



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

COALLSL

Privacy Statement

Contents

1. Introduction.....	3
2. Purpose of this Privacy Statement	3
3. Privacy Act 1988	3
4. Personal information handling practices	3
5. Digital platforms	7
6. Anonymity and pseudonymity.....	8
7. Data storage and security.....	8
8. Accessing and correcting your personal information.....	9
9. Privacy impact assessment	9
10. Complaints.....	10
11. Contact us	10
12. Definitions.....	10
13. Version history	11

1. Introduction

The Coal Mining Industry (Long Service Leave Funding) Corporation (**Coal LSL**) understands and values the importance of promoting and protecting the privacy of individuals and ensuring their personal information is handled properly.

This Privacy Statement has been developed in accordance with the requirements set out in the *Privacy Act 1988* (including the Australian Privacy Principles) (**Privacy Act**), the *Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth)* and the *Australian Government Agencies Privacy Code*, and embodies our commitment to safeguarding the personal information, including sensitive information, we collect, store, use and disclose. Collectively, we refer to these legislative instruments as the Privacy Laws.

2. Purpose of this Privacy Statement

The purpose of this privacy statement is to:

- define the types of personal information we collect, store, use and disclose
- outline our personal information handling practices
- explain the reasons why we might need to collect your personal information, why it may be held by us, how it is used and how it is protected
- advise if we are likely to disclose personal information, including to overseas recipients, to whom and for what purpose
- instruct on how you can access your personal information, and correct it, if necessary
- establish how to lodge a complaint if you believe your information has been wrongly collected or inappropriately handled.

This Privacy Statement represents our Privacy Policy and provides information as required under the Australian Privacy Principles as to how we collect, use, store and disclose personal information.

This privacy statement is not intended to cover our handling of commercially sensitive information or other information that is not defined in the Privacy Act as personal information.

3. Privacy Act 1988

We are subject to the [Privacy Act 1988](https://www.legislation.gov.au/Series/C2004A03712)¹ (Cth) (the Privacy Act) and to the requirements of the Australian Privacy Principles (APPs) contained in Schedule 1 of the Privacy Act.

The APPs regulate how we can collect, hold, use and disclose personal information and how you can access and correct that information. Detailed information and guidance about the APPs can be found on the [Office of the Australian Information Commissioner](https://www.oaic.gov.au/privacy/australian-privacy-principles)² website.

4. Personal information handling practices

Personal information may be collected directly by us or on our behalf (e.g. contracted service providers), from you directly, on your behalf (e.g. from your employer) or from a representative you

¹ <https://www.legislation.gov.au/Series/C2004A03712>

² <https://www.oaic.gov.au/privacy/australian-privacy-principles>

have authorised.

We may also obtain personal information collected by other Australian Government agencies, other third parties, or from publicly available sources. This can only occur with your consent, where it is unreasonable or impractical to collect the information directly from you, or where we are required or authorised to do so by law.

We only collect information for a lawful purpose that is reasonably necessary or directly related to one or more of our functions and activities, or where otherwise required or authorised by law.

We are required under the APPs to notify you of the purposes for which we collect personal information, whether the collection is required or authorised by law, if and to whom (person or organisation) we may disclose the information, including in Australia or overseas. We provide this information using privacy notices at the point of collection e.g. online platforms.

Types of personal information we collect

The types of personal information we collect vary according to the nature of our interactions with you. These may include:

- your full name, residential address and contact details (e.g. email, phone number)
- information about your LSL record (e.g. employment history, LSL number)
- information about your identity (e.g. date of birth, age, gender, occupation, marital status)
- information about your financial affairs (e.g. payment details, bank account details³)
- information about your employment (e.g. work history, remuneration, visa details)
- information about your background (e.g. educational qualifications, work experiences)
- Information about your health (in particular circumstances) (e.g. medical certificate)
- government identifiers (e.g. driver's license, TFNs⁴).
- information about your online browsing behaviours and preferences.

Tax File Numbers

A tax file number (TFN) is a unique identifier issued by the Commissioner of Taxation. The collection, use, storage, and disclosure of TFNs is strictly regulated and attracts special treatment under the Privacy Act and associated Privacy (Tax File Number) Rule.

