



GUIDELINE	
Access to Employment Records	
Scope (Staff):	All employees
Scope (Area):	Child and Adolescent Health Service (CAHS)

Aim

To provide guidance on the process to access employment records in line with legislative and operational requirements.

Background

Since 2006, Health Support Services (HSS), formerly Health Corporate Network, has provided a transactional human resources function for the health services. Initially employment records that would have traditionally been held on personnel files were being sent to HSS to create a virtual file. Over time this changed where only employment records of a transactional nature are retained by HSS and CAHS retains non-transactional records for its employees.

Definitions

Relevant Person: defined in the [Industrial Relations Act 1979](#) (the Act) as:

- a) the employee concerned; and
- b) if the employee is a represented person, his or her representative; and
- c) a person authorised in writing by the employee; and
- d) an officer referred to in section 93 of the Act authorised in writing by the Registrar.

Employee: a person who is presently or was formerly engaged on a permanent, temporary, casual employment contract, including traineeships / apprenticeships or similar agreements.

Transactional Employment Records: those records retained by HSS (and CAHS Medical Workforce as required) relating to:

- Payroll;
- Leave;
- Recruitment;
- Appointment; and
- Other employment conditions outlined in the relevant award or agreement.
 - Some past non transactional information may also be held by HSS.

Non-transactional Employment Records: are those records retained by CAHS (Workforce Services, Medical Workforce, Nursing Services and/or the Line Manager) for each employee that includes information relating to:

- formal grievance correspondence;
- formal correspondence to an employee (or union as their representatives) on industrial matters including disputes;
- disciplinary outcome correspondence;
- formal correspondence in relation to unsatisfactory and substandard performance;
- performance development;
- training records captured in CAHS's learning management system (LMS);
- excess leave management plans;
- flexible working arrangement agreements;
- workers compensation;
- credentialing;
- visa and immigration information;
- APHRA documentation;
- indemnity; and
- Medicare requirements.

Employment Record: for the purposes of this guideline includes all transactional and non-transactional employment records as listed above.

Key Points

- CAHS and HSS are responsible for retaining and managing all employment records in accordance with:
 - The [Industrial Relations Act 1979](#);
 - [CAHS Recordkeeping Plan 2015027](#); and
 - State Records Office [General Disposal Authority for State Government Information](#).
- HSS is also responsible for retaining and managing employment records in accordance with the Service Level Agreement with CAHS.

Centrally stored employment records (personal / personnel files)

- Employment records (formerly referred to as personal/personnel files) established and managed prior to the formation of HSS (pre-March 2006) are stored in locked storage off-site in accordance with the [CAHS Recordkeeping Plan 2015027](#).

Process to Access Employment Records

- To access an employment record that is deemed confidential in nature, relevant persons must put their request in writing and address it to the Manager Human Resources.

- Written requests must include:
 - full details of the employment record being requested;
 - name of the requestor; and
 - the specific information sought – this will enable electronic or hard copy files to be available.
- Upon receipt of a request, the Manager Human Resources will respond and put in place arrangements to enable viewing of the employment record no later than the end of the next pay period after the request is received; or the seventh day after the day on which the request was made, whichever is the latter.
- The file will be made available within Workforce Services or the relevant department in the presence of a designated member of staff.
- Prior to viewing the employment record the relevant person making the request must provide proof of identity.
 - If the relevant person is not the employee, then the applicant shall supply supporting documentation/evidence that the employee concerned consents to the disclosure of their employment information.
- The relevant person viewing the file must not remove, mark or erase any item or remove any part of the file from the place where access is given.
- If requested, the relevant person will be provided with copies of all or parts of their employment record.
- The file may not be removed from the Human Resources department.
- Ad hoc requests that involve access to employment records that are deemed non-confidential (for example copies of employment contracts) may be made by an employee or a line manager and may be sent via email if appropriate.

Queries and Requests for Amendment

- In accordance with the [Freedom of Information Act 1992](#), anyone can also apply to have personal information about themselves in government documents amended if that information is inaccurate; incomplete; out of date; or misleading.
- Employees who wish to request that an amendment be made to their personal file may make an application for amendment as per the provisions of the [Freedom of Information Act 1992](#).
 - Applications should be directed to the Director Workforce Services.

Documents of an Adverse Nature

- Documents of an adverse nature include (but are not limited to) those identifying:
 - deficiencies in work performance;
 - behaviour inconsistent with the [Public Sector Code of Ethics 2008](#) or [WA Health Code of Conduct](#), or [CAHS Vision and Values](#); or
 - misconduct as defined in the [Public Sector Management Act 1994](#).

- Where an adverse document or report is prepared in respect to the efficiency, diligence or conduct of an employee, the document/report is to be brought to the attention of the employee, who is to be given the opportunity to acknowledge it and reasonable time to prepare a response or explanation.
 - Documents such as these would be classified as non-transactional employment records and are therefore retained by CAHS in a secure manner.

Confidentiality


- Employment records must be kept confidential in accordance with the [WA Health Code of Conduct](#).

Related internal policies, procedures and guidelines
CAHS Recordkeeping Plan 2015027
CAHS Authorisations Schedule

References
Industrial Relations Act 1979
Public Sector Management Act 1994 (Western Australian Legislation)
Public Sector Management (General) Regulations 1994
Public Sector Code of Ethics 2008 (Western Australian Legislation)
WA Health Code of Conduct
Freedom of Information Act 1992 (Western Australian Legislation)
General Disposal Authority for State Government Information (State Records Office of WA)
HSS Service Agreements

Useful resources (including related forms)
CAHS Vision and Values
Health Support Services Homepage (WA Department of Health)
Records Forms (WA DOH Records Service)

This document can be made available in alternative formats on request.

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