

Research entity application and Privacy Impact Assessment

Telecommunications Regulations 2001



Instructions for completion

- > This form should be used by research entities seeking authorisation from the Australian Communications and Media Authority (ACMA) to use and disclose **unlisted mobile number information** from the Integrated Public Number Database (IPND), under the Telecommunications Regulations 2001 (the Regulations).

NOTE: Unlisted mobile number information can only be used for **permitted research**, as defined in the Regulations.

- > This form comprises three parts and a declaration.
 - > Sole applicants: must complete Parts 1, 2 and 3.
 - > Multiple applicants: the primary research entity must complete Parts 1, 2 and 3. Each additional applicant must complete separate Parts 2 and 3.
 - > Every applicant must sign the declaration at the end of their copy of the form.

- > In this application, terms in **bold** are defined in the Regulations. For brevity, **authorised unlisted mobile number information** is referred to as mobile information.

- > You can type directly into this form and attach additional material if required, clearly identifying the question(s) to which it refers.

- > This form must be accompanied by the charge (if any) determined by the ACMA (sub-paragraph 5.8(3)(d)(i) of the Regulations). Current charge: Nil.

- > Either email the completed form to IPND@acma.gov.au or post it to:

IPND
Australian Communications and Media Authority
PO Box 13112 Law Courts
Melbourne Vic 8010

PART 1: Primary entity and research details

Primary research entity details

Name of primary research entity:

Full name (if individual applicant): Click here to enter text.
Organisation name (if applicable): CROSBY TEXTOR RESEARCH STRATEGIES RESULTS PTY LTD
ABN/ACN: 58 101 934 454
Trading name/s: CROSBY TEXTOR
Registered address: Level 2, 115 Pitt Street Sydney NSW 2000
Click here to enter text.
Address (place of business, if different from registered address):
Governor Macquarie Tower, Level 26, 1 Farrer Place, Sydney, 2000
Click here to enter text.
Telephone number: (02) 9103 9200
Email: cdouglas@ctgroup.com

Name of contact for primary research entity:

Full name: Catherine Douglas
Position: Managing Director
Telephone number: [REDACTED]
Email: cdouglas@ctgroup.com

Proposed permitted research (1.7A and 5.8 of the Regulations)

1. **Mobile information can only be accessed for certain permitted research.**

a. Select the **mobile information** being sought and state why it is being sought:

- Phone number.
- Post code.

[Electoral matter research. Additional detail provided in Section 9.](#)

b. Indicate how many phone numbers and/or postcodes are requested, and the basis on which they will be requested (for example, random selection, geographically based):

All phone numbers for all Australian postcodes

c. Indicate the nature of the **permitted research** for which the **mobile information** is being sought (there may be more than one type):

- Public health research (Go to Question 2).
- Electoral matter research** (Go to Question 3).
- Research that will contribute to public policy conducted by or on behalf of the Commonwealth or a **Commonwealth entity** (Go to Question 7).

For research entities seeking to conduct research for public health purposes only:

2. Is the proposed permitted research being conducted on behalf of any entities not covered by this application?

No.

Yes. If yes, please provide:

a. details of the entity/ies on whose behalf the research is being undertaken (including, as applicable, full name, ACN/ABN, registered address, website, brief description of entity and its purpose):

Click here to enter text.

b. evidence to support the research entity's authority to apply on behalf of each entity named at 2a above, including the name and contact details of an authorised representative of that entity:

Click here to enter text.

For research entities seeking to conduct research for electoral matters only:

3. Is any research entity a registered political party?

No

Yes. State the name of the party and the jurisdiction in which it is registered:

Click here to enter text.

4. Is any research entity a political representative?

No

Yes. State the representative's name and the relevant Australian Parliament or local government authority:

Click here to enter text.

5. Is any research entity a candidate in an election for an Australian Parliament or local government authority?

No

Yes. State the candidate's name and the relevant Australian Parliament or local government authority:

Click here to enter text.

6. Is the proposed permitted research to be conducted on behalf of a registered political party, a political representative, or a candidate in an election for an Australian Parliament or local government authority?

No

Yes. If yes, please state (as applicable):

a. the name of the registered political party, political representative or candidate.

Liberal Party of Australia

b. if a registered political party, the jurisdiction in which the party is registered.

Commonwealth

c. if a political representative or candidate, the Australian Parliament or local government authority the political representative represents, or for which the candidate is running in an election.

n/a

d. evidence to support the research entity's authority to apply on behalf of the registered political party, political representative, or candidate, including the name and contact details of an authorised representative of the party, representative or candidate:

The C|T Group (C|T) has been engaged by the Liberal Party of Australia to undertake this electoral matter research.

The authorised representative is Andrew Hirst, Federal Director, Liberal Party of Australia (phone: 02 6273 2564)

Please refer to attached correspondence from Andrew Hirst confirming the C|T Group's (C|T's) engagement with the LPA. (Attachment A)

For Commonwealth research entities only:

7. Is any **research entity** the Commonwealth or a **Commonwealth entity**?

No

Yes. If yes, please state the name:

Click here to enter text.

