The collection, use and disclosure of personal information for Child Support purposes

This document complements Services Australia’s (agency) privacy policy. It contains information about how the agency handles personal information.

We collect information about Child Support customers for the purpose of assessing eligibility for child support, calculating how much child support is payable and collecting child support in accordance with the provisions in the *Child Support (Registration and Collection) Act 1988* and the *Child Support (Assessment) Act 1989*.

Collection of your personal information in a Child Support context

We will routinely collect the following information:

Individual information

* identity information, including birth certificates of children or other evidence of parentage
* information including email address, telephone number, address, bank account details, evidence of parentage, level of child support debt
* language(s) spoken
* special needs of customers
* information about a customer's racial or ethnic background
* expressions of beliefs or opinions about child support, relationships, parenting and associated issues
* information about a customer's movements, employment, business relationships, lifestyle and assets
* photographic or video footage.

Family information

* details of children in care including name, date of birth and care levels
* child support/maintenance orders
* other Family Court orders
* child support agreement between separated parents
* information about overseas child support and maintenance liabilities.

Health and welfare information

* relationship information, including information on family violence
* security incidents detailing threats of violence or self-harm
* restricted servicing arrangements in the event of concerns about customer aggression
* health or caring responsibilities of the parent.

Financial information

* income information employment information, business relationship information and other comprehensive financial information
* relevant agency or benefit information
* details of enforcement activity undertaken in relation to the collection of child support
* Tax File Numbers (where authorised)
* information about third parties who have a financial association with a customer.

Other

* enquiries from Members of Parliament, Ombudsman and other representations
* enquiries from overseas authorities
* complaint investigations
* compensation and waiver applications and outcomes
* information compulsorily obtained from third parties using various notice powers under the two Child Support Acts
* recording of phone conversations with the agency
* taped interviews.

Use of your personal information in a Child Support Context

We will routinely use your personal information for the purposes listed below:

* for the purpose of establishing and maintaining customer records to register, calculate (assess) and collect child support obligations in accordance with the provisions of the *Child Support (Registration and Collection) Act 1988* and the *Child Support (Assessment) Act 1989* and to administer the Child Support Scheme and related government programmes
* to provide customers and/or potential customers with initial advice or assistance to help the parents make their own arrangements, up to and including the calculation and collection of child support
* to deliver a range of products, services and programmes for separated parents
* to investigate alleged fraudulent activity, including internal fraud, and prosecute for offences under the two Child Support Acts and for other related offences
* to give effect to Australia’s international maintenance obligations
* call recordings may be used for the following purposes:
* quality assurance
* learning and development
* complaints and feedback management
* review of decisions
* fraud and security, and
* release of information (including Freedom of Information requests)
* to undertake the Change of Assessment process, whereby customers may formally apply to change the amount of child support, if special circumstances exist. In doing so and to establish special circumstances, customers may submit comprehensive financial, relationship, medical or other information, some of which may be defined as 'sensitive information' under the *Privacy Act 1988*. This information is also obtained in relation to review of decisions. This information may then be shared with the other party to the change of assessment application through the open exchange of information process as required by the *Child Support (Assessment) Act 1989*. Information may also be shared with the Administrative Appeals Tribunal if the Change of Assessment decision is appealed
* to collect, where relevant, information from or about third parties (for example, if a parent claims under a change of assessment application that a duty to maintain their partner or another person affects their capacity to pay child support or for the purposes of meeting Australia’s obligation under an international maintenance arrangement). This third party information may then be shared with the other party to the change of assessment application through the open exchange of information process as required by the *Child Support (Assessment) Act 1989*. This open exchange of information also applies to reviews of change of assessment decisions, for example to the Administrative Appeals Tribunal
* to obtain external legal advice
* for data matching with the Australian Taxation Office and the Department of Veterans' Affairs, in the first instance to obtain income information to properly calculate child support assessments and then to collect payments (in the event of non-payment). We are authorised to deduct child support from payments, certain veterans' entitlements and income tax refunds
* to respond to reviews of decisions by the Administrative Appeals Tribunal
* to exchange information with the Department of Finance for the determination of waiver applications and outcomes.

