

## **RDA Hunter's Privacy Policy**

1. Regional Development Australia-Hunter's Privacy Policy complies with the Australian Privacy Principles (APPs) established by the Privacy Act 1988 and which was subsequently amended by the Privacy Amendment (Private Sector) Act 2000 (which came into operation on 21 December 2001).  
The Act regulates the way private sector organisations can collect, use, keep secure and disclose personal information. For the first time, it gives individuals the right to know why organisations collect information, what information an organisation holds about them, how it will use the information and to whom it is disclosed as well as a right to correct that information if it is wrong.
2. The APPs set out how we must handle your personal information.
3. 'Personal information' is information or opinion about an identified individual, or an individual who is reasonably identifiable. The information or opinion may or may not be true and may or may not be recorded in a material form.

### **What personal information does RDA Hunter collect and why?**

4. RDA Hunter collects personal information that is reasonably necessary to perform its functions and activities.
5. The nature of the personal information collected will depend upon the function being performed and may include names and contact details, dates of birth, place of birth, citizenship, passport details (including numbers and photographs with biometric information), health information, travel information relating to an individual and information about business interests and activities. Some personal information collected may meet the definition of sensitive information according to the Privacy Act.
6. RDA Hunter also collects personal information in relation to its role as an employer and when contracting services, including contact details, dates of birth, health information, information about education, qualifications, skills, performance, conduct and pay details. Where required under a security screening process or for assessing grant / program eligibility, RDA Hunter may also collect financial and other required information.
7. Generally, you have the option of dealing with RDA Hunter anonymously or using a pseudonym, such as when you are making a general inquiry regarding our functions or activities. However, it may be impracticable for us to deal with you in that way in other circumstances or we may be required or authorised by law to know your identity in order to perform our functions. For example, to provide you with information relevant to your business or to provide you with services, we may need to know your identity.

### **How does RDA Hunter collect personal information?**

8. RDA Hunter generally collects your personal information directly from you. However, in some circumstances we collect personal information about you from someone else, including:
  - a. where you have authorised us to do so;
  - b. where the information is obtainable from a publicly-available source (eg by way of a company search);
  - c. where it is necessary for a Charter function; or
  - d. where it is unreasonable or impracticable to collect the information from you, such as a medical opinion.
9. We may collect your personal information in a variety of ways including by phone, in writing, via our website when you provide information on online forms or through signing-up to a subscription.

## How does RDA Hunter use and disclose personal information?

10. RDA Hunter uses and discloses personal information for the purposes of performing its functions and activities. Examples of how we use and disclose personal information include:
  - a. disclosing your name and contact details to the organisers of a regional development event that you have agreed to participate in;
  - b. providing you with information you have requested, such as information about forthcoming events;
  - c. providing you with assistance including disclosing your personal information to other Australian government departments such as the Department of Home Affairs;
  - d. disclosing your name and travel details to a foreign emergency service so that they may locate or assist you in the event of an emergency in that country;
  - e. assessing an application made by you, including disclosure to third parties to contribute to the assessment, or
  - f. performing our role as an employer such as in assessing performance, conduct or fitness for duty.
11. To respond to export-related queries in calls, emails, online forms or webchats, RDA Hunter collaborates with business.gov.au, a Department of Industry, Innovation and Science offering. As a part of this collaboration, personal information that you provide to RDA Hunter may be shared with business.gov.au and personal information that you provide to business.gov.au may be shared with RDA Hunter.
12. RDA Hunter may use or disclose personal information for another purpose with your consent (typically through the use of a specific privacy collection statement) or where otherwise permitted by law.
13. RDA Hunter may store personal information on a cloud based service that affords adequate protections, such as certification and security, in respect of all data stored in the cloud, consistent with the Australian Government's Secure Cloud Strategy 2017. RDA Hunter retains effective control of the handling of all personal information that is held in such cloud services.
14. Given the nature of RDA Hunter's functions and activities, we may also disclose your personal information to recipients overseas such as when performing Charter functions or arranging a trade event outside Australia.
15. Before RDA Hunter discloses your personal information to an overseas recipient, we will take such steps as are reasonable in the circumstances to ensure that the overseas recipient does not breach the APPs or is subject to requirements similar to the APPs (such as under laws similar to the Privacy Act or by way of a binding contractual requirement). Alternatively, your personal information will only be disclosed to an overseas recipient where permitted by law which includes where reasonably necessary for Charter functions.

