

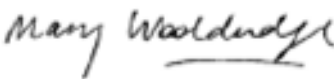


Privacy Policy

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0.5 (2013 – OP8)	Original	Human Resources
2.0	Updated to comply with the <i>Privacy (Australian Government Agencies — Governance) APP Code 2017</i>	Education Delivery Manager and Senior Business Analyst
2.1	Updated for current identity verification tool	Operations Executive Manager
2.2	Refreshed to take into account changes brought about by SALT Platform.	Trustwave
2.3	Updated to correct typographical errors	Operations Executive Manager
2.4	Refreshed and updated to reflect WGEA's current collection, disclosure and storage of personal information and current identity verification tool, updated various contact details, refreshed links and formatting and various other amendments to align some language with relevant laws.	Privacy Officers and several members of WGEA's Executive team

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Part 1 – Introduction

1.1 About this policy

This policy outlines how the Workplace Gender Equality Agency (WGEA) handles your personal information.

The personal information collected is outlined in Part 2 of this document, and includes:

- organisations who have an obligation under the *Workplace Gender Equality Act 2012* (Act) to provide data, and
- employees, prospective employees and those contracted to the WGEA, including suppliers and those tendering to supply goods and services, and
- other stakeholders, including industry associations, not-for-profit organisations, partners, newsletter subscribers and media contacts.

This policy is intended to provide an overview of how we handle your personal information in compliance with our obligations under the *Privacy Act 1988 (Cth)* (Privacy Act) and in particular the provisions of the Australian Privacy Principles (APPs) contained within that Act. ‘Personal information’ means information (or an opinion) in any form, whether true or not, about an identified individual, or an individual who is reasonably identifiable.

The APPs regulate how we collect, hold, use and disclose your personal information and how you access and correct the personal information that we hold about you. The APPs only apply to information about individuals, not information about corporate entities.

This policy will be updated when our information handling practices change, and updates will be publicised on WGEA’s website.

1.2 Overview

- This privacy policy has been developed in accordance with the APPs and embodies our commitment to protecting the privacy of personal information. It covers how we as an Agency collect and handle personal information, including sensitive information.
- WGEA only collects, holds, uses and discloses personal information for a lawful purpose that is reasonably necessary for, or directly related to, one or more of its functions under the *Workplace Gender Equality Act 2012* (Act) in pursuance of the objects of the Act. The objects of the Act are:
 - to promote and improve gender equality (including equal remuneration between women and men) in employment and in the workplace; and
 - to support employers to remove barriers to the full and equal participation of women in the workforce, in recognition of the disadvantaged position of women in relation to employment matters; and
 - to promote, amongst employers, the elimination of discrimination on the basis of gender in relation to employment matters (including in relation to family and caring responsibilities); and
 - to foster workplace consultation between employers and employees on issues concerning gender equality in employment and in the workplace; and
 - to improve the productivity and competitiveness of Australian business through the advancement of gender equality in employment and in the workplace.
- WGEA uses personal information for the purpose(s) for which it was given (unless otherwise required by or authorised by law).
- WGEA may also use personal information as consented by the individual or for related purposes where the individual would reasonably expect WGEA to use or disclose the information.

1.3 References and resources

The following references and resources are applicable to this privacy policy:

- *Workplace Gender Equality Act 2012* (WGE Act) (<https://www.legislation.gov.au/Details/C2016C00895>)
- *Privacy Act 1988* (Privacy Act) ([Privacy Act 1988 \(legislation.gov.au\)](https://www.legislation.gov.au/Details/C2016C00895))
- Australian Privacy Principles (APP) – see Schedule 1 of the *Privacy Act 1988*

- *Freedom of Information Act 1982* (legislation.gov.au)
- *Archives Act 1983* ([Archives Act 1983 \(legislation.gov.au\)](http://legislation.gov.au))
- *Privacy (Australian Government Agencies — Governance) APP Code 2017* (<https://www.legislation.gov.au/Series/F2017L01396>)

Part 2 – Collection of personal information

2.1 Collecting personal information

In performing our functions, we collect personal information using a variety of methods including:

- electronic forms
- by telephone
- paper and electronic correspondence
- the WGEA website
- the WGEA Employer Portal
- WGEA social media accounts
- in person, including virtual meetings.

