

Department of Agriculture, Water and the Environment

Privacy Policy

Complete privacy policy

June 2021

Change history

Date created	v1.0, April 2020, v2.0 June 2021
Document owner	Chief Counsel, Legal Division
Date of approval	2021
Version	Two

Table of contents

About this policy	4
The department's obligations under the Privacy Act	4
Personal information	4
Sensitive information	4
The kinds of personal information collected and held by the department.....	5
Dealing with the department without being identified or using a pseudonym	5
How the department collects and holds your personal information	6
How the department collects your personal information	6
How the department holds your personal information	8
Purposes for which the department collects, holds, uses and discloses your personal information	9
Overseas disclosure	12
How to access and seek correction of your personal information	12
How you can complain about the handling of your personal information and how the complaint will be managed	13
How to make a complaint.....	13

About this policy

The purpose of this privacy policy is to:

- clearly communicate the personal information handling practices of the Department of Agriculture, Water and the Environment (department),
- enhance the transparency of the department's operations, and
- give individuals a better and more complete understanding of the sort of personal information the department holds, and the way the department handles that information.

This privacy policy has been developed to follow the 'layered policy' format, which means that it offers layers of greater or lesser detail so people can read as much as they wish and find what they need. If all you want is a snapshot of our personal information handling practices, you can have a look at the summary of the department's [privacy policy](#). It offers an easy to understand summary of:

- how the department collects, uses, stores and discloses personal information, and
- how you can contact the department if you want to access or correct personal information the department holds about you.

If you wish to make any comments or suggestions about the privacy policy, you can do so by contacting the department via:

Email: privacy@awe.gov.au

Mail: Privacy, Department of Agriculture, Water and the Environment, GPO Box 858, Canberra ACT 2601.

This privacy policy applies to the department and to offices which the department assists in complying with the [Privacy Act 1988](#) (Privacy Act) and the Australian Privacy Principles (APPs). Please contact the department if you have any queries regarding the application of this policy.

If you would like to request the privacy policy be made available in an alternate format or language, such as for the vision impaired, or for those from non-English speaking backgrounds, please also contact the department. Reasonable steps will be taken to provide alternate access.

This privacy policy is reviewed and updated annually.

The department's obligations under the Privacy Act

This privacy policy sets out how the department complies with its obligations under the Privacy Act. As an Australian Government agency, the department is bound by the APPs in the Privacy Act which regulate how government agencies collect, use, store and disclose personal information, and how individuals may access and correct personal information held about them.

Personal information

The Privacy Act defines 'personal information' as:

'information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- *whether the information or opinion is true or not, and*
- *whether the information or opinion is recorded in a material form or not.'*

Sensitive information

Sensitive information is a subset of personal information with additional requirements under the Privacy Act.

Sensitive information is defined in the Privacy Act as information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or

affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, or criminal record that is also personal information; health information about an individual, genetic information about an individual, biometric information that is to be used for the purpose of automated biometric verification/identification and biometric templates.

The kinds of personal information collected and held by the department

The department collects and holds a variety of personal information. This information can include:

Information Type	Description
Personal information	<ul style="list-style-type: none"> • name • age or birth date and gender • contact details (including address, phone, facsimile number, and email addresses) • bank account details • photographs, videos or audio of individuals • employment details (including occupation, qualifications, CV and remuneration) • education details (level of education, study assistance and courses) • financial information (ABN) – this may include credit card transactions, bank and property information • insurance details • vessel and vehicle details • emergency details including next of kin • driver’s licence and passport information • travel details • the products and services you have purchased or which you have enquired about, together with any additional information necessary to deliver those products and services and to respond to your enquiries • opinions
Sensitive information (a subset of Personal information)	<ul style="list-style-type: none"> • racial or ethnic origin • political opinion or association • religious beliefs or affiliations • philosophical beliefs • trade or professional associations and memberships • union membership • sexual orientation or practices • criminal record • health or genetic information • biometric information

Dealing with the department without being identified or using a pseudonym

The department will allow you to remain anonymous or use a pseudonym if you wish, when dealing with the department unless it is impractical or not possible to do so. Situations where you do not have to identify yourself or you can use a pseudonym may include when you seek general information about a program, grant, consultation process, importing or exporting process (for example). Identification will generally only be necessary where it would be appropriate or necessary to identify yourself, such as if you are enquiring about the status or details of your own application for a particular program.

