

Principles to operate when keeping personal files on employees

1. Every employee has the right to inspect his/her personal file upon request to the principal/employer and within a reasonable time limit. Where any entry is made to a personal file then the employee concerned is to be given a copy at the time it is entered into the file and given a chance to respond. The employee is to sign the document to acknowledge having been given a copy. Entries to a personal file will be made at the time the issue necessitating the entry arises.
2. If written comments are to be made about an employee and entered into his/her file, then the principal/ employer shall first discuss the issue with the employee concerned and give that employee a chance to respond. If the parties' interpretations of events differ, then the employee is to be given the opportunity to place a personal version on the file as well.
3. Following discussion with the principal, an employee has the right to place on the personal file a record of achievement. The principal may comment on this record.
4. The principal/employer should not disclose information from an employee's personal file to a third person unless:
 - a) the employee in question has consented to the disclosure;
 - b) the principal/employer disclosing the information believes, on reasonable grounds, that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the employee in question;
 - c) the disclosure is required (or specifically authorised) by law;
 - d) when giving personal references, a principal/ employer should emphasise achievements and give applicants every possible chance to be successful in their application.
5. Principals/employers should recognise that there is a need for care of expression when writing in a personal file so that broad generalisations and subjective value judgements are avoided.
6. In sending information to a new employer, the personal record card only should be forwarded.
7. Only documents kept on a personal file kept according to the above principles may be used in formal proceedings involving an employee.

Endorsed by Annual Conference November 2001