

Attachment D

Privacy Requirements

1 Collection notice

- 1.1** The Grantee must provide a Collection Notice to all clients before they provide any personal information to the Grantee (for example, available as part of the Grantee's privacy policy made available via a link during sign-up and somewhere on the Grantee's website) or as soon as practicable afterwards.
- 1.2** The Collection Notice must be in a form approved by the Commonwealth Department of the Treasury (Treasury).
- 1.3** The Collection Notice should describe how personal information will be collected, used, and disclosed as part of the program, and otherwise contain the matters required by Australian Privacy Principle (APP) 5.2.
- 1.4** In particular, clients must be made aware that;
- the Grantee will disclose personal information to:
 - Treasury, which will use and disclose that information to manage, administer, promote and evaluate the program, noting that this may involve Treasury:
 - : using clients' personal information as part of ensuring the quality of data reported by the Grantee; and
 - : disclosing clients' first names, email addresses and phone numbers to any third-party engaged to undertake research or promotion in relation to the program. Clients may be contacted by a third party contracted by the Australian Government for program promotion, monitoring and evaluation purposes.
 - the Commonwealth Department of Industry, Science and Resources (Industry), which will use and disclose any personal information it receives in connection with the program, to administer the funding arrangements for the program and provide relevant data to Treasury.
 - the Grantee may disclose information to other individuals/entities. For example, the Grantee may disclose personal information about a client to:
 - a financial institution, to enable the payment of any contribution fee payable by the client under the program; and/or
 - any translator or interpreter who is assisting a client to participate in the program.
 - what the Grantee will do with their personal information after the program ends; and

- the Grantee may invite participants to participate in a voluntary satisfaction survey, which will involve the Grantee collecting, using and disclosing personal information (to Treasury).

2 Consent mechanisms

- 2.1** The Grantee must obtain consent from clients to collect, use and disclose their information in accordance with the APPs and the *Privacy Act 1988*.
- 2.2** Consent must be collected:
- When the client first signs up to the program – this consent should cover the handling of any personal information that is provided (and in particular, any sensitive information that they may provide such as their racial or ethnic origin or any disability) in accordance with the Collection Notice. In addition, the Grantee should also:
 - explain that the client’s participation in the program is voluntary, and their consent can be withdrawn at any time, by contacting the Grantee; and
 - explain that the client can only provide personal information about another individual (such as about a particular client), if that individual has given them express consent to do so.
 - If the Grantee wishes to include personal information for reporting and/or promoting individual case studies about the program.
- 2.3** The Grantee is not required to collect consent from clients for reporting case studies if the case studies are deidentified and the client’s personal information is not disclosed.
- 2.4** Obtaining consent must involve the client taking an ‘active step’ to indicate their consent, such as ticking a box in the sign-up form on the Grantee’s website.

3 Minimising collection of personal information

- 3.1** The Grantee must only collect, use and disclose personal information if it is relevant to the delivery of services under the program, unless use or disclosure is required by an Australian Law or court/tribunal order.
- 3.2** In providing progress and end of project reports under the Grant Agreement, the Grantee must limit the personal information that is provided in the reports to that which is necessary for the Grantee to meet its obligations under Schedule 2 Appendix 1 and 2 of the Grant Agreement.
- 3.3** The Grantee must not record any personal information about identified client customers, or any other identified third-party individual, unless the client has expressly confirmed that the other individual has given their permission for their personal information to be disclosed to you and handled in accordance with the Collection Notice.

4 Personal information retention requirements

- 4.1** The Grantee must take reasonable steps to destroy or de-identify personal information which is no longer required to carry out its obligations under the Grant Agreement unless

the personal information is required to be retained by an Australian Law or a court/tribunal order.

- 4.2** If a client withdraws their consent, the Grantee must notify Treasury and deidentify any personal information collected from the client within 24 hours of the withdrawal.
- 4.3** If the Grantee wishes to maintain client contact details beyond the obligations under the Grant Agreement, they must seek informed consent as part of the Collection Notice. When using contact information after the Grantee's obligations under the Grant Agreement end, Grantees must be clear that they are no longer delivering Digital Solutions services for the Australian Government.
- When maintaining client contact details beyond the Grant Agreement (like name, phone and email), Grantees will still be expected to take reasonable steps to destroy or de-identify all other personal information that is not contact information, as per 4.1.
 - The personal information must continue to be handled in accordance with the APPs.