## The data we collect - browsing (clickstream data)

16. When you look at an RDA Hunter website (including rdahunter.gov.au, rdahunterstem.org.au, smarthappenshere.com.au) our server makes a record of your visit and logs the following information:
  - a. your server address;
  - b. your top level domain name (for example .com, .gov, .au, .uk etc.);
  - c. the date and time of visit to the site;
  - d. the pages accessed and documents viewed;
  - e. the previous site or page visited; and
  - f. the type of browser used.
17. RDA Hunter also uses third party web traffic analytics tools (not limited to Google Analytics, Facebook Pixel, Hotjar and Addthis) that may collect and process the following information when you visit one of our websites:
  - a. the name of your internet service provider (ISP);
  - b. your IP address;
  - c. the country you are visiting our website from;
  - d. how much time you spend on which parts of the website;
  - e. the parts of our website that you visit;

- f. which links you click on and in which order;
  - g. your mouse movements and scrolling activity on our website pages;
  - h. preferred language settings on your browser;
  - i. your device's screen size and screen resolution;
  - j. what type of device you are using;
  - k. the operating system that you are using; and
  - l. voluntary feedback that you provide on your user experience.
18. The data listed under items 14 and 15 above is collected for the following purposes:
- a. web site and system administration, including monitoring to prevent security breaches;
  - b. enhancement of the web site to better meet users' needs; and
  - c. research and development.
19. No attempt will be made to identify users or their browsing activities, except in the unlikely event that a law enforcement (or other government) agency exercises a legal authority to inspect ISP logs (for example, by warrant, subpoena, or notice to produce).

### **Cookies and pixel tags**

20. We use cookies and pixel tags (also referred to as web beacons, web bugs or clear gifs) to collect web site usage information. A cookie is a small amount of information stored on your computer by our web site server. It is information that your web browser sends back to our web site server whenever you visit it again. We use cookies to 'remember' your browser between page visits. In this situation, the cookie identifies your browser, not you personally. No personal information is stored within RDA Hunter's cookies.
21. Pixel tags are tiny graphics with a unique identifier that are used to track the online movements of web site users. RDA Hunter places third party pixel tags on its web sites to benefit from the services of web analytics and targeted advertising providers (e.g. Google, Facebook, LinkedIn). If you maintain social media accounts with such providers, they may associate web usage information collected through pixel tags with your account. RDA Hunter does not obtain personally identifiable information from the pixel tags.

Any comments or queries about your privacy or RDA Hunter's websites should be sent to:  
[admin@rdahunter.gov.au](mailto:admin@rdahunter.gov.au)

### **How does RDA Hunter protect your personal information?**

22. RDA Hunter takes information security seriously and uses a range of IT and physical measures to ensure that your personal information is held securely and protected from misuse, interference, loss and unauthorised access, modification and disclosure. RDA Hunter also takes steps to ensure that any personal information it uses or discloses is accurate, up-to-date, complete and relevant.
23. Under the Archives Act 1983, RDA Hunter is not permitted to destroy Australian Government records (which may contain personal information) except in specified and controlled circumstances. If the personal information is not held in an Australian Government record and there is no other legal impediment to doing so, RDA Hunter will take such steps as are reasonable in the circumstances to destroy or de-identify the information when it is no longer required for RDA Hunter functions.

### **Access to personal information and correction**

24. You may request access to your personal information held by RDA Hunter and request that it be corrected if you believe it to be inaccurate. RDA Hunter will provide you with access to your personal information except in limited circumstances set out in the Privacy Act. If we refuse a request for access or correction to personal information, we will provide you with written reasons for that refusal. We will respond to a request for access or correction within 30 days after the request is made.
25. Requests for correction of personal information can be made to the contact below.

