# Australian Government: Australian Public Service Commission

# Collection notice for individuals involved in APS Code of Conduct matters

# Your personal information

The Australian Public Service Commission collects personal information about individuals for a range of purposes to enable it to carry out its functions. The Commission’s privacy policy is available on the internet at:

* <http://www.apsc.gov.au/privacy>

Further details about the collection of your personal information are provided below.

| Australian Public Service Commissioner Code of Conduct inquiry – APP 5 Notice |
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| *If you are the subject of a Code of Conduct inquiry* |
| Who is collecting your personal information? | Your personal information is being collected by the Australian Public Service Commission (Commission). |
| Authority for collection of personal information | The *Public Service Act 1999* (Act) authorises the collection of personal information in relation to alleged and actual breaches of the Code of Conduct.  |
| Who will your personal information be collected from? | Your personal information may be collected from a range of people other than you, which may include your current or former employer(s), other individuals involved in the alleged breach of the Code of Conduct (e.g. individuals who report, or were witnesses to, the relevant conduct), Commonwealth agencies assisting with any inquiry into your alleged breach of the Code of Conduct, or contracted service providers appointed by the Commission to assist with any inquiry into your alleged breach of the Code of Conduct. |
| Why does the Commission collect your personal information? | We assist the Commissioner to perform their statutory functions under the Act in relation to alleged and actual breaches of the Code of Conduct. Your personal information is collected to make a preliminary assessment about whether to recommend that the Commissioner conduct an inquiry into your alleged breach of the Code of Conduct, to exercise inquiry functions under the Act, and to enable determinations to be made about your alleged breach of the Code of Conduct.  |
| What would happen if the Commission did not collect your personal information? | As discussed above, the collection of your personal information is authorised by the Act. Without this collection, the Commissioner would be unable to perform their statutory functions in relation to your alleged breach of the Code of Conduct.  |
| Who will the Commission disclose your personal information to? | The Commission may disclose your personal information to:* individuals involved in your alleged breach of the Code of Conduct (e.g. individuals that are witnesses to the relevant conduct, your current or former manager, or your current or former human resources team)
* Commonwealth agencies assisting with any inquiry into your alleged breach of the Code of Conduct
* contracted service providers appointed by the Commission to assist with any inquiry into your alleged breach of the Code of Conduct
* the Prime Minister, a Minister or a Presiding Officer, if required by the Act or other law; or
* law enforcement bodies, such as the National Anti-Corruption Commission, the Australian Federal Police or the Australian Taxation Office, where required or permitted by law.
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| Access to and correction of your personal information. | The Commission’s privacy policy contains information about how you may access and seek correction of personal information about you that is held by the Commission. |
| Privacy complaints. | The Commission’s privacy policy contains information about how you may complain about a breach of the Australian Privacy Principles and how the Commission will deal with complaints. |
| Overseas disclosure of your personal information. | It is unlikely that your personal information will be disclosed to any overseas recipients. However, this may nevertheless occur in particular circumstances – e.g. if a witness is overseas at the time we need to contact them.  |
| *If you are reporting a Code of Conduct inquiry* |
| Who is collecting your personal information? | Your personal information is being collected by the Australian Public Service Commission (Commission). |
| Authority for collection of personal information | The *Public Service Act 1999* (Act) authorises the collection of personal information in relation to alleged and actual breaches of the Code of Conduct.  |
| Who will your personal information be collected from? | Your personal information will usually be collected from you, but in some circumstances it may be collected from a range of people other than you, which may include your current or former employer(s), or other agencies that are within the portfolio of your current or former employer(s). |
| Why does the Commission collect your personal information? | We assist the Commissioner to perform their statutory functions under the Act in relation to alleged and actual breaches of the Code of Conduct. Your personal information is collected to make a preliminary assessment about whether to recommend that the Commissioner conduct an inquiry into the potential breach of the Code of Conduct that you have reported, exercise Commissioner functions under the Act, and to enable determinations to be made about the potential breach of the Code of Conduct.  |
| What would happen if the Commission did not collect your personal information? | If the Commission did not collect your personal information, the Commission may be limited in relation to the investigations it can conduct in relation to any alleged breach of the Code of Conduct.  |
| Who will the Commission disclose your personal information to? | The Commission may disclose your personal information to:* individuals involved in the potential breach of the Code of Conduct (e.g. the individual alleged to have breached the Code of Conduct, and individuals that are witnesses)
* Commonwealth agencies assisting with an inquiry into the potential breach of the Code of Conduct
* contracted service providers appointed by the Commission to assist with any inquiry into the potential breach of the Code of Conduct
* the Prime Minister, a Minister or a Presiding Officer, if required by the Act or another law; or
* law enforcement bodies, such as the National Anti-Corruption Commission, the Australian Federal Police or the Australian Taxation Office, where required or permitted by law.
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| Privacy complaints. | The Commission’s privacy policy contains information about how you may complain about a breach of the Australian Privacy Principles and how the Commission will deal with complaints. |
| Overseas disclosure of your personal information. | It is unlikely that your personal information will be disclosed to any overseas recipients.  |
| *If you are assisting a Code of Conduct inquiry (e.g. as a witness)* |
| Who is collecting your personal information? | Your personal information is being collected by the Australian Public Service Commission (Commission). |
| Authority for collection of personal information | The *Public Service Act 1999* (Act) authorises the collection of personal information in relation to alleged and actual breaches of the Code of Conduct.  |
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| What would happen if the Commission did not collect your personal information? | As discussed above, the collection of your personal information is authorised by the Act. Without this collection, the Commissioner would be unable to perform their statutory functions in relation to your alleged breach of the Code of Conduct. |
| Who will the Commission disclose your personal information to? | The Commission may disclose your personal information to:* the individual(s) alleged to have breached the Code of Conduct;
* other witnesses involved in the alleged breach of the Code of Conduct;
* Commonwealth agencies assisting with an inquiry into the potential breach of the Code of Conduct
* contracted service providers appointed by the Commission to assist with an inquiry into the potential breach of the Code of Conduct
* the Prime Minister, a Minister or a Presiding Officer, if required by the Act or another law; or
* law enforcement bodies, such as the National Anti-Corruption Commission, the Australian Federal Police or the Australian Taxation Office, where required or permitted by law.
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| Overseas disclosure of your personal information. | It is unlikely that your personal information will be disclosed to any overseas recipients.  |

## Contact details

If you wish to contact the APSC about a privacy-related matter, including questions about this notice, please contact the APSC’s Privacy Contact Officer by one of the following methods:

* **Post**Privacy Contact Officer
Australian Public Service Commission
GPO Box 3176

CANBERRA ACT 2601

* **Email**privacy@apsc.gov.au
* **Telephone**02 6202 3735