We may collect TFNs for the following purposes:

- to make payments of salaries and wages to staff members and contractors
- to make payments to eligible employees if their employer is insolvent in accordance with section 48 of the Coal Mining Industry (Long Service Leave) Administration Act 1992.

Except for the above two purposes, we do not request TFN information. Where TFNs are incidentally provided to us, they are restricted, redacted, or removed, as appropriate.

³ 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).

⁴ See above

Collection of unsolicited 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 this occurs, we will determine whether the information is directly related to one or more functions or activities. If we determine we are not permitted to collect the information, we will take reasonable steps to destroy or de-identify any unsolicited information that is not necessary for the performance of our functions as soon as practicable (unless it is unlawful or unreasonable to do so).

How we collect personal information

We collect personal information through a variety of channels, which may include, but is not limited to, electronic or paper correspondence, phone conversations, online platforms, forms or social media. This may include incidental collection of information through data analytics services we use to improve our services and systems.

We may also collect your personal information if you:

- communicate with us by telephone, mail or email
- attend a face-to-face or online (e.g. Zoom) meeting or event conducted by us or by people or organisations acting on our behalf (e.g. contracted service providers)
- use our website or online services
- participate in a survey administered by us or contracted service providers
- interact with us on our social media.

We may also collect your personal information from third parties, including but not limited to:

- contracted service providers
- industry employers
- suppliers

Information collected by our service providers

When entering into agreements with contracted service providers, we take reasonable steps to ensure they will comply with the requirements of the APPs when collecting, storing, using and disclosing personal information.

Purpose for which personal information is collected, stored, used and disclosed

We collect, store, use and disclose personal information for a number of primary purposes including:

- performing the statutory functions or activities, such as:
 - collecting funds from employers by way of levy
 - investing funds and ensuring fund sufficiency to finance the cost of reimbursements of long service leave
 - ensuring accurate and compliant record keeping
 - reimbursing employers' authorised payments of long service leave
 - enabling recognition of long service leave entitlement for eligible employees.
- managing employment and personnel matters of our staff members, labour hire workers and contractors
- procurement and contracts management

- preventing, detecting, investigating or dealing with misconduct and fraud, cyber-attacks against the Commonwealth, or other unlawful activity relating to the Commonwealth
- handling correspondence we receive from members of the public or correspondence referred to us by other entities
- management of complaints
- administering requests received under the *Freedom of Information Act 1982*⁵ (Cth) (FOI Act) or the Privacy Act
- data sharing with other Government agencies⁶

We only disclose personal information for the primary purpose of performing our statutory functions.

We only use personal information for secondary purposes where we are able to do so in accordance with the Privacy Act. Secondary purposes for which we may use or disclose your personal information include but are not limited to:

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

Other than as set out in this statement, we do not disclose personal information to any third parties without consent, or if required by law. If you would like to provide third party access to your personal information, please complete the [Third Party Authorisation Form](#) located on our website.

Job Applications

We use personal information for the purpose of identifying and qualifying candidates for current and future career opportunities with our organisation. This may include assessing your work history, conducting background and criminal history checks, requesting information from your referees, previous employers and academic institutions.

As part of the recruitment process, we may be required 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 take reasonable steps to ensure it is handled securely.

We may also retain your personal information for the purpose of maintaining an employment talent pool and sharing new employment opportunities.

We will also collect information about you from recruitment platforms such as JobAdder, LinkedIn Recruiter, Seek, Adzuna, Career one, Jora and/or Indeed.

Disclosure of information overseas

We will only disclose your personal information overseas when it is necessary to perform our functions or activities. Where such information is disclosed overseas, we will take reasonable steps

⁵ www.legislation.gov.au/Series/C2004A02562

⁶ We will only share data with other Government Agencies in accordance with the *Data Availability and Transparency Act 2022*

to ensure the information is handled in accordance with the APPs.

