



Defence Privacy Policy

Part 1: Overview

The Department of Defence (**Defence**)'s Privacy Policy advises how Defence collects, stores, uses and discloses personal information. This Privacy Policy also provides guidance about how personal information held by Defence can be accessed or corrected.

For the purposes of the Privacy Policy, the Department of Defence includes the Australian Defence Force, Australian Public Service (APS) employees of Defence, and the Australian Defence Force Cadet Organisations (Australian Navy Cadets, Australian Army Cadets and the Australian Air Force Cadets) and are collectively referred to as Defence.

The Australian Privacy Principles (**APPs**) contained in Schedule 1 of the *Privacy Act 1988* (**Privacy Act**), regulate how Defence, as an APP entity, handles your personal information.

More information on the APPs can be found on the Office of the Australian Information Commissioner's ([OAIC website](#)).

In this Privacy Policy:

- **Personal information** means information or an opinion about an identified individual or an individual who is reasonably identifiable. This is regardless of whether the information or opinion is true or not.
- **Sensitive information** is a subset of personal information and includes information or an opinion about your racial or ethnic origin, political opinions, religious beliefs or affiliations, philosophical beliefs, sexual orientation, criminal record, health information, biometric information and genetic information.

The Defence Privacy Policy is reviewed annually to ensure the information it contains is accurate, complete, relevant and up-to-date. Defence will also update the Privacy Policy when its information handling practices change. All updates will be published on the Defence website.

Part 1.1: Exemptions from the Privacy Act

The following Defence intelligence agencies are exempt from the requirements of the Privacy Act and are not included in this privacy policy:

- Defence Intelligence Organisation
- Australian Geospatial-Intelligence Organisation
- Australian Signals Directorate.

Additionally, the APPs do not apply to operational intelligence collected, reported or analysed by Defence and special access programs under which foreign governments provide restricted access to technologies.

Part 1.2: Who should read this Privacy Policy?

You should read this Privacy Policy if you are:

- an individual whose personal information is, has been, or will be handled by Defence
- currently, have previously been, or are considering becoming an:
 - Australian Defence Force (**ADF**) memberⁱ
 - Australian Public Service (**APS**) employee of Defenceⁱⁱ
 - Defence civilianⁱⁱⁱ
- a Defence locally engaged employee
- a family member of a current or previously serving ADF member
- an outsourced service provider, contractor, subcontractor, consultant, supplier or vendor of goods or services to Defence
- a Cadet, Officer or Instructor of Cadets in the Australian Navy Cadets, Australian Army Cadets or the Australian Air Force Cadets
- involved in an Australian Government security clearance process, conducted by the Australian Government Security Vetting Agency (AGSVA), for example as a clearance subject or a referee
- seeking to export Defence strategic goods and technologies
- seeking a licence, permit or approval under Defence's legislative or regulatory framework.

Defence collects personal information about individuals both **within** and **external to** Defence, including:

- members of the ADF
- Defence APS employees
- Defence civilians
- Cadets, Officers and Instructor of Cadets in the Australian Navy Cadets, Australian Army Cadets and the Australian Air Force Cadets
- Defence locally engaged employees
- dependants, next of kin and emergency contacts of ADF members and Defence APS employees
- ADF family members who engage with Defence or Defence services (including Defence Families of Australia)
- contractors, subcontractors, consultants and outsourced service providers, suppliers or vendors of goods and services to Defence

- perspective, current or former ADF members and prospective, current or former Defence APS employees
- individuals requiring an Australian Government security clearance, or otherwise involved or associated with a clearance process, undertaken by the AGSVA
- people and agents of organisations doing business with Defence
- individuals involved in disciplinary proceedings, investigations and/or inquiries
- people seeking a licence, permit, authorisation or approval under Defence's legislative or regulatory framework
- people who are involved with ADF operations
- people who make contact with Defence or Defence Ministers

Part 2: The kinds of personal information we collect and hold

We collect personal information about you when it's reasonably necessary for, or directly related to, our functions or activities.

