

# Privacy Collection Notice

This Privacy Collection Notice describes how the Psychosocial and Consultation Policy section within Safe Work Australia (**SWA**) collects and manages personal information. The Psychosocial and Consultation Policy section develops national policy and guidance relating to psychosocial health, consultation and other Work Health and Safety (**WHS**) policy matters including WHS incident notification.

## Your privacy rights

Your personal information is protected by law, including the *Privacy Act 1988* (Cth) (**Privacy Act**) and the Australian Privacy Principles, which regulate how entities including SWA may collect, use, disclose and store personal information.

SWA will only collect your personal information where it is reasonably necessary for, or directly related to, the performance of our functions or activities.

## What personal information do we collect?

We may collect your personal information from you when you respond to our consultation paper on WHS incident notification under the model WHS legislation.

The personal information we collect from you will vary depending on your response. This will include demographic data collected through your registration with the Engage platform, and may include your name and email address, your organisation's name, the type of work you do, your industry and the jurisdiction where you are based, should you provide such information in your submission.

## Why do we collect your personal information?

We collect your personal information to help us perform one of SWA's core functions in evaluating and, if necessary, revising the model WHS legislative framework and other WHS materials.

Collection of this information is required or authorised by or under section 6 of the *Safe Work Australia Act 2008* (Cth) (**SWA Act**), in conjunction with APP 3.1.

If you do not wish to disclose your personal information, you can choose not to include identifying information on the cover sheet and in your submission. However, if we are not able to collect your personal information, we will not be able to contact you for any further consultation if needed. If you choose not to provide details about your occupation, this may limit our understanding of the implementation of potential options across different industries.

## How do we use and disclose your personal information?

We will use and disclose your personal information to evaluate and, if necessary, revise the model WHS legislative framework and other WHS materials in relation to WHS incident notification.

We may disclose your personal information to:

- SWA Members
- another Australian Government, state or territory agency with WHS responsibility
- a Commonwealth, state or territory WHS regulator, or
- a third party engaged by the Agency

to evaluate and, if necessary, revise the model WHS legislative framework and other WHS materials in relation to WHS incident notification in accordance with our functions under the SWA Act.

Additionally, we may disclose your personal information to third parties where the disclosure is required or authorised by a court or tribunal order, or under an Australian law. For example, this could happen if SWA receives a court order compelling the production of information.

SWA is unlikely to disclose your personal information to overseas recipients.

We will only publish your response (including any personal information it contains) to our consultation paper on WHS incident notification under the model WHS legislation if you provide your consent by selecting the 'publish my submission online' option on the cover sheet.

### **Further information**

You can contact us to access or correct your information or make a privacy complaint. Our contact information and further details about how we handle your personal information are set out in our privacy policy (available at [www.safeworkaustralia.gov.au/privacy](http://www.safeworkaustralia.gov.au/privacy))

For more detailed information about how we collect, use and disclose your personal information in relation to the Engage platform, which is used to host this consultation, please refer to the Engage Privacy Policy (<https://engage.swa.gov.au/privacy>).