



Australian Government
Department of Education,
Skills and Employment

Data Matching Protocol

*Supporting Apprentices and Trainees and
Boosting Apprenticeship Commencements wage
subsidies and Australian Apprentice Wage
Subsidy Trial:*

2019-20 to 2021-22

Data matching between the Australian Taxation Office and
the Department of Education, Skills and Employment

August 2021



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Description of the data matching program

Overview

The *Supporting Apprentices and Trainees (SAT)*, *Boosting Apprenticeship Commencements (BAC)* and the *Australian Apprentice Wage Subsidy trial (AAWS)* data matching protocol has been developed in accordance with the Australian Government Administration 2014 (Guidelines) on Data Matching, published by the Office of the Australian Information Commissioner (OAIC). The Guidelines aim to assist agencies to use data matching as an administrative tool in a way that complies with the Australian Privacy Principles (APP) and the *Privacy Act 1988 Cth* (Privacy Act) and is consistent with good privacy practice. They set out the legal basis for any collection, use or disclosure of personal information involved in the data matching program. They also set out the objectives of the program and the procedures to be employed.

The purpose of this data matching program is to confirm eligibility and mitigate risk in relation to SAT, BAC and AAWS. These wage subsidies are administered by the Department of Education, Skills and Employment (DESE). The JobKeeper Payment and JobMaker Hiring Credit are programs administered by the Australian Taxation Office (ATO). Employers are not eligible to claim SAT, BAC or AAWS concurrently with the JobKeeper Payment or the JobMaker Hiring Credit for the same apprentice for the same period.

The data matching program seeks to match details held at DESE with the ATO to identify employers who have incorrectly claimed under the SAT, BAC and AAWS measures. This information will be used to conduct further investigations, develop guidance for relevant stakeholders and determine any cost recovery action that may be required.

Undertaking the data matching program will assist in maintaining public confidence in the integrity of the measures.

Objectives

The objectives of this data matching program are to:

- confirm that the employer is eligible to receive SAT, BAC or AAWS;
- validate information provided by the employer claiming SAT, BAC or AAWS; and
- confirm that employers claiming either SAT, BAC or AAWS have not concurrently claimed and received (if payment data is available) the JobKeeper Payment or JobMaker Hiring Credit with respect to the same apprentice for the same period.

SAT, BAC and AAWS eligibility

Under the SAT measure eligible employers can apply for a wage subsidy of 50 per cent of apprentices' or trainees' wages paid from 1 January 2020 to 31 March 2021, up to \$7,000 per quarter. Whilst the wage subsidy under SAT is primarily for small and medium sized businesses who employ apprentices, where an eligible business is not able to retain an apprentice or trainee, the



subsidy will be available to a new employer of any size, if they re-engage that apprentice or trainee. Group Training Organisations are also eligible under specific conditions.

The BAC wage subsidy is available to employers of any size who engage an Australian Apprentice from 5 October 2020 to 31 March 2022. The BAC measure will pay 50 per cent of the wages for eligible, new or recommencing apprentices or trainees, up to \$7,000 per quarter.

The AAWS measure is available to the first 1,630 employers and Group Training Organisations who employ a new worker Australian Apprentice on or after:

- 1 January 2019 (Phase 1 of the trial); or
- 1 July 2019 (Phase 2 of the trial).

The Australian Apprentice must be in a rural or regional workplace and undertaking a full-time Certificate III or IV qualification that leads to an occupation listed on the National Skills Needs List. AAWS provides support in the first three years of an Australian Apprenticeship as follows:

- 75 per cent of the first year award wage
- 50 per cent of the second year award wage
- 25 per cent of the third year award wage.

Agencies involved

DESE is the data matching and sole user agency and the ATO is the sole source agency.

Data issues

Data will be transferred into a standardised format and validated to ensure that it contains the required data elements prior to being exchanged between DESE and the ATO.

It is estimated the data matching will capture records that relate to around 180,000 apprentices and trainees and 90,000 employers for SAT, 270,000 apprentices and trainees for BAC and 3,300 apprentices for AAWS.

DESE data is held in a secure environment with strict security controls. DESE staff are subject to the provisions detailed in the Privacy Act and the APP.

All DESE computer systems are strictly controlled, with features that include:

- system access controls and security groupings
- login identification codes and password protection
- full audit trails of data files and system accesses.

The matching process

Under the data matching program, DESE will provide the ATO with information relating to employers and apprentices that has been extracted from DESE's Training and Youth Internet Management System (TYIMS) and SmartForms completed by employers.



The ATO will provide data to DESE so they can confirm that employers claiming either SAT, BAC or AAWS have not concurrently claimed and received (if payment data is available) the JobKeeper Payment or JobMaker Hiring Credit with respect to the same apprentice for the same period.

DESE will then use the information for program administration and risk management purposes. Secure internet-based data transfer facilities will be used when transferring data between agencies.

Action resulting from the program

Where DESE detects a discrepancy, it will conduct further investigations to verify the accuracy of the information on which a claimant's eligibility was based. Individual circumstances will be taken into consideration and natural justice principles will be followed in all instances.

Time limits

The data matching activity is intended to be conducted at regular intervals as required over the life of the measure.

DESE will handle the data received from the ATO in accordance with Privacy Act, the *Archives Act 1983* and any relevant records authority.

Public notice of the program

The Program Protocol will be published on the DESE website. A notice will also be published in the Australian Government Gazette (refer to Attachment A) before the commencement of the program.

Reasons for conducting the data matching program

Relationship to lawful functions

The data matching program relates to DESE's lawful function of limiting payments to those eligible under the Australian Apprenticeships Incentives Program Guidelines.

