




OFFICIAL

# Privacy Policy

## Approval

Title	Acting Commissioner, Defence and Veterans' Service Commission
Name	Penny McKay
Signature	
Date	29 September 2025

***This policy is to be reviewed by 29 September 2027 unless there are legislative changes to the Privacy Act 1988 or significant changes in the way we collect or manage personal information before that date.***

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## 1. About this privacy policy

The Defence and Veterans' Service Commission (the Commission) is bound by the *Privacy Act 1988* (Privacy Act), the requirements of the Australian Privacy Principles (APPs) in Schedule 1 of the Privacy Act and the Australian Government Agencies Privacy Code (the Privacy Code). Under APP 1, the Commission is required to have a Privacy Policy, which outlines how we manage personal information (which includes sensitive information), as defined in the Privacy Act.

This Privacy Policy is intended to give you an understanding of our personal information handling practices, our obligations under the Privacy Act, the APPs and the Privacy Code in relation to personal information, and to enhance transparency around the Commission's operations. This includes detailed information about:

- the kinds of personal information we collect and hold
- how we collect and hold your personal information
- the purpose for which we collect, hold, use and disclose your personal information
- how to contact us if you want to access or correct personal information we hold about you, and
- how you can complain about a breach of the Privacy Act or the APPs and how we will deal with your complaint.

In addition to the requirements under the Privacy Act, the APPs and the Privacy Code, the Commission's obligations to protect personal information arise from other sources including Part VIIIE of the *Defence Act 1903*, the *Public Governance, Performance and Accountability Act 2013*, the APS Code of Conduct (s 13 of the *Public Service Act 1999*) and the *Crimes Act 1914*. The Commission manages information in accordance with these regimes, and always to the highest threshold imposed by law.

This Privacy Policy is only intended to cover how the Commission handles personal information (including sensitive information, as defined in the Privacy Act) relating to the defence and veterans ecosystem, and the Commission's staff. It is not intended to outline how we manage other types of information.

We will update any changes to our privacy policy on our website if our information handling practices change.

If you would like to access this Privacy Policy in an alternate format, please contact us at [contact@dvsc.gov.au](mailto:contact@dvsc.gov.au).

## 2. What we do

The Commission's purpose is to provide independent oversight and evidence-based advice to the Australian Government on reforms to improve suicide prevention and wellbeing outcomes for serving and ex-serving Australian Defence Force (ADF) members.

To carry out this role, the Defence and Veterans' Service Commissioner (the Commissioner) has the following functions:

- to monitor, inquire and report, including to the Minister and Parliament, by undertaking systemic inquiries on:
  - data and trends regarding suicide and suicidality among serving and ex-serving members
  - systemic factors relating to the Commonwealth's administration of policies, programs, systems and practices that contribute to suicide and suicidality among serving and ex-serving members
  - the state of the defence and veteran ecosystem as it relates to the prevention of suicide and suicidality, and
  - the Commonwealth's implementation of the recommendations of the Defence and Veteran Suicide Royal Commission, including progress, impact and outcomes
- to improve supports for serving and ex-serving Australian Defence Force members
- to collaborate with Coroners to understand issues contributing to defence and veteran deaths by suicide, and
- to promote understanding of suicide risks and factors that can improve the wellbeing of defence members and veterans.

The Commissioner is also responsible for overseeing

- the general administration of the Commission, including procuring goods, enabling individuals who subscribe to receive information and other communications from the agency, responding to correspondence, facilitating events, handling complaints and progressing requests under the *Freedom of Information Act 1982* and other legislation, and
- recruitment and managing employment (including reasonable adjustments, entitlements, remuneration and performance management).

We collect, hold, use and disclose personal information (including sensitive information) to carry out our functions under the Part VIIIIE of the *Defence Act 1903* (Cth).

Further information on our role and function can be found on our website at [www.dvsc.gov.au](http://www.dvsc.gov.au).

### 3. Outline of this policy

Part 1 of this Policy describes the Commission's role and explains in general terms the kinds of personal information we collect, how it is collected and how it is held. As required under APP 1, it explains how you can request to see your personal information or to have details of your personal information corrected. This part also explains how you can lodge a complaint if you believe your personal information has been mishandled, or there has been a breach of your privacy by us.