How the department collects and holds your personal information

How the department collects your personal information

The department will generally collect your personal information directly from you, unless it is unreasonable or impracticable to do so. There may be times when the department may collect personal information from your authorised agent or a third party.

Unsolicited personal information is also provided to the department from time to time by individuals (or other entities).

Other entities that may collect your personal information on behalf of the department

The department may also collect your personal information from individuals or organisations acting on behalf of the department, including those such as contracted service providers.

The department may also obtain your personal information collected by other Australian Government agencies and State or Territory, local and international government bodies. The department commonly collects your personal information through, or from the following agencies or bodies (this list is not exhaustive):

- Department of Health
- Department of Human Services
- Department of the Environment and Energy
- Department of Finance
- Department of Foreign Affairs and Trade
- Department of Infrastructure, Transport, Cities and Regional Development
- Department of Home Affairs
- State based health departments
- State based environment departments
- State based information departments
- Other portfolio agencies
- Industry groups or industry members who assist with the certification of goods (for example, the import or export of animal, plant or biological goods)
- Law enforcement agencies
- Medical practitioners for health assessments
- Financial institutions
- Legal representatives
- Universities
- Contracted service providers that assist in the department's human resources, communications or information technology functions.

Methods of collection

The department collects personal information through a range of channels, including (but not limited to):

- paper and electronic forms
- databases
- telephone, facsimile and written correspondence (including emails)
- department websites (including online portals)
- social media websites
- online services
- surveys
- meetings

- taped interviews or audio visual recordings.

At or before the time the department collects your personal information (or as soon as practicable afterwards), the department will provide you with a privacy notice unless, it is unreasonable or impractical to do so.

Information collected through our website and online services

A variety of information is collected using the department’s website and online services. Some of this may be personal information, which is summarised in the table below:

Information type	Treatment
Emails and electronic forms	<p>The department’s servers may record your email address if you send the department a message online. Your email address will not be added to a mailing list unless you have provided it to the department in order to subscribe to one of the department’s subscription services.</p> <p>When you send the department a message online the department’s servers may also record your usage data in the form of page URLs that you have visited on the department’s websites. These URLs will be used for research purposes only within the department.</p> <p>Where you choose to send the department a completed electronic form that includes your personal details, the department collects personal information such as your name, address and email address. The information collected by email or electronic forms will be used only for the purpose for which you provided it, unless an exception applies.</p> <p>For those who do not wish to use the internet to transmit information, the department provides alternative ways of providing information. For example, forms may be printed (or obtained in hard copy) and lodged by post.</p>
Payment information	<p>If you choose to pay for a service or product using secure credit card payment facilities available on the department’s website, you will be asked to provide your credit card details. Credit card details are encrypted from the moment they are entered into an electronic form. All other information entered into an electronic form will be encrypted upon submission to the department.</p> <p>The department stores encrypted credit card details only until the industry standard charge back period has expired (currently 10 months).</p>
Clickstream data	<p>The department makes a record of your visit to the website and logs the following information for statistical purposes: the user’s Internet Protocol (IP) address, the date and time of the visit to the site, the web pages accessed and documents downloaded, the previous site visited, and the user’s web browser and operating system.</p>
Google Analytics	<p>In addition to web server logs, the department’s website also uses Google Analytics, a web analytics service provided by Google Incorporated (Google). Reports obtained from Google Analytics are used to help improve the department’s website. Google Analytics uses 'cookies' to help analyse how users use the site.</p> <p>The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States of America. Google will use this information for the purpose of evaluating your use of the department’s website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. Google may transfer this information to</p>