We may also collect sensitive information where collection is allowed under the Privacy Act. Defence will collect and retain sensitive personal information if:

- consent has been provided and it is reasonably necessary, or directly related to, one of Defence's functions or activities;
- collection is required or authorised by or under an Australian law or a court/tribunal order; or
- collection is authorised for other purposes permitted under the Privacy Act, including where Defence:
 - suspects that unlawful activity, or serious misconduct relating to Defence's functions or activities has been, is being or may be engaged in, or
 - reasonably believes the collection is necessary to lessen or prevent a serious threat to the health or safety of any individual or to public health or safety.

If the sensitive information does not fall within one of those categories, Defence will not keep a record of the information and instead arrange for its return or secure destruction if it is lawful and reasonable.

The nature and extent of personal information Defence collects and holds will vary depending on an individual's particular relationship and interaction with Defence. The kinds of personal and sensitive information collected and held by Defence include:

- information about you (e.g. name, address and contact details)
- information about your interactions with us (e.g. services we provide, applications you've made, complaints and feedback, how you use our online services)
- information about your circumstances (e.g. family circumstances, financial situation, employment, health and welfare)
- information to verify your identity (e.g. tax file numbers, biometric information).

A more detailed list of the kinds of personal and sensitive information we collect and hold is set out in **Annexure 1** of this Privacy Policy.

Part 3: How we collect personal information

Defence collects personal information through a variety of channels. This includes information provided in forms you fill out, in applications you make, in electronic or paper correspondence you provide, in person, over the telephone, via Defence's website, and through Defence systems (eg PMKeyS (Personnel Management Key Solution - Defence's personnel and organisational data management system) or ERP).

Due to the scope and nature of Defence activities it is not always possible to collect personal information directly from you. Defence may collect personal information about you indirectly from a range of other sources including, but not limited to:

- publicly available sources
- your access to Defence websites, or information and communications networks and systems
- your family members
- past and present employers and character referees
- health practitioners
- other government agencies and organisations
- your commander, manager and supervisor
- specialist service providers.

Defence may also generate personal information about you in the course of undertaking its functions or activities. When your personal information is collected from a third party, we will only do so in accordance with the Privacy Act and any other applicable laws (e.g. secrecy provisions in other legislation).

Under the Privacy Act, we are required to take contractual measures to ensure that contracted service providers (including subcontractors) comply with the same privacy requirements applicable to Defence.

Anonymity

Where possible, Defence will allow you to interact with us anonymously or using a pseudonym. However, for most functions and activities we will usually need your name, contact details and enough information about the particular matter to enable us to deal with the matter fairly and efficiently.

Unsolicited personal information

If we receive unsolicited personal information and decide that Defence are not permitted to collect it in accordance with the APPs, we will take reasonable steps to destroy or de-identify

the information as soon as practicable, unless it is a Commonwealth record or it is unlawful or unreasonable to do so.

Part 4: How we hold personal information

Storage and security

Defence stores personal information about you as hardcopy documents or as electronic data within its record management or information technology systems.

Defence protects personal information about you in accordance with the policy provided in the [Defence Security Principles Framework](#), and takes reasonable steps to protect that information against loss, unauthorised access, use and disclosure, modification and misuse. This includes:

- conducting regular system audits to ensure adherence to established protective and information security practices
- applying protective measures such as password protections, access privileges, secure cabinets/containers and dissemination limitation markers (e.g. documents containing personal information are marked as 'Sensitive: Personal', and may also include a warning notation of 'Health Information', where appropriate)
- restricting access to personal information for Defence personnel on a need-to-know basis, where access to the information is required for purposes directly related to or reasonably necessary for their duties in support of Defence's functions or activities
- enforcing mandatory annual protective and information security training, and additional training where applicable.

Defence will only destroy personal information in accordance with statutory requirements, including the [Archives Act 1983](#). The [Defence Records Management Policy](#) contains Defence's policy on the retention and destruction of documents. Defence records must be retained and accessible for as long as they are legally required.