Part 2 outlines in further detail the specific kinds of records the Commission maintains that may hold personal information. You can find out here what sorts of records we keep, what kinds of personal information are typically contained within these records, and the purpose for which this information is collected, held, used and disclosed.

Part 3 explains the Commission's personal information handling practices when a person visits our website.

# Part 1: Personal Information Management

## 4. Our obligations under the Privacy Act

As an Australian Government Agency, we must comply with the Privacy Act and the APPs contained in Schedule 1 of the Privacy Act. These regulate how agencies may collect, hold, use or disclose personal information, and how people may access and correct personal information held about them.

## 5. What is 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 is true or not; and*
- *whether the information is recorded in a material form or not.’<sup>[2]</sup>*

Personal information also includes ‘sensitive information’, which is a particular category of personal information. This might include information relating to your health, racial or ethnic origin, marital status, political opinions, association memberships, religious beliefs, sexual orientation, criminal history, and health, genetic or biometric information.

## 6. What kinds of personal information does the Commission collect and hold?

Broadly, the types of personal information (including sensitive information) we may collect include:

- the names, contact details (e.g. phone number, email address, and postal address), and other identifying information (e.g. dates of birth, gender, marital status, occupation, and country of birth) of veterans and their families
- the services being provided to veterans and families, their needs and health conditions and medical history
- the names, contact details and personal circumstances of members of the public who contact us
- the names, contact details and role of government officials from other Commonwealth agencies involved in governance, administration, regulation and funding across the defence and veteran ecosystem;
- the names, contact details, and background information (e.g. work history, qualifications, documents linked to recruitment processes such as referee reports, and remuneration) of staff within the Commission, including those of contractors, individuals who have been seconded from other agencies to assist the Commission carry out their work, and consultants

- the names, contact details, and employment details of individuals from external organisations through managing contracts, funding agreements and procurement processes, and
- the names of personnel from veteran service providers, including their names, roles and contact details.

We will only collect sensitive information if:

- you agree to us collecting it and it is reasonably necessary for, or directly related to one of our functions or activities, or
- it is required or authorised by law or an order of a court or tribunal, or
- a 'permitted general situation' exists as defined in the Privacy Act.

Occasionally, sensitive information may be made known to us without us requesting it. This might arise, for example, where an individual (or a family member) decides to contact us to discuss their interactions with a Government agency or ex-service organisation, and during those discussions discloses information about their medical or health situation. In these circumstances, we may clarify with you whether you intend to provide that information, and if so, whether you wish for us to record and use it.

## 7. For what purposes does the Commission collect, hold, use and disclose personal information?

We collect, hold, use and disclose personal information to enable the Commission to carry out its functions and activities.

We may also collect personal information from individuals for the purpose of assessing whether to maintain their identity as confidential in relation to a specific disclosure of information to assist us in carrying out the Commission's functions.

The Commission also holds personal information and records in relation to its staff, such as identifying information, for a range of corporate and business-related purposes.

Importantly, we do not currently send personal information to overseas recipients. If circumstances change, however, we will ensure that the appropriate procedures and systems are in place to ensure that the information will be handled in accordance with the APPs.

## 8. How does the Commission collect personal information?

The Commission will only collect the information we need for the function or activity we are carrying out. Where possible and appropriate, the information we collect will be de-identified.

Generally, we will not need to collect personal information from individuals directly when carrying out our role. Rather, we will usually obtain such information from other Government agencies. For example, when reviewing how the Department of Veterans Affairs manages claim processing as part of our oversight role, we may collect information of how individual claims were handled to determine whether there are systemic issues in the claims management processes that impact its effectiveness and transparency.

Most personal information will be collected from other agencies voluntarily through memorandums of understanding. Personal information may also be obtained as a result of face-to-face meetings, telephone conversations, in writing by mail, electronic communication, photographs, video or telephone recordings, and through submissions, surveys or enquiry forms through our website (see Part 3).

In the course of conducting inquiries into systemic issues across the defence and veteran ecosystem, we may also obtain personal information through submissions provided by individuals and agencies (although individuals or agencies can request that their submissions remain confidential).

Additionally, the Commissioner has coercive information gathering powers to support its functions. These powers allow the Commissioner to access premises, and to compel a person to produce documents or answer questions. We may collect personal information through the exercise of these powers.