## How to make a complaint

26. If you make a complaint to RDA Hunter about how we have handled your personal information, we will contact you regarding whether an investigation will be conducted, who to contact about the matter and an estimated timeframe for resolving the complaint.
27. We will advise you of the outcome of our enquiries regarding the complaint in writing.
28. If you are not satisfied with the outcome, you may take the matter to the Privacy Commissioner in the Office of the Australian Information Commissioner:

Website: <https://www.oaic.gov.au/>

Ph 1300 363 992

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

## Contact

Queries, complaints, requests for access and/or correction should be in writing and sent to:

By post:

The Privacy Officer

Department of Infrastructure, Transport, Regional Development and Communications

GPO Box 594

CANBERRA ACT 2001

Ph (02) 6274 6495

## Information Privacy Principles (IPPs)

There are special rules that apply to Australian Government contractors (such as Regional Development Australia-Hunter) to ensure that personal information is protected when outsourced.

Government agencies (such as Department of Infrastructure, Transport, Regional Development & Communication) are required in their contracts to ensure that subcontractors (such as Regional Development Australia Hunter) do not commit any act or practice which would breach an Information Privacy Principle (IPP) as if it were done by the agency itself and also, to ensure that their contracts do not authorise any practices or acts which would breach an IPP. Consequently, Regional Development Australia Hunter has a privacy clause (Protection of Personal Information) in our Funding Agreement that ensures we comply with the IPPs (Appendix) in the same way that the Australian Government Department with portfolio responsibility for the RDA Network does.

## **Information Privacy Principles Applying to Regional Development Australia-Hunter (Taken from Section 14 of the Privacy Act 1988)**

### **Information Privacy Principle 1**

#### **Manner and Purpose of Collection of Personal Information**

1. Personal information shall not be collected by a collector for inclusion in a record or in a generally available publication unless:
  - a. the information is collected for a purpose that is a lawful purpose directly related to a function or activity of the collector; and
  - b. the collection of the information is necessary for or directly related to that purpose.
2. Personal information shall not be collected by a collector by unlawful or unfair means.

### **Information Privacy Principle 2**

#### **Solicitation of Personal Information from Individual Concerned**

Where:

- a. a collector collects personal information for inclusion in a record or in a generally available publication; and
- b. the information is solicited by the collector from the individual concerned; the collector shall take such steps (if any) as are, in the circumstances, reasonable to ensure that, before the information is collected or, if that is not practicable, as soon as practicable after the information is collected, the individual concerned is generally aware of:
  - the purpose for which the information is being collected;
  - if the collection of the information is authorised or required by or under law- the fact that the collection of the information is so authorised or required; and
  - any person to whom, or any body or agency to which, it is the collector's usual practice to disclose personal information of the kind so collected, and (if known by the collector) any person to whom, or any body or agency to which, it is the usual practice of that first-mentioned person, body or agency to pass on that information.

### **Information Privacy Principle 3**

#### **Solicitation of Personal Information Generally**

Where:

- a. a collector collects personal information for inclusion in a record or in a generally available publication; and
- b. the information is solicited by the collector; the collector shall take such steps (if any) as are, in the circumstances, reasonable to ensure that, having regard to the purpose for which the information is collected:
- c. the information collected is relevant to that purpose and is up to date and complete; and
- d. the collection of the information does not intrude to an unreasonable extent upon the personal affairs of the individual concerned.

## Information Privacy Principle 4

### Storage and Security of Personal Information

A record-keeper who has possession or control of a record that contains personal information shall ensure:

- a. that the record is protected, by such security safeguards as it is reasonable in the circumstances to take, against loss, against unauthorised access, use, modification or disclosure, and against other misuse; and
- b. that if it is necessary for the record to be given to a person in connection with the provision of a service to the record-keeper, everything reasonably within the power of the record-keeper is done to prevent unauthorised use or disclosure of information contained in the record.