Part 5: Why we collect, hold, use and disclose your personal information

Defence only collects personal information that is reasonably necessary for, or directly related to, its functions or activities.

As reflected in the Commonwealth of Australia [Administrative Arrangements Order](#) (AAO), which sets out the legislative and functional responsibility of the Defence Ministers and the Department of Defence, Defence is responsible for the defence of Australia, which includes:

- international defence relations and defence co-operation
- defence scientific research and development
- defence procurement and purchasing
- defence industry development and co-operation.

In order to satisfy these responsibilities and Defence's responsibilities under the various pieces of legislation it administers, Defence collects personal information for various purposes depending on the individual's relationship with Defence. Generally, Defence collects personal information for the following purposes:

- the recruitment, enlistment, appointment, command, administration, management and discipline of ADF members
- the recruitment, employment and management of APS employees in Defence
- the provision of health, rehabilitation and veterans' services to Defence personnel
- the management of the welfare of Defence personnel and their dependants
- workforce analysis and planning purposes
- the provision of housing services to Defence members and their families
- processing, evaluating and granting security clearances for the Commonwealth
- conduct of Defence operations
- Defence community engagement, including cadet and youth programs and Defence awards, sponsorships and scholarships
- the conduct of Defence business activities with the individual
- the engagement of external service providers
- maintaining historical records
- compiling diagnostic information
- conducting approved human research
- identifying potential conflicts of interest
- performing security functions associated with information management, which includes website and email access
- legislative and regulatory purposes that require the grant of a licence, permit or approval and the consideration thereof
- analysis and evaluation of Defence activities and systems
- Defence obligations under international law or an international treaty or agreement.

Privacy notice

At the time (or as soon as reasonably practicable after) Defence collects your personal information, we will provide you with a notice (known as the Privacy Notice or APP Notice). This APP Notice will contain information about:

- the purpose for which the information has been collected,
- if the collection is required or authorised by law,
- any person or entity to whom we usually disclose the information, and
- how we will store the information.

Use of consultants, contractors and outsourced service providers

Defence uses consultants, contractors and outsourced service providers to undertake certain business functions. Personal information about you may be collected by or provided to a

Defence consultant, contractor or outsourced service provider when necessary. Under the Privacy Act, contractual measures are required to ensure that contracted service providers (including consultants, contractors and subcontractors) comply with the same privacy requirements applicable to Defence.

Disclosure of your personal information

Generally, Defence will use and disclose your personal information for the same purpose as collected. Defence may use and disclose your personal information for a secondary purpose if you consent, or another provision in the Privacy Act allows it.

Defence may, if you agree or it is permissible under the Privacy Act, disclose personal information about you to other APP entities, including:

- Defence Ministers and Assistant Ministers
- other Defence-related agencies, regulatory bodies, and organisations such as the Department of Veterans' Affairs, Defence Housing Australia and the Australian War Memorial
- other non-Defence related government departments, regulatory bodies, and organisations that have a function in relation to, or affecting the administration of, ADF members and Defence APS employees, such as the Australian Taxation Office, Comsuper, Comcare, Comcover, the Child Support Agency, the Australian Institute of Health and Welfare, SmartSalary and Toll Transitions.
- in the case of security clearances, the Australian Security Intelligence Organisation and the Australian Federal Police
- Department of Home Affairs
- law enforcement agencies such as the Australian Federal Police, State and Territory Policing agencies, federal, state and territory courts and tribunals
- other Australian Government departments and agencies for legislative, regulatory and administrative purposes
- overseas recipients for legislative, regulatory and reporting purposes to meet Australia's national security and international obligations.
- Defence may disclose personal information about members who are attending the Australian Defence Force Academy to the University of New South Wales or to other educational institutions.

Defence does not disclose personal health information to any other person, including next of kin, unless the individual about whom the information relates has given express consent, or the disclosure is required or authorised by or under Australian law, or in circumstance where it is permitted by the Privacy Act, such as where it is unreasonable to obtain the individual's consent and the disclosure is necessary to lessen or prevent a serious threat to life, health or safety of an individual or to public health and safety.