The Commissioner conducts a number of activities that are incidental to, and necessary for carrying out their statutory functions. These are best described as 'corporate' functions and include finance, accounting, procurement, reporting, employment and human resources activities. In connection with our corporate activities we collect personal information from a wide range of sources including from job applications of prospective staff, directly from our officers, other government agencies and private entities.

When we collect personal information we will notify you using a privacy collection notice, if it is reasonable to do so. The notice will include reasons why we are collecting the information, whether the collection is required or authorised by law, and any person or body to whom we usually disclose the information. We will also inform you how you can request access to, or correction of, your personal information, and who to contact if you have a privacy enquiry or wish to make a complaint. There may be some situations where we do not notify you using a privacy collection notice. Examples of these situations include where notification would be inconsistent with another legal obligation, for example, by breaching a statutory secrecy provision, a client's legal professional privilege, or a legal obligation of confidence.



## 9. How does the Commission hold and store personal information?

The Commission takes seriously its obligations to protect the personal information it holds. We take reasonable steps to ensure that your personal information is protected against misuse, interference and loss, and from unauthorised access, modification or disclosure. These steps include:

- classifying and storing records securely per Australian government security guidelines
- internal access to information is on a 'need to know' basis and only by authorised personnel
- monitoring system access with controls and authenticated credentials
- ensuring our buildings are secure
- regularly updating and auditing storage and data security systems.

For the list of mandatory requirements that cover governance, personnel, information and physical security, please visit the Protective Security Policy Framework [website](#).

## 10. Notifiable Data Breaches Scheme

The [Notifiable Data Breaches Scheme](#) under the Privacy Act requires entities to notify individuals whose personal information is involved in a data breach that is likely to result in 'serious harm' to any of the individuals. Serious harm refers to serious physical, psychological, emotional, financial or reputational harm to an individual or individuals.

All Commission staff are required to report a suspected or known data breach to the Director – Governance and Corporate (Privacy Officer) who will take immediate steps to contain the breach (where applicable). The General Counsel (Privacy Champion) will then be notified of the suspected breach and initiate an assessment based on its seriousness. The general Counsel will decide the appropriate response required, including whether notification to the Office of the Australian Information Commissioner (OAIC) is necessary. The Commissioner will work with the OAIC on any recommendations or directions from the Information Commissioner relating to the breach.

## 11. How can I access or correct my personal information held by the Commission?

Under APPs 12 and 13 of the Privacy Act, you have a right to request access to personal information we hold about you, and ask that we correct that information if there are any inaccuracies. The first step is to contact us. In many instances, we will be able to either provide you with access or correct any inaccuracies immediately without you needing to make a formal requests.

For more extensive requests, we may ask that you submit the request in writing so we can process it appropriately.

You can also contact us if you need further advice about how best to request access or seek corrections to your personal information.

You also have the right under the *Freedom of Information Act 1982* (FOI Act) to request access to documents we hold and/ or request that the information we hold about you is changed or annotated, if it is incomplete, incorrect, out-of-date or misleading.

## 12. How do I complain about the handling of my personal information by the Commission?

We have established processes to protect your personal information. If you have concerns about how we collect, hold or use your personal information, you have the right to lodge a complaint with us. We ask that such complaints be made in writing, setting out the reasons why you believe we have not handled your personal information in an appropriate manner. This will help us to fully investigate and address your concerns.

We will acknowledge your complaint within five days and investigate and resolve all complaints as soon as possible. Your complaint will be investigated by the Privacy Officer and you will be advised of the outcome of the investigation in writing. Our decision will be explained with reference to the relevant APPs. The time this will take will depend on the nature of your complaint and the complexity of the issues raised. Where a matter is likely to take longer than 30 days to resolve, we will inform you of an estimated timeframe for resolution.

If you are dissatisfied with our response or the way we have handled your personal information complaint or a privacy breach, you may lodge a complaint with the OAIC. Details on how to lodge a complaint with the OAIC can be found at: [www.oaic.gov.au/privacy/privacy-complaints](http://www.oaic.gov.au/privacy/privacy-complaints).

