantee Model Clauses](#).

Within the Model Clauses are provisions which require the Supplier to obtain all necessary consents from its Apprentices', Trainees' and ICT Cadets' to the Supplier's, the contracting Commonwealth entity's (Relevant Entity's) and the department's handling of their personal information as set out in the Australian Skills Guarantee Privacy Notice.

The Model Clauses are intended to be included by Relevant Entities in an approach to market, contract or panel arrangement documentation to give effect to the Skills Guarantee Procurement Connected Policy (PCP).

Relevant Entities can modify and adapt the Model Clauses to ensure consistency with their approach to market, contract or panel arrangement documentation, provided they meet the requirements of the Skills Guarantee PCP.

While Relevant Entities may modify and adapt Model Clauses within its contract terms with Suppliers, it may impact on the ability for the department to handle the personal information of Apprentices, Trainees and ICT Cadets received over the course of administering the Skills Guarantee PCP.

Therefore, Relevant Entities must ensure suitable terms and conditions are prescribed within each contract to allow the department to collect, use and disclose personal information for the purposes of administering the Skills Guarantee PCP and in accordance with the Privacy Act and relevant privacy laws. This should include a requirement for the Supplier to obtain the consent of the Apprentices', Trainees' and ICT Cadets' to the handling of their personal information in accordance with the [Australian Skills Guarantee Privacy Notice](#) published on the department's website.

Background

The department issued an Australian Skills Guarantee Privacy Notice to inform Apprentices, Trainees and ICT Cadets working on an Eligible Project on how the department will handle their personal information when administering the Skills Guarantee PCP.

In addition, the Australian Skills Guarantee Model Clauses have been published on the department's website to assist Relevant Entities give effect to the Skills Guarantee PCP.