	<p>third parties where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google.</p> <p>By using the department's website, you consent to the processing of data about you by Google in the manner and for the purposes set out above. Please refer to Google's privacy policy for further information.</p>
MailChimp	<p>The department uses MailChimp to provide online tools to create, send and manage emails for the purposes of distributing department newsletters and similar communications.</p> <p>MailChimp may collect personal information, such as distribution lists that contain email addresses, and other information relating to those email addresses.</p> <p>For further information about the type of personal information MailChimp collects, refer to the MailChimp Privacy Policy available at: https://mailchimp.com/legal/privacy/</p> <p>MailChimp is based in the United States of America (USA) and the information collected about your use of the website (including your IP address) will be transmitted to and stored by MailChimp on servers located outside Australia.</p> <p>The department is required to inform you that by subscribing to one of our email newsletters:</p> <ul style="list-style-type: none"> • you consent to your personal information being collected, used, disclosed and stored as set out in MailChimp's Privacy Policy and agree to abide by MailChimp's Terms of Use. • you understand and acknowledge that this service utilises a MailChimp platform, which is located in the USA and relevant legislation of the USA will apply. • Australian Privacy Principle 8.1 contained in Schedule 1 of the Privacy Act will not apply. • you understand and acknowledge that MailChimp is not subject to the Privacy Act and you will not be able to seek redress under the Privacy Act but will need to seek redress under the laws of the USA. <p>You can opt out of the department's mailing list if you choose the 'unsubscribe' service provided by MailChimp in every email, or by contacting https://www.awe.gov.au/about/contact</p> <p>You can also disable or refuse cookies or disable Flash player; however, you may not be able to use the services provided by MailChimp if cookies are disabled.</p>
SurveyMonkey	<p>Where appropriate, the department collects information through SurveyMonkey, a United States-based service. Through SurveyMonkey, the department conducts surveys. SurveyMonkey adheres to its own privacy policy which is available at: https://www.surveymonkey.com/mp/legal/privacy-policy/.</p>

How the department holds your personal information

The department is considered to 'hold' your personal information where it:

- physically possesses a record containing your personal information, or

- has the right or power to deal with the information, even if it does not physically possess it (such as where the personal information is stored on servers owned or operated by a third party, to which the department has access to, or in archived files).

Storage and security

The department holds personal information in a range of audio-visual, paper and electronic based records (including in cloud-based applications and services). The department complies with the Australian Government Protective Security Policy Framework for protecting departmental resources (including information) from harm or unauthorised access. Personal information is held in accordance with the collection and security requirements of the APPs, and the department's own policies and procedures.

Personal information held by third parties.

Under the Privacy Act, the department is required to take measures to ensure that when your personal information is to be held by a third party, that the third party complies with the same privacy requirements applicable to the department.

The department has privacy clauses in all its legal documents, including funding deeds, services and contracts. This is to ensure third parties that the department deals with are required to handle personal information in accordance with the APPs.

Retention and destruction of personal information

The department will take reasonable steps to destroy or de-identify your personal information if the department no longer needs it for any purpose for which the information may be used or disclosed, unless:

- it is contained in a Commonwealth record, or
- the department is required by law or a court/tribunal order to retain the information.

Purposes for which the department collects, holds, uses and discloses your personal information

The purpose for the department collecting your personal information is important as it limits how the department can use and disclose your personal information. Unless an exception under the Privacy Act applies, the department will:

- only use or disclose your personal information for the purpose it was collected, and
- notify you of this purpose at the time of collection, or as soon as practicable after collection.
- only use or disclose your personal information for another purpose where it is able to do so in accordance with the Privacy Act.

There are a number of general purposes for which the department may collect your personal information. The table below outlines the purposes for which personal information is typically collected, including information about how personal information may be used and disclosed consistent with that purpose. It also includes some brief information regarding how the department restricts access to your personal information.