2.1.1 Personally identifiable information

The types of personal information we collect and hold include the following:

- names, telephone numbers, email addresses, position and organisation contact details of the reporting contacts and Chief Executive Officers (or equivalent) of employers that are required by the Act to report to WGEA (relevant employers); and
- names, telephone numbers, email addresses, position and organisation contact details of stakeholders of WGEA, including contacts at industry associations, not-for-profit organisations, partners, newsletter subscribers, those registering to attend WGEA face-to-face and online events (although this may be limited to name and email address) and media contacts; and
- information about our employees and contractors in relation to personnel and payroll activities (which includes, but is not limited to, their contact details and financial/payment information), recruitment and other matters such as work, health and safety; and
- information from prospective employees provided in their application for employment
- information about tenderers, consultants and other suppliers (or prospective suppliers) of goods and services to WGEA.

2.1.2 De-identified information

WGEA collects de-identified employee data from relevant employers that may include an employee's gender, occupational category, employment status, post code, year of birth, type of employment and base and total remuneration.

Other than in the case of reporting contacts and Chief Executive Officers (or equivalent), information required to be provided to WGEA by relevant employers does not include details of employees' names, addresses or other identifying features. WGEA cannot identify employees by using the personal identifiers provided by relevant employers. While this information is provided in a de-identified way, the Agency has protocols to ensure that it does not publish or disclose information where there is a risk that an individual is reasonably identifiable.

2.2 Collection of sensitive information

'*Sensitive information*' includes (but is not limited to) health information about you or personal information about you that is of a sensitive nature, including information such as the following:

- racial or ethnic origin
- membership of a professional or trade association

- criminal record
- sexual orientation or practices
- religious beliefs or affiliations
- membership of a trade union.

Where a person has provided WGEA with sensitive information, WGEA will only retain the information if:

- you have consented to the collection of the information and it is reasonably necessary for, or directly related to, one or more of WGEA's functions or activities, or
- collection of the information is required or authorised by or under Australian law or a court/tribunal order, or
- a 'permitted general situation' exists (for example, a situation where WGEA reasonably believes that collecting, using or disclosing the personal information is necessary to lessen or prevent a serious threat to the life, health or safety of an individual, or to public health or safety), or
- collection of the information is authorised for other purposes permitted under the Privacy Act.

2.3 Indirect collection of personal information

We may collect information about you indirectly from publicly available sources or from third parties such as:

- comments made by employees or employee organisations
- Australian business information services providers and repositories, or
- directories, websites and literature to enable us to contact stakeholders who may be interested in our work or in participating in our forums and consultations.

2.4 Collecting information through the WGEA Employer Portal

In addition to the personal and sensitive information identified above, WGEA tracks usage of the Employer Portal. Information collected includes:

- login dates and times
- upload of data files
- changes to data entered
- support requests, support request contact events, and
- information to assist the Agency resolve support requests.

2.5 Collecting information through the WGEA website

WGEA has a public website – www.wgea.gov.au

- There is an option on our website to subscribe to WGEA's updates. If you choose to subscribe to WGEA's updates, we will collect information such as your first name, last name, position title, employer and email address.
- Our website includes links to other websites that may prompt you for personal data. We are not responsible for the content and privacy practices of other websites. We recommend that you examine each website's privacy policy separately.
- When you use our online services, our servers automatically record information that your browser sends whenever you visit a website. These server logs may include information such as your server address, your top-level domain name (for example, .com, .gov, .au, .uk etc.), the date and time of the visit to the site, the pages accessed and documents viewed, the previous site visited, the browser type, version and language, and one or more cookies that may uniquely identify your browser.
- No attempt is made to identify you through your browsing other than in exceptional circumstances, such as an investigation into the improper use of the website.
- We use cookies across our website - a small file that uniquely identifies your browser. It contains information that your web browser sends back to our website 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 our cookies.

