

Privacy Policy

1. Purpose

AMES Australia ("we," "us," or "our") is a Victorian public entity and a statutory authority that provides a comprehensive range of services and support, including English language and literacy tuition, vocational training, settlement services, employment services, aged care services, and disability services.

AMES Australia is subject to the *Privacy and Data Protection Act 2014 (Vic)* as well as the *Privacy Act 1988 (Cth)*, including the Australian Privacy Principles (APPs), for Commonwealth-funded services. Where required, AMES Australia is also bound by statutory secrecy provisions that restrict the disclosure of protected information.

AMES Australia personnel must act in accordance with the Code of Conduct for Victorian Public Sector Employees and relevant compliance obligations.

This Privacy Policy explains how AMES Australia collects, uses, discloses, and protects personal information. This should be read in conjunction with the [Personal Information Collection Notice](#).

2. Policy Statement

AMES Australia is committed to protecting the personal information of individuals who engage with its services, events, facilities, clients, staff, or volunteers, in line with applicable laws.

3. Implementation

Why AMES Australia collects personal information

AMES Australia collects personal information where it is reasonably necessary for, or directly related to, one or more of our services, functions, or activities.

We collect personal information for purposes including (but not limited to):

- Service delivery – providing education, training, settlement, employment, aged care, and disability services. For example, assessing what tailored services and/or specific training you need or assisting you in accessing other service providers.
- Customer support and engagement – responding to enquiries, processing requests, and facilitating consultations.
- Monitor compliance with any requirements imposed on you or AMES Australia in relation to the services you receive.
- Improving operations – collecting statistical and research data to evaluate and enhance service effectiveness, streamlining processes for improved services, and responding to your requests.
- Recruitment and workforce management – engaging with prospective and current employees, volunteers, and contractors.
- Evaluating and monitoring the programs and services provided to you, such as involving you in surveys conducted by or on behalf of the funding organisation. This may include conducting data analysis, which may involve artificial intelligence and machine learning tools, for research, evaluation, and policy development purposes (note: no statistical reports will identify you).
- Legal and contractual compliance – meeting regulatory obligations, including privacy, workplace safety, and government reporting.

If individuals choose not to provide certain personal information, this may limit AMES Australia's ability to:

- Provide the full range of services or respond to requests.
- Assess eligibility for specific service/program.
- Process employment, volunteer, or service applications.

Where personal information is collected from third parties (e.g., Services Australia, funding authorities, or government agencies), AMES Australia ensures that consent has been obtained where required, or that the collection is otherwise legally authorised.

If automated decision-making is used to assess eligibility for services, AMES Australia will ensure transparency in its processes and provide individuals with an opportunity to seek review of automated outcomes.

What personal information AMES Australia collects

AMES Australia collects personal information necessary to provide services, meet regulatory obligations, and support operational needs. The types of personal information collected may include (but are not limited to):

Personal information

- Identity details – full name, date of birth, gender, country of birth, language.
- Contact details – residential address, email address, phone number.
- Employment and education – work history, qualifications, visa subclass (where relevant).
- Financial details – bank account information for payments, invoicing, or reimbursements.
- Communication records – correspondence via email, telephone, or other means.
- Government-issued ID cards and probity checks – driver's licence, passport, Medicare card, Working with Children Check.

Sensitive personal information

- Health and medical information – disability or medical conditions relevant to service eligibility.
- Racial or ethnic origin – where required for government reporting or service eligibility (e.g., Indigenous status).
- Criminal history – only where necessary for employment, volunteering, or compliance with legal requirements.

Sensitive information is only collected with the individual's consent unless an exception applies, such as where required or authorised by law.

Anonymity and Pseudonymity

Individuals have the right to interact with AMES Australia anonymously or using a pseudonym (assumed name) unless it is impractical to provide the requested service or assistance without verifying identity or if identification is required by law or under a contractual obligation.

Where anonymity or pseudonymity is not feasible, AMES Australia will clearly explain why identification is necessary, limit the collection of personal information to only what is required, and ensure the information is handled securely and in accordance with privacy laws.

Examples of when anonymity or pseudonymity applies include general enquiries, providing feedback, and accessing publicly available resources. However, anonymity or pseudonymity is not

permitted when enrolling in courses, applying for employment, or accessing government-funded services.