8. Is the proposed **permitted research** to be conducted on behalf of the Commonwealth or a **Commonwealth entity**?

No

Yes. If yes:

a. please state the name of the entity on whose behalf the research will be conducted:

Click here to enter text.

b. evidence to support the **research entity's** authority to apply on behalf of the Commonwealth or **Commonwealth entity**, including the name and contact details of an authorised representative of the Commonwealth/Commonwealth entity:

Click here to enter text.

Details of proposed permitted research under this application (1.7A and 5.8 of the Regulations)

9. Describe the nature of the proposed **permitted research**. Provide the following details, *as applicable*:

a. likely beneficiaries, direct and indirect

b. likely social benefits

c. how the research is relevant to public health (public health research)

d. the **electoral matters** to which the research is directed (electoral matter research)

e. how will the research contribute to the development of public policy (Commonwealth public policy research)

f. likely form of finalised research

g. any other information you consider relevant:

The proposed permitted research will be conducted through Computer Assisted Telephone Interviewing across federal and state electorates. This fieldwork will be carried out by EMRS, a fieldhouse owned by the C|T Group.

a) The direct beneficiaries of this research will be the Liberal Party of Australia and its associated State and Territory Divisions, including the Party's current elected representatives and candidates. The indirect beneficiaries will be the Australian electorate, as this research will be used to most accurately inform the formulation of public policy by current and prospective governments.

b) The likely social benefits to come from this research will be the formulation of public policies based on the views and preferences expressed by voters.

c) N/A

d) The electoral matters to which the research is directed include Australians' views on public policies, opinions on political parties, incumbent Members of Parliament and Senators and candidates, views of the

political and current affairs environment more broadly, engagement with topical public debate, how registered voters intend to vote in upcoming elections and the factors most likely to influence their vote.

e) N/A

f) The final form of this research will be delivered in powerpoint presentation format, with accompanying de-identified data tables.

g) The conduction and final form of this research will be in full compliance with the AMRS Code of Professional Behaviour, and all local laws concerning data collection relevant to our business.

10. is there a commercial purpose associated with the proposed **permitted research**? If so, provide details about the purpose, including what the primary purpose is. Note that if the research is being conducted for a primarily commercial purpose, it may not be 'permitted research' (see regulation 1.7A):

No

Duration of authorisation (5.12 of the Regulations)

11. The ACMA can specify a period of no longer than 12 months for an authorisation. An authorisation period starts on the day the IPND Manager first discloses **mobile information** to an **authorised research entity** covered by the authorisation. Detail what period is sought and why:

Twelve months. Research is conducted regularly throughout the year.

Receipt of mobile information (5.16 of the Regulations)

12. As the primary **research entity**, will you be receiving the **mobile information** from the IPND Manager?

No. If no, then which applicant will receive the **mobile information** from the IPND Manager?

Click here to enter text.

Yes. If yes, then describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure written notice is given, within 10 business days of receiving mobile information from the IPND Manager, to:

- the ACMA; and
- each **research entity** covered by this authorisation?

The data would be shared by the IPND Manager with CJT Group's dedicated IPND contact (Michael Turner).

Upon receive of the data, Michael will notify relevant parties at the ACMA and each research entity covered by this authorisation within 10 business in writing over email.

End of Part 1

PART 2: Research entity details

Name of research entity

Full name (if individual applicant): Crosby Textor Research Strategies Australia
Organisation name (if applicable): EMRS (Part of the C T Group)
ABN/ACN: 29 009 546 561
Trading name: Enterprise Marketing & Research Services Pty Ltd
Registered address: 60 Main Road, Moonah, PO Box 402, Moonah TAS, 7009
Click here to enter text.
Address (place of business, if different from registered address):
60 Main Road, Moonah TAS 7009
Click here to enter text.
Telephone number: (03) 6211 1222
Email: spaske@emrs.com ; aperkins@emrs.com

Details of previous authorisation/s (5.11 of the Regulations)

1. Has the **research entity** previously been granted a research authorisation under the Regulations or the Telecommunications Integrated Public Number Database Scheme 2017?

No.

Yes. If yes, then:

- a. provide evidence of the authorisation, including date, purpose and period for which it was granted:

Click here to enter text.

- b. provide details and evidence of the extent to which the entity has complied with, or is complying with, the conditions of that authorisation:

Click here to enter text.

- c. if the entity has previously been granted a research authorisation under the Regulations, provide details and evidence of the extent to which the entity has complied with the requirements regarding **mobile information** and **research information** after an authorisation ends or an entity is removed from it (5.30 and 5.31 of the Regulations).

Click here to enter text.

Use and disclosure of mobile information (5.17 of the Regulations)

2. **Authorised research entities** must not record or use **mobile information** unless it is for **authorised research** under authorisation. Provide evidence of the practices, procedures, processes and systems that will be used to comply with this obligation:

The primary applicant, Crosby Textor Research Strategies Results (Pty Ltd) (C|T), and fieldhouse EMRS, assures that the mobile information will not record or be used for purposes other than electoral matter research conducted for the Liberal Party of Australia. This is the only work C|T and EMRS currently do for the Liberal Part of Australia.