- We use Google Analytics to collect information about visitors to our website. Google Analytics uses cookies and JavaScript code to help analyse how users use this site. It anonymously tracks how visitors interact with this website, including how they have accessed the site (for example, from a search engine, social media, a link, an advertisement) and what they did on the site. 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. Google will use this information for the purposes of compiling reports on website activity and providing other services relating to website activity and internet usage. You may refuse the use of cookies by selecting the appropriate settings on your browser. In relation to Google Analytics, you can opt out of the collection of this information using the [Google Analytics Opt-out Browser Add-on](#).

2.6 Social media platforms

WGEA uses social media platforms to communicate with the public about our work.

- We use services such as Twitter, Facebook, LinkedIn, Instagram and YouTube.
- When you communicate with us using these services, we may collect any personal information accessible on your social media platforms to communicate with you and the public.
- The social media platforms will also collect and handle your personal information. The Agency has no control or influence over third party privacy policies. Please refer to the specific social networking site to review their privacy policies.

Part 3 – Disclosure and sharing of information

3.1 Sharing of information

We will only disclose personal information to third parties (including other government departments) in the following circumstances:

- where you are reasonably likely to have been aware, or made aware, that your personal information is usually passed to the relevant parties
- where you have consented to the disclosure of your personal information
- where we believe on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to your life, health or safety or that of another person
- where the disclosure is required or authorised by or under law or a court/tribunal order
- where the disclosure is reasonably necessary for the enforcement of criminal law or a law imposing a pecuniary penalty, or for the protection of public revenue.

Remuneration data and remuneration-related data provided to WGEA by employers is confidential.

Employer-specific remuneration data will only be disclosed publicly by WGEA if it is in aggregated form, if the employer providing the data consents to WGEA disclosing the data and if the data does not disclose, directly or indirectly, information about a specific person.

Any request by a third party to access remuneration data and related data/information (other than at an aggregated level which does not identify an individual or employer) will be refused under the *Freedom of Information Act 1982*.

We may provide de-aggregated remuneration data to organisations, entities or other bodies who have a written agreement with WGEA to conduct research for, on behalf of, or together with WGEA. In such cases, we still have protocols to ensure that no individual employee can be identified.

3.2 Disclosure of personal information overseas

It is unlikely that personal information will be disclosed to overseas recipients with the exception of information that is accessible via our website and social media sites. We are unable to identify in which countries our website would be accessed.

Part 4 – Storage, security and access to personal information

4.1 Storage and security of personal information

WGEA takes the storage and security of personal and sensitive information very seriously and has strict controls in place to guard the data held in our possession.

- Most personal information submitted to WGEA online is directed through the WGEA secure portal. Access to the WGEA portal is secured using digital identity verification services (such as MyGovID). For further information, please refer to <https://www.digitalidentity.gov.au/>.
- The Agency uses a multi-tenant security model with principals of least access for the storage and access of information via the Gender Equality Reporting Portal. This prevents personal or sensitive information from one login (user, organisation, reporting customer or subsidiary) from being visible to another.
- We take all reasonable steps to protect the personal information that we hold from misuse, interference, loss, unauthorised access, modification or disclosure by using a number of protective measures including password protection for accessing our IT systems, tracking access to our IT systems, locked filing cabinets for any paper documents and physical access restrictions to our offices.
- We take all reasonable steps to make sure personal information we collect and store is accurate, relevant, up-to-date, complete and not misleading. This is achieved by primarily having employers enter that information directly into the Agency's database via a secure website portal during the yearly Gender Equality Reporting Program. When information is provided by email, relevant information is copied from the communication and pasted into the relevant database records. For any information that is not received via these channels, for example, by telephone, the Agency has business processes in place to ensure that personal details are confirmed in writing by the employer.
- When no longer required, personal information is destroyed or deleted in a secure manner or transferred to the National Archives of Australia (NAA) in accordance with our obligations under the *Archives Act* 1983.