How AMES Australia collects personal information

AMES Australia collects personal information through various channels, such as printed and electronic forms, online or digital platforms, and in-person interactions or over the telephone.

Personal information is collected when (but not limited to):

- Provided directly by individuals (e.g., applications, enrolments, client interviews, meetings, requests for information and feedback).
- Received from family, friends or legal representative (for example, where they are assisting you with an application due to a language barrier or other vulnerability).
- Received from government authorities to verify identity and service eligibility.
- Submitted as part of documentation (e.g., applications for the provision of support, job applications, referrals, surveys).
- Shared through online interactions, including website feedback, cookies, and social media.
- Used for email communications, with an option to unsubscribe any time.

All information is collected lawfully and only when necessary for services and compliance.

Photo, Audio and Video Recording

We may collect personal information through audio, photography, or video recordings when necessary for our operations. This may occur during meetings, events, or customer interactions. Where required by law, we will inform you and/or seek your consent before recording. All recordings are handled in line with the Australian Privacy Principles and applicable state and territory laws.

Personal information you provide about third parties

During your participation in our programs or interaction with us, you may be asked to provide personal information about other people, such as the names of personnel or employers. By providing another person's personal information, you confirm that you have brought this privacy notification to their attention.

How AMES Australia deals with unsolicited personal information

Unsolicited personal information refers to information (e.g., a letter or email) received by AMES Australia that was not requested, is intended for another recipient, or is beyond what is necessary for the functions or needs of AMES Australia.

If the Public Records Act 1973 (Vic) or Archives Act 1983 (Cth) does not require AMES Australia to keep the unsolicited personal information, AMES Australia may either return, de-identify or destroy the information as soon as practicable, if it is lawful and reasonable to do so.

Whether AMES Australia notifies the sender will depend on what is reasonable in the circumstances. De-identification involves removing or altering details that could identify an individual, ensuring the information can no longer be linked to them.

How AMES Australia uses and discloses personal information

AMES Australia uses and discloses personal information only for the purpose for which it was collected (primary purpose), unless:

- The individual has provided consent for another use or disclosure.

- The use and disclosure are directly related to the primary purpose and the individual would reasonably expect it.
- A permitted general situation applies including:
 - Preventing or reducing a serious threat to life, health, or public safety.
 - Addressing suspected unlawful activity or serious misconduct
 - Assisting in locating a missing person.
 - Establishing, exercising, or defending a legal claim.
 - Facilitating a confidential dispute resolution process.
- Another legal exception applies.

Depending on how you engage with us and the services we provide to you, your personal information may be disclosed to third parties, including (but not limited to):

- The government department which engages AMES Australia to provide you with a service.
- Other Commonwealth, State or Territory Government agencies, and their contracted service providers, where those providers are delivering services to you.
- Other parties who deliver services to you, for example, where AMES Australia is arranging your placement into an activity.
- Employers (for example, in the circumstances AMES Australia is providing employment services).
- Care providers (where AMES Australia is connecting you with such organisations for the purposes of delivering you support services).
- Suppliers (for example, where AMES Australia is arranging goods or services for you).

AMES Australia does not use or disclose personal information for direct marketing unless the individual has provided explicit, recorded consent. An opt-out mechanism is included in all communications.

AMES Australia personnel must consider specific requirements under a service agreement or contract prior to the collection, use and disclosure of personal information (e.g., completion of a prescribed privacy and consent form, seeking authorization from, or reporting arrangement with government departments or funding authorities).

Quality of personal information

AMES Australia will take reasonable steps to ensure that the personal information that it collects, uses, or discloses is accurate, up-to-date, complete, and relevant to the purpose of the collection. This ensures the integrity and reliability of the information used in service delivery and compliance activities.

To maintain data quality, AMES Australia may verify information with individuals, update records when new details are provided, and implement systems to detect and correct errors. Individuals are encouraged to notify AMES Australia of any changes or inaccuracies in their personal information to help keep records accurate and reliable.

Security of personal information

AMES Australia takes all reasonable steps to protect personal information from misuse, loss, unauthorised access, modification, or disclosure. Security measures include (but are not limited to):

- Technical safeguards such as firewalls, multi-factor authentication access, and secure

storage.

- Administrative controls, including access restrictions.
- Physical security measures for information storage.
- Use of AI is governed by the AMES Australia AI Governance Framework.
- Mandated audits, training, and awareness activities.

