



Australian Government
Coal Mining Industry
(Long Service Leave Funding) Corporation

COALSL

Privacy Statement

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1. INTRODUCTION

The Coal Mining Industry (Long Service Leave Funding) Corporation (Coal LSL) has a responsibility to maintain the strictest confidence of the personal and sensitive information we collect from our internal and external stakeholders. The Privacy Statement has been developed in accordance with the requirements set out in the *Privacy Act 1988* (including the Australian Privacy Principles), the *Privacy Amendment (Notifiable Data Breaches) Act 2017* and the *Australian Government Agencies Privacy Code*. Collectively, we refer to the above legislation as the Privacy Laws.

This Privacy Statement has been developed to provide our stakeholders and the wider community with information on how their personal information is being collected, used, disclosed, managed and protected as well as how we are complying with our obligations under Privacy Law.

2. COLLECTING PERSONAL INFORMATION

2.1. Types of Information

The types of personal information we collect vary according to the nature of our interactions with you. These may include, but are not limited to, details such as name, email, phone number, age, gender, birth date, residential addresses, bank account details, Tax File Numbers¹, employment history, LSL number, educational qualifications and career information.

2.2. Who do we collect Personal Information from?

We may collect personal information from:

- **Your Employer** - if you are or were an employee in the black coal mining industry (an eligible employee)
- **You** – if you supply your information to us or we request it from you
- **A Third Party** - if a third party provides your information to us for a purpose connected with our statutory functions

2.3. Why do we collect Personal Information?

We collect personal information for the primary purposes of performing our statutory functions of administering the long service scheme for the Black Coal Mining Industry which can include, but is not limited to:

- maintaining records relating to the employment of eligible employees, including the employment history and long service leave entitlements of those employees;
- ensuring the proper payment of payroll levy by employers involved in the black coal mining industry in respect of their eligible employees; and
- reimbursing employers for their payments of the long service leave entitlements to eligible employees.

¹ For making payments in accordance with section 48 of the Coal Mining Industry (Long Service Leave) Administration Act 1992 (payments to eligible employees if their employer is insolvent).

3. USE AND DISCLOSURE OF PERSONAL INFORMATION

We will use your personal information for the primary purpose of performing our statutory functions, as outlined above, and which you would reasonably expect us to use that information for. This may include:

- service improvement through research and development
- quality assurance and staff training
- responding to enquiries or providing assistance to stakeholders
- business intelligence and reporting

We will disclose your personal information for the primary purpose of performing our statutory functions. For example, we may disclose your personal information to employers in the black coal mining industry as part of our efforts to maintain accurate long service leave records, ensure correct payroll levies have been paid or where a disclosure is necessary to provide you with the required assistance.

Other instances where we may disclose your personal information includes:

- to other regulators or to enforcement bodies in the course of responding to a complaint from that regulator or body or seeking advice from them. We will not disclose your personal information without your consent unless we are authorised or required by law to do so;
- to our contracted service providers for the purposes of delivering the services that we provide to you. We take reasonable steps to ensure that these service providers are bound by privacy obligations in relation to the protecting of your personal information; and/or
- to the Commonwealth Ombudsman, administrative bodies or courts that are reviewing decisions we make.

We will not disclose your personal information to any third parties without your consent other than as set out in this statement. If you would like to provide a third party with access to your personal information, you will need to complete the [Third Party Authorisation Form](#).

3.1. Job Applications

We use personal information for the purpose of identifying and qualifying candidates for current and future career opportunities within our organisation. This may include assessing your job application and work history, conducting background and criminal history checks, exchanging information with your listed referees, previous employers and academic institutions, and conducting aptitude, skills based and psychometric testing.

As part of the recruitment process, we may need to disclose your personal information to third party service providers who assist us to carry out these assessments/tests and checks. Where we transfer your information, we will take reasonable steps to ensure that your information is treated securely and the means of transfer provides adequate safeguards.

We may also use and disclose personal information for the purpose of communicating to our talent pool candidates to share relevant company information and insights, share new opportunities and remind them to keep their details up to date so we can better assess their suitability to future roles.

3.2. Unsolicited Personal Information

From time to time we may receive personal information that we have not taken active steps to collect i.e. unsolicited personal information. If we receive unsolicited personal information and we decide that

we are not permitted to collect it in accordance with Privacy Laws, we will take reasonable steps to destroy or de-identify the information as soon as practicable, unless it is unlawful or unreasonable to do so.

3.3. Disclosure of information overseas

We may disclose your personal information to people in foreign countries to fulfil our purposes and functions. An example would be where we are required to share your personal information with your employer, some of whom have their operations based overseas.

While we make every attempt to host personal information on servers in Australia, there are certain circumstances where personal information may be hosted overseas.

4. ELECTRONIC DIRECT MAIL

We may use your personal information to contact you with newsletters about our services, the Fund and other topics that may be of interest to you. We collect usage data, such as information about how you interact with our emails, and from our emails to our website, as well as the date and time associated with your usage. We only use this information to improve the relevance of our newsletter content and its structure.

You may opt out of receiving these communications from us by clicking the unsubscribe link provided in any newsletter we send. You acknowledge that we are legally required to send you essential information and you may still receive communications from us after opting out of our newsletter.

5. ACCESSING AND CORRECTING PERSONAL INFORMATION

We take all reasonable steps to ensure that your personal information held by us is accurate, up-to-date, complete, relevant and not misleading. These steps include maintaining and updating your personal information when we are advised by you or your employer that your personal information has changed and at other times, as necessary.