4.2 Accessing and correcting personal information

Under the Privacy Act you have the following rights:

- to access personal information we hold about you
- to request corrections of any personal information that we hold about you if you think the information is inaccurate, out-of-date, incomplete, irrelevant or misleading.

To access or seek correction of personal information we hold about you, please contact us using the contact details set out below.

If you request access to or correction of your personal information, we will respond to you within 30 calendar days.

While the Privacy Act requires that we give you access to your personal information upon request or an opportunity to request the correction of your personal information, it does set out circumstances in which we may refuse to give you access or decline to correct your personal information.

If we refuse to give you access or make corrections to your personal information, we will provide you with a written notice which, among other things, gives our reasons for refusing your request.

It is also possible to access and correct documents held by us under the Freedom of Information Act 1982 (<https://www.legislation.gov.au/Details/C2018C00016>). To make such a request, please contact us using the contact details set out in section 4.4 below, except address it to the Freedom of Information Officer.

If you are dissatisfied with our response, you may make a complaint, either directly to us (see below), or you may wish to contact:

- the Office of the Australian Information Commissioner by submitting an online enquiry form (see [Contact us - Home \(oaic.gov.au\)](#)) or by telephone 1300 363 992; or

- the Commonwealth Ombudsman by submitting an online form (see [Contact us - Commonwealth Ombudsman](#)) or telephone 1300 362 072.

4.3 Complaints

- If you think we have breached your privacy, the Australian Privacy Principles or the *Privacy (Australian Government Agencies - Governance) APP Code 2017* (which the Agency is bound by) you may contact us to make a complaint using the contact details set out in the 'How to contact us' section below. In order to ensure that we fully understand the nature of your complaint and the outcome you are seeking, we prefer that you make your complaint in writing.
- Please be aware that it may be difficult to properly investigate or respond to your complaint if you provide insufficient detail. You may submit an anonymous complaint. However, if you do it may not be possible for us to provide a response to you.
- We are committed to quick and fair resolution of complaints and will ensure your complaint is taken seriously and investigated appropriately. Please be assured that you will not be victimised or suffer negative treatment if you make a complaint.
- If you are not satisfied with the way we have handled your complaint in the first instance, you may contact the Office of the Australian Information Commissioner to refer your complaint for further investigation. Please note that the Information Commissioner may not investigate if you have not first brought your complaint to our attention.

Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001

Telephone: 1300 363 992

Online: See privacy complaint form at [Contact us - Home \(oaic.gov.au\)](#)

4.4 How to contact us

If you wish to:

- query how your personal information is collected, held, used or disclosed by us
- ask questions about this privacy policy
- request access to or seek correction of your personal information
- make a privacy complaint

please contact us via one of the methods below.

Postal address: CONFIDENTIAL
The Privacy Officer
GPO Box 4917
Sydney NSW 2001

By email: For privacy-related matters, use: wgea@wgea.gov.au
For Freedom of Information-related matters, use: FOI@wgea.gov.au

By phone: (02) 9432 7000 or 1800 730 233

Assisted Contact:

National Relay Service (NRS)

- TTY users can phone:
 - 133 677 then ask for 02 9432 7000 or
 - 1800 555 677 then ask for 1800 730 233
- Speak and Listen users phone:

- 1300 555 727 then ask for 02 9432 7000 or
 - 1800 555 727 then ask for 1800 730 233
- Internet relay users connect to the [NRS](#) then ask for 02 9432 7000 or 1800 730 233.