AMES Australia may use external providers such as cloud storage and CRM platforms, ensuring they comply with Australian privacy laws. Personal information is retained and securely destroyed or de-identified in accordance with statutory retention periods, contractual obligations, and best-practice security controls.

Information systems or applications owned by funding bodies/Government authorities are not under AMES Australia's control. AMES Australia does not accept any responsibility for the maintenance and security of such systems.

Accessing and updating personal information

Privacy legislation and the *Freedom of Information Act 1982* (Cth) provide an individual a general right to access personal information held by AMES Australia and request that any inaccuracies be corrected.

AMES Australia will take reasonable steps to make appropriate corrections to personal information. If a correction is made and the information has been disclosed to others, they will be advised of the correction.

Requests for access to personal information or documents containing personal information held by AMES Australia will be considered in accordance with relevant Privacy or Freedom of Information legislation and should be addressed in writing to:

Privacy Officer

AMES Australia

Email: privacy@ames.net.au

Complaints and enquiries

AMES Australia welcomes privacy-related inquiries and feedback. Complaints will be handled in accordance with relevant privacy legislation. If necessary, AMES Australia may request that complaints be made in writing. Individuals can contact the Privacy Officer at AMES Australia for further assistance.

AMES Australia will take reasonable steps to respond within 30 business days to requests for access or complaints related to personal information. If you are not satisfied with AMES Australia's response or decision, you may request an internal review or elect to escalate your complaint to:

- Office of the Victorian Information Commissioner (<https://ovic.vic.gov.au/>) or phone 1300 006 842; or
- Office of the Australian Information Commissioner (<https://oaic.gov.au/>) or phone 1300 363 992.

4. Evaluation/ Reporting/ Review

Breach or Non-compliance

AMES Australia personnel should immediately notify their line manager or the AMES Australia Privacy Officer (Email: privacy@ames.net.au) if actual or potential breach has occurred.

Further reporting requirements under a service agreement or contract should also be considered.

A data breach response plan will be established if a breach is suspected, discovered, or reported. The plan includes the actions to be taken to assess, manage, and contain the breach.

If there are reasonable grounds that a data breach is likely to result in serious harm to any individual to whom the information relates, AMES Australia is required to notify relevant individuals, the Office of the Australian Information Commissioner (OAIC) or Office of the Victorian Information Commissioner (OVIC) as soon as practicable (in accordance with the Notifiable Data Breach Scheme).

Threshold Assessment and Privacy Impact Assessment - Projects

A threshold assessment is conducted to determine whether a privacy impact assessment is required as part of [Project Management](#). 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, including how to manage its impact. The project team should consult with the Privacy Officer and IT Project Director for guidance.

Policy review

This policy is reviewed biennially to ensure compliance with privacy laws and best practices.

This policy is published on the AMES Australia website and intranet and is included as part of the employee induction and training module.

5. Definitions

Personal information

Information or an opinion about an identified individual, or an individual who is reasonably identifiable.

Sensitive information

Information or an opinion about an individual's racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of professional / trade associations, membership of a trade union, sexual preferences / practices, criminal record, health information and genetic information.

Health information

Information or an opinion about the:

- Physical, mental or psychological health of an individual.
- Disability of an individual.
- Individual's expressed wishes about the future provision of health services.
- Health service provided, or to be provided, to an individual.

Unique identifier

Usually, a number assigned by an organisation or Government authority to an individual (e.g., employee number, client number, student number, boat ID, jobseeker number).

Personnel

Refers to all individuals engaged by the organisation in any capacity, including employees, contractors, consultants, volunteers, interns, executive staff, and Board members. It encompasses

both paid and unpaid individuals who perform duties or functions on behalf of the organisation, whether on a permanent, temporary, full-time, part-time, or casual basis.

6. References

This policy was reviewed and approved by the Executive Team on 22 April 2025.

7. Applicable Regulations

[Privacy Act 1988 \(Cth\)](#)

[Privacy and Data Protection Act 2014 \(Vic\)](#)

[Freedom of Information Act 1982 \(Vic\)](#)

[Health Records Act 2001 \(Vic\)](#)

[Archives Act 1983 \(Cth\)](#)

[Telecommunications \(Interception and Access\) Act 1979 \(Cth\)](#)