You have the right to request access to, or a correction of, the personal information we hold about you by contacting us. We will give you access or make the corrections if it is reasonable in the circumstances to do so. We will respond to any request from you to access or correct your personal information within 30 days.

Non-personal information we hold about you, for example termination code, employment status, etc, is not covered by the scope of this statement. If you believe the non-personal information we hold about you is incorrect, we can work with you, your employer or/and any other stakeholders to assist in reviewing this information.

6. DATA STORAGE AND SECURITY

We store your personal information in a variety of ways including electronic databases, cloud-based systems and physically. We aim to protect your personal information from loss, unauthorised access, use, modification or disclosure, and against other misuse. We will use all reasonable endeavours to keep your personal information in a secure environment, by employing appropriate technical, administrative and physical procedures. We also ensure that access to your personal information within our systems is only available to our staff who need it in order to do their work. If you reasonably believe that there has been unauthorised use or disclosure of your personal information, please contact our Privacy Officer.

Notwithstanding the reasonable steps taken to keep information secure, breaches may occur. If a data breach occurs, we will respond in line with the Office of the Australian Information Commissioner's [Data breach notification - A guide to handling personal information security breaches](#). We will aim to provide timely advice to you to ensure you are able to manage any loss, financial or otherwise, that could result from the breach.

7. WEBSITE

We are committed to protecting your privacy online and make reasonable efforts to secure information transmitted to our website over the internet. Our website is hosted in Australia.

When you visit our website, our server logs the following information:

- the type of browser and operating system you are using
- your server's IP address²
- date, time and location of your visit
- the address of the pages accessed and the documents downloaded

7.1. Website Searches

Search terms you enter when using our search engine are collected but are not associated with any other personal information that we collect. We use these search terms to ascertain what people are looking for on our site and to improve the services we provide.

7.2. Website Forms

We will collect your personal information when you complete any of our online forms on our website, for example the Request My Leave Balance form. We use this information for the sole purpose of responding to your enquiry by providing you with the information you have requested from us.

7.3. Cookies

We use cookies and Google Analytics to collect or view website traffic information and keep track of the pages you have accessed while using our website.

Cookies can be either 'persistent' or 'session' based. Persistent cookies are stored on your computer, contain an expiry date, and may be used to help our website recognise you when you return to provide a faster experience on the site. Session cookies are short-lived, used only during a browsing session, and expire when you quit your browser.

Our website uses both, persistent and session-based cookies. For example, when you first visit the site a cookie is generated to track your session. Likewise, when you are asked to supply personal information for a particular purpose, a cookie is generated to show which records are visible to you and which are not. Cookie information is not linked to any personal information you may provide and will not be used to identify you. If you do not wish to have cookies placed on your computer, please set your browser preferences to reject all cookies.

7.4. Google Analytics

We also use Google Analytics, a web analytics service provided by Google Inc., to improve the efficiency and usability of our website. Google Analytics also uses cookies to analyse how users navigate our website. Google uses this information for the purpose of evaluating and compiling reports on website activity and providing other services relating to internet usage. Please refer to Google's

² a number which is unique to the machine through which you are connected to the internet

Privacy Policy for more information. If you do not wish to have your information collected and tracked by Google Analytics, there are opt-out tools available to you.

8. SOCIAL MEDIA

We may use social networking services such as LinkedIn to communicate with our stakeholders. When you communicate with us using such services, we may collect your personal information, but we only use it to help us to communicate with you. The social networking service will also handle your personal information for its own purposes. These sites have their own privacy policies.

Our recruitment team and hiring manager's may also collect information about you from publicly available sources including social media resources such as LinkedIn Recruiter, Seek and Indeed.

9. ANONYMITY AND PSEUDONYMITY

You may contact us anonymously or using a pseudonym to obtain general information, however, we may not provide further assistance if it would be unlawful or impracticable to do so without obtaining the required personal information, for example, to perform an identity check.

10. CONTACT US

If you have any questions or wish to access or correct your personal information, or are otherwise seeking to exercise your rights in respect of your personal information held by us, please contact us at:

The Privacy Officer

Coal Mining Industry (Long Service Leave Funding) Corporation

Locked Bag 2021 Newcastle NSW 2300

T: 1300 852 625

E: query@coallsl.com.au

11. COMPLAINTS

We welcome the opportunity to assist you and resolve any privacy related concerns and complaints quickly and effectively in the first instance. To discuss a matter with us, please contact us on the details listed in the 'Contact Us' section. Alternatively, please complete the online [Complaints Form](#).

If you are not satisfied with our response to your complaint, you may also make a complaint to the Office of the Australian Information Commissioner (OAIC). The OAIC can be contacted on 1300 363 992 or via the OAIC's website. The website also contains further information about making complaints relating to privacy.

12. DEFINITIONS

Fund – refers to the total funds under management as represented by levies paid by employers to fund long service leave entitlements in the Australian black coal mining industry.

Officer – refers to Directors, Independent Chairs and staff members.

Privacy Data Breach - when personal information is accessed or disclosed without authorisation or is lost.

Personal Information³ – refers to information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

Staff - refers to all Coal LSL employees, including full-time, part-time, fixed/maximum and casual employees. It also applies to Coal LSL contractors, interns and volunteers when they are performing work as part of our business.

Service Provider – refers to any entity with a direct contract with Coal LSL to provide goods or services.

Version	Date	Ownership	Changed/Approved by	Changes Made
1	August 2021	Chief Governance Officer	Chief Governance Officer	Original

³ As defined in s 6(1) of the *Privacy Act 1988*.