Disclosures of your personal information in a Child Support Context

Child Support can disclose protected information if that disclosure is required or authorised by law. In the process of delivering Child Support services and performing Child Support functions, we will routinely disclose personal information to the following recipients below:

* an authorised representative of the customer to enable the person’s role as a customer representative, including information about the other parent in the child support case that would otherwise be disclosed to the customer
* Administrative Appeals Tribunal (AAT) to assist with an AAT hearing of an appeal from a Child Support customer
* Attorney-General's Department for the purposes of enforcing overseas maintenance liabilities
* Australian National Audit Office for the purpose of investigation or audit of Child Support’s processes by the Australian National Audit Office
* Australian Taxation Office (ATO), Child Support exchanges personal information such as names and tax file numbers with the ATO. This exchange enables Child Support to make and update child support assessments and to identify when a person has a tax refund amount due, which can be applied to a child support debt
* Australian Human Rights Commission (AHRC) to assist with AHRC investigation of allegations of breach of customers’ human rights
* Commonwealth and Defence Force Ombudsman, the Ombudsman is authorised by Parliament to investigate complaints from Child Support customers and Child Support can provide protected information for the purposes of that investigation
* contracted service providers who deliver services to separated parents, or who carry out research to help improve service delivery
* Department of Finance to assist with decisions on debt waiver applications
* Department of Foreign Affairs and Trade, Child Support may provide information relating to a child support matter to the Department of Foreign Affairs and Trade for the purposes of one of Australia’s international maintenance obligations when one parent resides overseas, and the relevant overseas authority has requested that correspondence be forwarded via the diplomatic channel
* Department of Home Affairs to obtain information on a customer’s international movement records, or where a Departure Prohibition Order has been made in relation to a Child Support payer
* Department of Social Services to enable the relevant Minister for Social Services to respond to customer enquiries, or for the Department of Social Services to assess the operation of the child support scheme
* Department of Veterans’ Affairs to obtain income information to make and update child support assessments, and to enforce payment of child support
* external legal advisors to assist with proceedings in a court of law
* law enforcement agencies when a Departure Prohibition Order has been made in relation to a person or to prevent a credible threat to the life, health and welfare of a person
* The Minister for Services Australia and Members of Parliament to enable the Minister and the Member of Parliament to respond to issues raised by child support customers
* Office of the Australian Information Commissioner to assist with investigation of complaints from customers and to investigate and audit Child Support processes
* overseas authorities, Child Support can provide protected information to an overseas authority if a request from an overseas authority is made in relation to an international maintenance arrangement; and it is necessary or convenient for the purposes of the international maintenance arrangement to give the information to the overseas authority
* persons with ‘sufficient interest’ where it is required
* to correct a mistake of fact about the administration of the Child Support legislation, if the integrity of that administration would be at risk if the mistake were not corrected
* to assist with the location of a missing person
* to assist with the location of a relative or beneficiary of a deceased person, or for the administration of the estate of a deceased person.
* third parties, including but not limited to a customer’s employer, financial institution, or executor of a child support customer’s estate
* to make or update child support assessments
* to enforce payment of child support
* to administer the child support scheme
* to the courts, the courts have the authority to require the production of documents or the answering of questions
* the other party to the child support case
* Child Support discloses some personal information about one parent to the other parent in child support assessment notices. This information can include the parent's name and income, the number and age ranges of any dependent children the parent has, and the number and age ranges of any other children the parent is assessed to pay child support for
* Child Support is also authorised to inform a Child Support payee of action taken to recover their child support debt
* when a customer applies for a change of assessment, Child Support is required to send a copy of the application and any accompanying documents (including detailed financial information) to the other party. Child Support will then seek a response from the other party and send a copy of the response to the applicant, along with any accompanying documents
* when a customer objects to a decision, Child Support is required to send the objection and accompanying documents to the other party. Child Support will seek a response from the other party and in order to make a decision in a way that is procedurally fair, Child Support will necessarily discuss a party's personal information with the other party.