## 13. How to contact us

You can contact us about this privacy policy or to provide feedback by:

Email: [privacy@dvsc.gov.au](mailto:privacy@dvsc.gov.au)

Post: Department of Prime Minister and Cabinet

Attention: Defence and Veterans' Service Commission (DVSC)

PO Box 6500

CANBERRA ACT 2600

## Part 2: Records

Part 2 outlines the specific kinds of records the Commission holds which may contain personal information. These include:

- enquiry and evaluation records
- inquiry submissions
- investigation records
- hearing transcripts
- materials obtained through coercive information gathering powers
- miscellaneous contact records
- newsletter subscriptions
- freedom of information records
- voicemail records
- personnel records, and
- corporate administrative records including policy records.

A number of these are discussed further below.

### 14. Enquiry and evaluation records

Enquiry and evaluation records may contain:

- identifying information such as your name, age/date of birth, contact details, and personal circumstance;
- details of the enquiry or evaluation, and
- any documents you have attached or provided to us in support of an enquiry or evaluation.

In the course of undertaking these activities, we may have records containing personal information. Similarly, we may record personal information such as your name, contact details and identifying information when we receive submissions to an inquiry or evaluation.

The Commission's processes are vital to supporting the Commissioner's role of improving suicide prevention and wellbeing outcomes for current and ex-serving Australian Defence Force (ADF) members.

### 15. Inquiry submissions

The Commissioner may commence an inquiry on their own initiative, or when directed to do so by the Minister. As an independent statutory authority, the Commission also has broad powers to conduct inquiries in a manner that the Commissioner determines to be most appropriate.

The kinds of personal information that may be contained within evaluation records will generally be similar to those for an inquiry, such as the names of individuals, contact details, identity information (such as age, or date of birth), complaints-related information, employment related information, and potentially information about government and non-government services received within, or about, the defence and veteran ecosystem.

Other information that may be included in inquiry records include:

- submissions provided to us as part of an inquiry
- names and contact details of the person lodging the submission
- names of any bodies, entities or industry associations involved in the submission, and
- case study examples to illustrate issues raised in the submissions – these would typically be presented in a redacted format so the identity of the person is not disclosed.

Submissions provided will generally be made publicly available. However, any information contained within a submission which we are prohibited from disclosing under Part VIIIIE of the *Defence Act 1903* (Cth), (which may include personal information, unless the Act authorises that disclosure) would be redacted from the submission prior to publication. Additionally, individuals may request that their submission (or part of a submission) not be published, which the Commissioner may agree to if reasonable in the circumstances, if it would not impede a review, and if the submission was made in good faith. Further restrictions also apply under Part VIIIIE of the *Defence Act 1903* (Cth) against the publication of submissions, or parts of submissions, which name or make reasonably identifiable certain individuals.

## 16. Miscellaneous contact records

The purpose of these records is to record details of approaches made to the Commission that do not constitute enquiry or inquiry records. Such approaches may be from members of the public, officers of other Australian and/or state or territory government agencies, the media and academic researchers. For example, they may include requests from media outlets for the Commissioner to make comment on particular issues being reported on.

## 17. Freedom of Information (FOI) records

The purpose of these records is to capture all requests for information made to the Commission under the FOI Act. These files also record requests for internal review of our FOI decisions, as well as requests for annotation and/or amendment of records. We also record our interactions with other agencies consulted through FOI processes, as well as the OAIC in respect of FOI complaints and Information Commissioner reviews.

Personal information contained within these records may relate to the person who has made the FOI request, complainants to the Commissioner (whether or not they are also the FOI applicant), our officers, officers of other Commonwealth and state and territory government agencies, and any other person whose personal information is contained in the record to which FOI access has been sought.

## 18. Voicemail records

Where a caller leaves a message when calling our Office, a voicemail record is created. The personal information contained in these voicemail records may include the name of the caller, their address, telephone number and details of their general or media enquiries.

Depending on the subject matter of a recording the information contained in it will be placed onto other records, or reduced to a written form (not necessarily an exact transcription), and will then be handled accordingly.

## 19. Personnel records

The Commissioner has duties and powers as an agency head under the *Public Service Act 1999* and has other associated obligations including those arising under the *Disability Discrimination Act 1992*, the *Sex Discrimination Act 1984*, the *Fair Work Act 2009*, the *Safety Rehabilitation and Compensation Act 1988*, the *Superannuation Act 2005*, the *Long Service Leave (Commonwealth Employees) Act 1976*, the *Maternity Leave (Commonwealth Employees) Act 1976* and the *Work Health and Safety Act 2011*. Personnel records are kept to enable the Inspector-General to carry out their functions, obligations and responsibilities for staff, employees and contractors.