If it is necessary for the acquisition or use of Defence equipment and capability, Defence may also disclose the personal information of those involved directly, or indirectly, to recipients in the countries where the recipients are located or the activities or functions are performed.

Overseas disclosures

Defence may disclose personal information about you to a person who is not in Australia or an external territory (overseas recipient) where it relates to Defence activities or functions.

Personal information about you may be disclosed in the country where the recipient is ordinarily located, or in a country where the recipient is, or is soon to be, undertaking work related activities.

For example, where Australia is undertaking or participating in military operations or exercises, where it has a Defence establishment (such as RAAF Base Butterworth, located in Malaysia), or where Defence personnel are located overseas on posting, such as those performing a Defence Attaché role or an exchange posting, personal information may be disclosed to 'overseas recipients' in the countries where the activity is being undertaken.

Part 6: Access to and correction of personal information

Under the Privacy Act you have the right to ask for access to personal information that we hold about you, and ask that we correct that personal information. Defence must provide a response within 30 days.

Unless there is a law that allows or requires us not to, Defence will provide you with access to the personal information we hold about you. We will also take reasonable steps to correct personal information we hold about you if we consider it is inaccurate, out-of-date, incomplete, irrelevant or misleading.

If we refuse to provide you with access to, or correct, your personal information, we will notify you in writing and explain our reasons. You should be aware that Defence's ability to correct or amend personal information may be limited in some circumstances, such as if the refusal is required or authorised by law.

To make an access or correction request please put your request in writing to Defence Privacy at defence.privacy@defence.gov.au or complete the [Personal Information Request Form](#).

Individuals may also seek access to their personal information by using the process set out below. These areas or centres may refer you to Defence Privacy if they need assistance.



Applicant	Contact
<p>For former ADF members looking to access information contained in their:</p> <ul style="list-style-type: none"> • Navy health records • Navy personnel records after 1947 • Air Force health and personnel records after 1952 • Army health and personnel records after 1947 	<p>Defence Archive Centre—Fort Queenscliff (DAC-FQ) GPO Box 1932 MELBOURNE VIC 3001</p> <p>Requests may also be sought using the Personal Information Request form. Further information can be found on the Defence Website: Accessing Information</p> <p>Defence no longer holds Army health records prior to 1947 or Air Force health records prior to 1952. For information about how to request these records, contact the Department of Veterans' Affairs (www.dva.gov.au).</p> <p>All ADF World War I and World War II records are held by the National Archives of Australia. For information about how to request these records contact the National Archives of Australia (www.naa.gov.au).</p>
<p>Current ADF members</p>	<p>Current ADF members can request access to their personal information through their chain of command, or using ServiceConnect</p> <p>Requests may also be sought using the Personal Information Request form. Further information can be found on the Defence Website: Accessing Information</p>
<p>Current and former Defence APS employees</p>	<p>Current Defence APS employees may request personal information directly through their line manager, from the area that holds the information, or by contacting the Defence Service Centre – Cooma on 1800 333 362. Former Defence APS employees may request personal information about them by contacting the Defence Service Centre – Cooma on 1800 333 362. Requests may also be sought using the Personal Information Request form. Further information can be found on the Defence Website: Accessing Information</p>
<p>ADF recruitment applicants</p>	<p>ADF recruitment applicants should contact the Defence Force Recruiting Centre at which their application was initially submitted, or call 13 19 01.</p>

<p>Security clearances</p>	<p>Individuals may request personal information about them held by the Australian Government Security Vetting Agency, which was provided for a security clearance process, by contacting the Director Vetting Governance at SecurityClearances@defence.gov.au</p>
<p>Freedom of Information</p>	<p>The Freedom of Information Act 1982 (FOI Act) gives the public a right to access information held by Defence. An FOI request can be made by anyone who is seeking to access or amend information held by Defence, or who is not satisfied with the result of a Personal Information Request.</p>

Part 8: Concerns about how personal information about you is handled

If you have questions about how personal information about you will be, or has been, handled by Defence, you should contact [Defence Privacy](#). Your concerns may be forwarded to the relevant area within Defence for consideration and action, if appropriate.