Examples of circumstances in which disclose overseas may be required include:

- if we are required to share personal information for the purpose of performing our function with an employer that has operations overseas
- if web-based services storing information in Australia are not allowing us to fulfil our purposes and functions adequately
- where recipients of our communications use platforms that stores data on an overseas server
- if people interact with us on social media or any platform storing data overseas, which are not owned or controlled by us.

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

5. Digital platforms

We use various digital platforms to fulfil our purposes and functions and engage with our stakeholders (e.g. conduct customer satisfaction surveys). Where possible, information collected through digital platforms is secured within Australia.

Electronic Direct Mail

We will only use your personal information to communicate with you through newsletters about our services, the Fund and other topics that may be of interest or value 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 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.

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 address⁷
- date, time and location of your visit
- the address of the pages accessed, and the documents downloaded

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

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.

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.

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 Privacy Policy for more information. If you do not wish to have your information collected and tracked by Google Analytics, you can install the [Google Analytics Opt-Out extension](#) to your browser.

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.

6. 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 impractical to do so without obtaining the required personal information, for example, to perform an identity check or to provide an update on a complaint.

7. 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 use all reasonable

endeavours to keep your personal information in a secure environment, by employing appropriate technical, administrative and physical procedures including, but are not limited to, encryption, firewalls, intrusion detection and prevention systems, access controls, and regular security audits.

In the event of a data breach, we will follow the Office of the Australian Information Commissioner's [Data breach notification - A guide to handling personal information security breaches](#). This includes promptly investigating the breach, assessing the potential impact, and taking appropriate remedial action. 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.

If you reasonably believe that there has been unauthorised use or disclosure of your personal information, please contact our Privacy Officer.

8. Accessing and correcting your 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, through internal review processes 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 endeavour to:

- provide access in a manner that is as prompt, uncomplicated and inexpensive as possible.
- give you access or make the corrections if it is reasonable in the circumstances to do so.
- respond to any request from you to access or correct your personal information within 30 days.

We do not impose any charges to access or correct your personal information.

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.

9. Privacy impact assessment

A privacy impact assessment (PIA) is a systematic assessment of a project that identifies the impact that the project might have on the privacy of individuals, and sets out recommendations for managing, minimising or eliminating that impact.

The [Privacy \(Australian Government Agencies — Governance\) APP Code 2017](#)⁸ (Privacy Code) requires us to undertake a PIA in certain instances and to maintain a register of those PIAs from 1 July 2018. In accordance with the Privacy Code, we publish a version of our [PIA register](#)⁹ on our website.

⁸ <https://www.legislation.gov.au/Series/F2017L01396>

⁹ <https://www.coallsl.com.au/overview/practices/#Privacy>

10. Complaints

If you think we may have breached your privacy you may contact us to make a complaint. 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 ensure your complaint contains sufficient details so we can conduct a thorough investigation. You may submit an anonymous complaint however, we will be unable to provide you with a response if we have no means of contacting you. 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 below 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.

11. 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

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.

De-identified - refers to information that is no longer about an identifiable individual or an individual who is reasonably identifiable.

Personal Information – means any information (or an opinion) about an identified individual or an individual who is reasonably identifiable, whether true or not and whether recorded in a material form or not¹⁰.

Pseudonym – is a name, term or a descriptor different to the individual's name, e.g. email address that does not include the emailers real name, or a screen name.

¹⁰ See section 6 of the Privacy Act 1988 (Cth) and the APP Guidelines issued by the Office of the Australian Information Commissioner.

Sensitive information¹¹ – is a subset of personal information and includes information or an opinion about an individual’s race or ethnic origin, political opinions or associations, religious or philosophical beliefs, trade union memberships or associations, sexual orientation or practices, criminal records, health or genetic information and some aspect of biometric information.

Staff member - refers to all Coal LSL employees, including full-time, part-time, fixed/maximum and casual employees.

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

13. Version history

Ver	Date	Ownership	Approved by	Changes made
1.	Aug 2021	Chief Governance Officer	Chief Governance Officer	Original
2.	Mar 2023	Chief Governance Officer	Chief Governance Officer	Scheduled review

¹¹ As above