Purpose of collection	Use and disclosure
To manage the department's workforce and public office holders, including functions such as on-boarding, engagement, assignment, transfer, separation, payroll, leave, travel, training, performance, emergency protocol management, workplace safety, facility and asset management (including vehicles), work station set up (including remote access) and related purposes.	Personal information may be disclosed to relevant officers in the department, the Australian National Audit Office and Australian Public Service Commission, overseas agencies or other Commonwealth Government entities. In the case of workplace investigations or compensable claims, personal information may be disclosed to Comcare, Comcover or law enforcement and legal advisors.
To provide secretariat functions to the department and independent committees, boards, panels, councils and other related bodies.	Personal information will be used to contact members regarding meetings, providing meeting papers, providing payments, finalising minutes on the outcomes of the meetings and other secretariat related functions. In some circumstances the department may share secretariat duties with other Commonwealth or state based government agencies. In these circumstances, personal information will be disclosed or accessed by secretariat officers from the other responsible government agency. Secretariat members' personal information may be disclosed on relative department, ministerial or industry body websites.
To communicate with advisory groups, businesses, committees, individuals, panels, projects and stakeholder groups.	Personal information will be used to communicate with individuals. It may be disclosed to relevant third parties and in some circumstances may disclose the contact details of members on a restricted database, for members of particular interest groups.
Appointing and maintaining individuals to statutory authorities, accreditation programs, committees, councils and other portfolio bodies.	Personal information will be used and/or disclosed to decision makers (which may include external parties, including ministers or the chair of such committees). Biographical information may be disclosed on the department's website or in media announcements regarding particular appointments.
To communicate, maintain and provide information to grantees, stakeholders or other interested parties who contact the department (or the minister/parliamentary secretary) regarding applications, submissions, contracts, requests for tender and consultancies.	Personal information may be disclosed to third parties who manage or maintain the project on behalf of the department.
To maintain information details relating to permits, intentions, licensing, financial processes or approving applications for domestic, imported or exported plant, food, animal or biological goods.	Personal information will be used for the approval of applications or licenses, the decision maker will have access to the relevant personal information. Personal information may be disclosed on the department's website or to other Australian or overseas entities.
To provide stakeholders and other interested parties copies of department information, publications and newsletters.	Personal information may be disclosed to third parties who undertake mail out services on behalf of the department.
To manage, assess, evaluate and monitor	Personal information will be used for the purposes of

Purpose of collection	Use and disclosure
department legislative compliance, policies and programs (including assistance packages, tax offsets, grants (including discretionary) and FOI requests).	collection. The department may disclose personal information to the Australian Tax Office, other state government departments, external bodies, consultants or related officials responsible for the assessment or oversight of grants or to evaluate the effectiveness of grants. The Australian National Audit Office and other potential external audit providers will undertake audits of department programs and at times this will include the disclosure of personal information. In line with relevant legislation, and requirements under the Privacy Act, personal information of successful grant recipients is published on the department's website.
To record and make payments to grantees, consultants, contractors and other stakeholder groups.	Personal information would usually be disclosed to the Reserve Bank of Australia to ensure payments are made.
To allow for the selection of award winners, grantees, consultancies or contractors for department programs or business.	Personal information will be used for the purposes of assessing successful award winners, grantees, consultancies or contractors. Personal information will generally not be disclosed outside the department.
Department submissions.	Personal information will be used to maintain contact information to allow for follow up or dissemination of submissions made to the department. Personal information may be published on the department's website.
To maintain information and contact details for the purposes of auditing, compliance, cost recovery, regulatory purposes, leasing, levies, inspections, enforcement activities, investigations (legal / non-legal) and financial dealings.	In some circumstances personal information may be published on the department's website or disclosed to third parties (private and statutory organisations) in line with legislation and the requirements of the Privacy Act. Enforcement and investigative activities may include the disclosure of personal information to other relevant Commonwealth and State based enforcement agencies, as well as the Commonwealth's legal advisors.
To maintain details of academics, professionals, speakers, scientists and subject matter experts who provide advice or information to the department, or conduct training or assessment on behalf of the department on a non-ongoing basis.	In some circumstances personal information maybe be disclosed to third parties directly associated with the program's functions or when required on the department's website.
To nominate applicants for national or international awards, scholarships or fellowships.	Personal information is likely to be disclosed to external sponsors and/or assessors and successful applicants. It may also be disclosed on the department's website or relevant websites.
To provide information or respond to any complaints, compliments or enquiries (including social media).	Personal information may be disclosed to other portfolio agencies.
To undertake research, surveys and reports of agricultural activities and businesses.	Personal information may be disclosed to other portfolio agencies and SurveyMonkey.

Purpose of collection	Use and disclosure
To administer portfolio legislation.	Personal information may be used to administer portfolio legislation or may be disclosed to other agencies in the course of administering portfolio legislation.

Privacy Impact Assessments

The department is committed to undertaking Privacy Impact Assessments (PIA) for high privacy risk projects.