Legal authority

The disclosure of information by DESE to the ATO is consistent with the primary purpose for which the information was collected which is to determine eligibility, making payments and general program administration, and is authorised by APP 6.1. In addition, there is a reasonable basis to apply the exception at APP 6.2(a) which provides a lawful basis to facilitate data disclosure.

ATO is permitted to disclose data to DESE under Item 4 in Table 1 in sub-section 355-65(2) of Schedule 1 to the *Taxation Administration Act 1953*.

Alternative methods

There are no practical alternatives to this data matching program, as the relevant data (information on business size and management of the JobKeeper Payment and JobMaker Hiring Credit programs) is held by the ATO.



Costs and benefits

The data matching program is a cost-effective way of examining a high volume of records. There will be some incidental costs in the conduct of this program, however, these are considered proportionate to the scale of the program. The costs include:

- data analysis resources to identify potential instances of non-compliance
- compliance resources to manage casework and educational activities
- governance resources to ensure compliance with the Guidelines and Privacy Act
- storage of the data.

The data matching program will assist in identifying employers who are not complying with their obligations under the measures. It will promote voluntary compliance by notifying the public of areas and activities under scrutiny and through the successful targeting of communications and provision of self-help information. The benefits of data matching include maintaining community confidence in both the measures and DESE systems by detecting, dealing with and deterring those that provide incorrect information.

Changes to this protocol

DESE and the ATO may agree to amend this Protocol, from time to time. If this Protocol is amended a revised copy of this Protocol will be made publicly available.

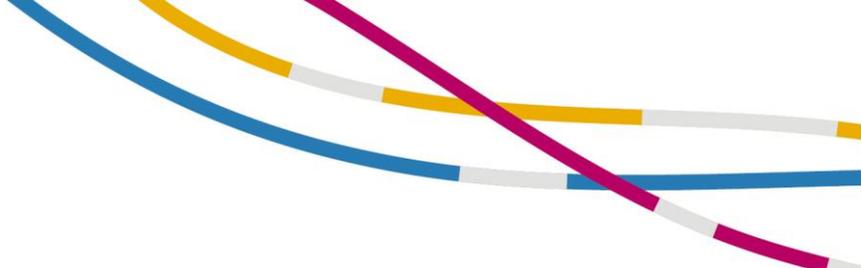
How we undertake data matching

The ATO uses sophisticated identity matching techniques to ensure it identifies the correct business or individual when providing data to third parties. The technique uses multiple details to obtain an identity match. For example, where a name, address and date of birth are available, all three are used in the identity matching process. Very high confidence matches will occur where all fields are matched.

DESE will use the information sourced from ATO through this process to verify its own data holdings. A manual process will be undertaken for data matching. A DESE officer will compare the information received from the ATO with the information provided by employers claiming under the measures. All discrepancies and anomalies will be dealt with on a case-by-case basis. Corrective treatment may involve seeking further information from employers and providing them with the opportunity for record correction. The final results will be quality assured by a separate DESE officer.

DESE privacy policy

The DESE privacy policy has detailed information about how we collect, hold and disclose data as well as information about what a program user or stakeholder can do if not satisfied with how their information has been treated. If a program user or stakeholder is not satisfied with how DESE have collected, held, used or disclosed its personal information, they can make a formal complaint.



Via email:

privacy@dese.gov.au

Via pre-paid post:

DESE prefers that you mail your complaint to the following address:

Privacy Officer, Legal Services

Department of Education, Skills and Employment

Location Code: C50MA10 – LEGAL, GPO Box 9880 Canberra ACT 2601

Via telephone:

DESE switchboard number is 1300 566 046.

In order to ensure that DESE fully understands the nature of your privacy complaint and the outcome you are seeking, DESE prefers that you make your privacy complaint in writing.

If you are unhappy with DESE's response to your privacy complaint you can lodge a written complaint with the OAIC). More information about the OAIC and how to lodge a complaint can be found on [the OAIC website](#). The OAIC generally prefers that individuals complain to the agency in the first instance before lodging a complaint to the OAIC.



Attachment A – Gazette notice content

Gazette notice content

Department of Education, Skills and Employment - Notice of a data matching program

The Department of Education, Skills and Employment will match data with the Australian Taxation Office (ATO) to support administration of the *Supporting Apprentices and Trainees (SAT)*, *Boosting Apprenticeship Commencements (BAC)* and the *Australian Apprentice Wage Subsidy (AAWS)* measures.

This data will include information about businesses currently employing apprentices, as well as information about apprentices contained in the Training and Youth Internet Management System (TYIMS) and SmartForms completed by employers.

It is estimated the data matching will capture records that relate to around 180,000 apprentices and trainees and 90,000 employers for SAT, 270,000 apprentices and trainees for BAC and 3,300 apprentices for AAWS.

The records will be electronically matched with ATO data holdings. The objectives of the data matching program are to:

- confirm that the employer is eligible to receive SAT, BAC or AAWS;
- validate information provided by the employer claiming SAT, BAC or AAWS; and
- confirm that employers claiming either SAT, BAC or AAWS have not concurrently claimed and received (if payment data is available) the JobKeeper Payment or the JobMaker Hiring Credit with respect to the same employee.

The Department of Education, Skills and Employment complies with the Office of the Australian Information Commissioner's Guidelines on data matching in Australian government administration (2014) which includes standards for data matching to protect the privacy of individuals. A full copy of the Department's privacy policy can be accessed at www.dese.gov.au/privacy