Defence is committed to quick and fair resolution of privacy complaints. However, some cases may require more detailed inquiry. Defence undertakes to keep you informed of the progress of your complaint.

If you are dissatisfied with the way Defence handles your privacy-related complaint, you may contact the Office of the Australian Information Commissioner.

Part 9: Contact details

Defence Privacy

Email: defence.privacy@defence.gov.au

Office of the Australian Information Commissioner

Phone: 1300 363 992

Web: <http://www.oaic.gov.au/privacy>

Email: enquiries@oaic.gov.au

Post: GPO Box 5218
Sydney NSW 2001

Annexure 1 to the Defence Privacy Policy

Personal information collected by Defence

The kinds of personal information collected by Defence for purposes directly related or reasonably necessary for its functions or activities may include:

Information about you

Name/Title
Gender
Marital status
Date and place of birth
Contact details

Information relating to your employment and the workplace

Equity and diversity information
Next of kin details
Emergency contact details
Occupation
Rank or classification
Post nominals
Professional areas of interest
Languages spoken
Hobbies/interests
Driver license details
Education qualifications
Certificates/awards
PMKeyS/Service number
Training and development
Employment history
Professional references
AGS number
Personal history
Discipline
Workplace management history
Biographies
Application for recruitment/employment
Written tasks undertaken during selection process
Notes taken about you during selection process
Personal information contained in selection process reports

Records relating to attendance and overtime
Leave applications and approvals
Payroll and pay-related information
Performance appraisals
Trade, skill and aptitude test records
Honours and awards
Information related to character checks and security clearances
Applications for compensation
Information relating to rehabilitation and fitness for duty
Information relating to workplace incidents

Information about your circumstances

Family details (e.g. family support history, dependent details, relationship details)
Financial information (e.g. taxation information, superannuation information)
Health and welfare
Residency details
Citizenship details
Passport information

Information about your family and other related persons

Partners
Children
Dependents
Carers

Information about your interactions with us

Completed questionnaires and personnel survey forms
Removals
Travel
Welfare
Allowances



Complaints and grievances
FOI requests
Social media accounts
Use of Defence websites (e.g. server address, top level domain, pages accessed and documents downloaded)
Any unsolicited or solicited material that enters the Defence IT network
Voice data
Video images

Photographic images
Court documents
Information relating to court proceedings
Evidence provided in relation to inquiries and other investigations
Witness statements
Information related to seeking legal advice
Legal advice
Client instructions

Sensitive information collected by Defence

We may collect sensitive information about you where you consent. This collection is allowed under the Privacy Act or when the collection is authorised or required by law. The kinds of **sensitive information** collected by Defence may include:

Racial and ethnic origin
Political opinions Political affiliations, associations and memberships
Religious beliefs/affiliations
Philosophical beliefs
Professional/trade association and memberships
Trade union membership
Sexual preferences or practices

Health information (including the health information of ADF members and for the assessment of security clearance applications)
Physiological biometrics
Signature biometrics
Genetic information
Criminal history
Criminal intelligence information



Endnotes

ⁱ An ADF member is defined in section 4 of the [Defence Act 1903](#) to include an officer, soldier, sailor, airman or airwoman.

ⁱⁱ A Defence APS employee means a person employed in the Department of Defence under the [Public Service Act 1999](#).

ⁱⁱⁱ Defence civilian as defined in [section 3 of the Defence Force Discipline Act 1982](#) (DFDA) is a person (other than a Defence member) who:

- a) with the authority of an authorised officer as defined in the DFDA, accompanies a part of the ADF that is outside Australia, or on operations against the enemy; and
- b) has consented, in writing, to subject themselves to ADF discipline while so accompanying that part of the ADF.