The *Privacy (Australian Government Agencies Governance) APP Code 2017* (Privacy Code) requires that PIAs are conducted for all high privacy risk projects. Section 12(2) of the Privacy Code states that a project may be a high privacy risk project if the agency reasonably considers that the project involves any new or changed ways of handling personal information that are likely to have a significant impact on the privacy of individuals.

The department maintains a public register of the PIAs it conducts which is available on the department's website at: <http://www.awe.gov.au/about/commitment/privacy>

Overseas disclosure

The department discloses personal information to overseas recipients in limited circumstances. This may include, for example, disclosure to peer reviewers anywhere in the world where the appropriate scientific expertise exists. In the event that the department discloses your personal information to an overseas recipient, it will take such steps as are reasonable to ensure that the overseas recipient does not breach the APPs, unless an exception applies.

How to access and seek correction of your personal information

Individuals have a right to request access to their personal information and to request its correction if it is inaccurate, out of date, incomplete, irrelevant or misleading.

The department will take reasonable and practicable steps to provide you access and/or make a correction to your personal information within 30 calendar days, unless the department considers there is a sound reason under the Privacy Act or other relevant law to withhold the information, or not make the changes. The department will not charge you for providing your personal information to you, or for the costs of making any corrections to your personal information.

If the department does not provide you access to your personal information, or refuses to correct your personal information, where reasonable the department will:

- provide you with a written notice including the reasons for the refusal;
- provide you with information regarding available complaint mechanisms; and,
- at your request, take reasonable steps to associate a statement with the personal information that you believe it to be inaccurate, out of date, incomplete, irrelevant or misleading.

Otherwise, if the department corrects your personal information, at your request, the department will also take reasonable steps to notify other agencies or organisations (bound by the Privacy Act) of the correction; if the department has previously disclosed your personal information to those agencies or organisations.

If you are an external client or stakeholder you should contact the relevant business area within the department, in writing, for access to or correction of your personal information. For example,

applicants for a grant program should first contact the program administrator via email or letter. If you do not know which area of the department holds your personal information you can use the [‘contact us’](#) link on the department’s [website](#).

Current and former department employees who wish to gain access to, or correct their personal information need to contact the People Services Branch (People Help) in the first instance. People Help can be contacted via email at PeopleSupport@awe.gov.au.

How you can complain about the handling of your personal information and how the complaint will be managed

You can make a complaint if you believe the department has interfered with your privacy. An act or practice of the department is an interference with your privacy if it breaches the APPs in relation to your personal information or if it breaches a registered APP code that binds the department in relation to your personal information.

Breaches can be caused by a variety of factors, affect different types of personal information and give rise to a range of actual or potential harm to individuals. Consequently, there is no single way of managing a breach. Each breach will need to be dealt with on a case-by-case basis.

How to make a complaint

If you believe the department has interfered with your privacy you can contact the department to make a complaint.

In order to be able to fully assess your complaint, the department would prefer that you make your complaint in writing. This can be done by email to privacy@awe.gov.au or post to Privacy, Information Law Team, Department of Agriculture, Water and the Environment, GPO BOX 858, Canberra, ACT, 2601.

Please note that if you do not provide sufficient information, the department may not be able to fully assess and respond to your complaint.

The department is committed to an efficient, considered and fair resolution of concerns or complaints. All complaints are taken seriously and you can expect to be treated fairly and equitably.

If you are unsatisfied with the department’s response

If you are not satisfied with the department’s handling of your complaint, you can contact the Privacy Commissioner within the Office of the Australian Information Commissioner (OAIC):

Phone: 1300 363 992

Email: enquiries@oaic.gov.au

Post: OAIC, GPO Box 5218 Sydney NSW 2001

Please note: If you make a complaint directly to the Privacy Commissioner rather than to the department in the first instance, the Privacy Commissioner may recommend you try to resolve the complaint directly with the department first.

It is also open to you to make a complaint to the Commonwealth Ombudsman if you are not satisfied with the department’s handling of your matter:

Phone: 1300 362 072

Online: [Online complaint form](#)

Post: Commonwealth Ombudsman, GPO Box 442, Canberra ACT 2601