Personnel records are maintained about all aspects of employment including; recruitment, employment history, payroll, leave, equal employment opportunity data, workplace relations, security clearances, performance, workplace health and safety, rehabilitation and compensation. These records are kept in relation to all permanent, contracted temporary staff members/employees, and secondees of the Commission.

Access to personnel files is controlled on a 'need to know' basis, and for persons who are authorised to access them.

Personal information is disclosed on a 'need to know' basis for the purposes of administering our payroll, and to travel providers under the 'whole of government' travel arrangements. Additionally, we are required to give personal information to various bodies including the Australian Public Service Employment Database, the Australian Government Security Vetting Agency, the Australian Taxation Office and Comcare.

## 20. Corporate and administrative records including policy records

The purpose of corporate and administrative records, including policy records, is to hold information relating to corporate functions, including office governance, financial management, procurement, legal services, privacy, ICT, public affairs and both physical and information security.

Such files may contain a range of personal information, including the names and roles of Commission officers (and officers of other agencies), salary and personnel details. Personal information pertaining to the wider community similar to enquiry, complaints and review records, may also be held.

## Part 3: Online

This part outlines the kinds of personal information we may hold as a result of your interactions with and through our website ([www.dvsc.gov.au](http://www.dvsc.gov.au)).

The Commission is committed to the protection of your privacy in accordance with the OAIC's Guidelines. These guidelines outline the requirements for transparent collection, appropriate and ethical use and secure storage of personal information. Our aim is to provide an online environment which will ensure the information you provide to us is handled in a secure, efficient and confidential manner.

### 21. Information collected

When visiting our sites, a record of your visit is logged.

The following information is supplied by your browser (e.g. Chrome, Microsoft Edge, or Safari):

- the user's server address
- the user's top level domain name (e.g., .com, .edu, .gov, .au, .uk etc)
- the date and time of the visit to the site
- the pages accessed and the documents downloaded
- the previous site visited, and
- the type of browser used.

This information is used for statistical purposes only. No attempt will be made to identify users or their browsing activities, except where a law enforcement agency (or other government agency) exercises a legal authority to inspect Internet Service Provider (ISP) logs (e.g. by valid warrant, subpoena or notice to produce).

### 22. Cookies

To improve your experience on our website, we may use 'cookies'. Cookies are small text files that a website can transfer to your computer when you access information on that website. Cookies can make websites easier to use by storing information about your preferences on a particular website. Some cookies may remain stored on your computer for a predetermined amount of time unless you specifically clear them. Our website ([www.dvsc.gov.au](http://www.dvsc.gov.au)) may use cookies.

## 23. Email communications

When you e-mail us:

- we will record your e-mail address
- we will only use your e-mail address for the purpose for which you provided it
- it will not be added to a mailing list, unless provided by you specifically for that purpose
- we will not use your e-mail address for any other purpose, and
- we will not disclose it without your consent or otherwise in accordance with the APPs.

When we email you, we will use the email address that was supplied to us by you unless you advise us that another mode of communication is preferred. As each email provider manages information differently, you may wish to consult the privacy policies of your email service provider to understand their practices.

You should be aware that there are inherent risks associated with the transmission of information via email.

All email communications passing between our office and these entities are sent through secured, encrypted channels.

In some cases, we may employ a protected email account to communicate with stakeholders. The use of these protected email accounts may be used where the subject-matter of the enquiry contains highly sensitive information.

## Links to other sites

Our site contains links to other sites. We are not responsible for the content or the privacy practices of other web sites and we encourage you to examine each website's privacy policy.

## References

[1] *Privacy Act 1988*, Sch 1, APP 1.3, 1.4, 1.5.

[2] *Privacy Act 1988*, s 6

[3] *Privacy Act 1988*, s 6

[4] *Privacy Act 1988*, Sch 1, APP 3.3.

[5] *Privacy Act 1988*, s 16A

## Document history

Date Created	Version	Description	Date of Approval
22 September 2025	1	Development of the privacy policy to meet <i>Privacy Act 1988</i> and corresponding Australian Privacy Principles	29 September 2025

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