## Information Privacy Principle 5

### Information Relating to Records Kept by Record-keeper

1. A record-keeper who has possession or control of records that contain personal information shall, subject to clause 2 of this Principle, take such steps as are, in the circumstances, reasonable to enable any person to ascertain:
  - a. whether the record-keeper has possession or control of any records that contain personal information; and
  - b. if the record-keeper has possession or control of a record that contains such information:
    - (i) the nature of that information;
    - (ii) the main purposes for which that information is used; and
    - (iii) the steps that the person should take if the person wishes to obtain access to the record.
2. A record-keeper is not required under clause 1 of this Principle to give any person information if the record-keeper is required or authorised to refuse to give that information to the person under the applicable provisions of any law of the Commonwealth that provides for access by persons to documents.
3. A record-keeper shall maintain a record setting out:
  - a. the nature of the records of personal information kept by or on behalf of the record-keeper;
  - b. the purpose for which each type of record is kept;
  - c. the classes of individuals about whom records are kept;
  - d. the period for which each type of record is kept;
  - e. the persons who are entitled to have access to personal information contained in the records and the conditions under which they are entitled to have that access; and
  - f. the steps that should be taken by persons wishing to obtain access to that information.
4. A record-keeper shall:
  - a. make the record maintained under clause 3 of this Principle available for inspection by members of the public; and
  - b. give the Commissioner, in the month of June in each year, a copy of the record so maintained.

## **Information Privacy Principle 6**

### **Access to Records Containing Personal Information**

Where a record-keeper has possession or control of a record that contains personal information, the individual concerned shall be entitled to have access to that record, except to the extent that the record-keeper is required or authorised to refuse to provide the individual with access to that record under the applicable provisions of any law of the Commonwealth that provides for access by persons to documents.

## **Information Privacy Principle 7**

### **Alteration of Records Containing Personal Information**

1. A record-keeper who has possession or control of a record that contains personal information shall take such steps (if any), by way of making appropriate corrections, deletions and additions as are, in the circumstances, reasonable to ensure that the record:
  - a. is accurate; and
  - b. is, having regard to the purpose for which the information was collected or is to be used and to any purpose that is directly related to that purpose, relevant, up to date, complete and not misleading.
2. The obligation imposed on a record-keeper by clause 1 is subject to any applicable limitation in a law of the Commonwealth that provides a right to require the correction or amendment of documents.
3. Where:
  - a. the record-keeper of a record containing personal information is not willing to amend that record, by making a correction, deletion or addition, in accordance with a request by the individual concerned; and
  - b. no decision or recommendation to the effect that the record should be amended wholly or partly in accordance with that request has been made under the applicable provisions of a law of the Commonwealth; the record-keeper shall, if so requested by the individual concerned, take such steps (if any) as are reasonable in the circumstances to attach to the record any statement provided by that individual of the correction, deletion or addition sought.

## **Information Privacy Principle 8**

### **Record-keeper to Check Accuracy etc. of Personal Information Before Use**

A record-keeper who has possession or control of a record that contains personal information shall not use that information without taking such steps (if any) as are, in the circumstances, reasonable to ensure that, having regard to the purpose for which the information is proposed to be used, the information is accurate, up to date and complete.

## **Information Privacy Principle 9**

### **Personal Information to be Used Only for Relevant Purposes**

A record-keeper who has possession or control of a record that contains personal information shall not use the information except for a purpose to which the information is relevant.

## Information Privacy Principle 10

### Limits on Use of Personal Information

1. A record-keeper who has possession or control of a record that contains personal information that was obtained for a particular purpose shall not use the information for any other purpose unless:
  - a. the individual concerned has consented to use of the information for that other purpose;
  - b. the record-keeper believes on reasonable grounds that use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person;
  - c. use of the information for that other purpose is required or authorised by or under law;
  - d. use of the information for that other purpose is reasonably necessary for enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue; or
  - e. the purpose for which the information is used is directly related to the purpose for which the information was obtained.
2. Where personal information is used for enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue, the record-keeper shall include in the record containing that information a note of that use.

## Information Privacy Principle 11

### Limits on Disclosure of Personal Information

1. A record-keeper who has possession or control of a record that contains personal information shall not disclose the information to a person, body or agency (other than the individual concerned) unless:
  - a. the individual concerned is reasonably likely to have been aware, or made aware under Principle 2, that information of that kind is usually passed to that person, body or agency;
  - b. the individual concerned has consented to the disclosure;
  - c. the record-keeper 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 individual concerned or of another person;
  - d. the disclosure is required or authorised by or under law; or
  - e. the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.
2. Where personal information is disclosed for the purposes of enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the purpose of the protection of the public revenue, the record-keeper shall include in the record containing that information a note of the disclosure.
3. A person, body or agency to whom personal information is disclosed under clause 1 of this Principle shall not use or disclose the information for a purpose other than the purpose for which the information was given to the person, body or agency.