EMRS will receive the mobile information from C|T's IPND contact, Michael Turner (Australasia Head of Research).

Prior to receiving the information, relevant operations employees at EMRS who may come into contact with the mobile information will be required to sign a declaration acknowledging the mobile information is to be used for the sole purpose of the Liberal Party of Australia electoral research and that no additional records or

disclosure of the information are to be made, and that the data needs to be destroyed within 10 days of the authorisation finishing. Relevant employees at EMRS will also be briefed at the commencement of any new engagement where the IPND mobile information will be used. (see Attachment B)

EMRS will store the information on a secure drive and within a password protected folder to all other sample sources. The data will only be accessible to four operations staff, including the Chief Operations Director. This will ensure it cannot be used for any purpose other than which is authorised.

3. An **authorised research entity** must only disclose **mobile information** (unless otherwise required to do so by or under an applicable law) to:
- its **research employees**
 - another **research entity** covered by the same authorisation
 - the ACMA, upon request.

Describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure that you only disclose **mobile information** in accordance with the Regulations:

See Part 2 (2) above regarding the declaration and procedures for restricting access to the information.

As the mobile information will be securely stored, it will not be possible for it be disclosed to anyone other than relevant research employees, the research entity (fieldhouse) and the ACMA.

Privacy Act (5.18 and 5.19 of the Regulations)

4. Will the **research entity** be covered by the *Privacy Act 1988* for the duration of the authorisation? Provide supporting evidence either below or as an attachment to your response.
- Yes, as an organisation or agency within the meaning of the *Privacy Act 1988*.
- Yes, as a small business operator (within the meaning of the *Privacy Act 1988*) that has chosen to be treated as an organisation under section 6EA of that Act.
- No, the applicant is a **registered political party**.
- No, other reason specified below:

Yes, EMRS is covered by the Privacy Act 1988 as an organisation or agency within the meaning of the Act. EMRS has revenues in excess of \$3 million. It has 9 permanent operations staff, and nearly 100 casual employees working as interviewers in the call centre.

5. If an **authorised research entity** collects, uses or discloses personal information for the purposes of **authorised research** under an authorisation, it must not do an act, or engage in a practice, that breaches:
- an Australian Privacy Principle (APP) in relation to the personal information; or
 - a registered APP code that binds the entity in relation to personal information, regardless of whether:
 - it is a **registered political party**; or
 - the act or practice of the entity is exempt under section 7C of the *Privacy Act 1988* (which provides that certain political acts and practices are exempt).

Describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure compliance with this requirement:

EMRS is part of the broader C|T Group, where leadership from the CEO down is committed to a culture of adherence to the APPs as a matter of good governance. David Bell, the Group Managing Director of C|T Australasia has overall accountability for privacy issues.

In addition to David's role, Samuel Paske, Chief Operations Director, as has the role of Privacy Officer, which is a role focused on managing internal and external complaints related to privacy and other matters. Sam is required to report any privacy or data breaches to David.

PRIVACY POLICY

In addition to the Privacy Statement detailed in C|T's application, EMRS has a privacy policy that covers collecting and handling of research information relevant to its role as a field agency. (See Attachment D and at <https://www.emrs.com.au/privacy-policy/>)

AMSRS CODE OF PROFESSIONAL BEHAVIOUR

Relevant members of the EMRS operations team are also members of the Australian Market and Social Research Society (AMSRS) and bound by the AMSRS Code of Professional Behaviour, which includes provisions for privacy in alignment with the Australian Privacy Principles on data collection.

The AMSRS Code is a registered APP Code (the Privacy – Market and Social Research – Code 2014) and is available here: <https://www.amsrs.com.au/documents/item/194/>

REVIEW

We engage in continual review of our privacy processes to ensure they are current and best practice. EMRS regularly participates in research conferences and through its membership of the AMSRS and subscription to other research trade publications, it is able to stay abreast of changes.

6. Describe and provide evidence of the extent to which the research entity's collection, use and disclosure of personal information complies with, or is consistent with, the *Privacy Act 1988* (whether or not that Act applies to the entity):

EMRS fully complies with the *Privacy Act 1988* with respect to the collection, use and disclosure of personal information.

EMRS collects the following personal information:

- Information about clients including names, addresses, email addresses, telephone and fax numbers and other contact details and also information about their use of EMRS's services
- Information about job applicants, staff members and contractors
- Details other people who come into contact with EMRS such as suppliers
- Information from research participants

C|T Group, of which EMRS is a part, discloses what information it holds about various groups through its privacy statement and the privacy policy of its field agency, EMRS.

As noted under question 5 above, C|T embeds a culture of privacy through the organisation, including at its field agency, EMRS.

Information held by EMRS as it relates to clients, staff members, job applicants, casual employees and suppliers is done in accordance with C|T practices.

With respect to information from research participants or prospective participants, EMRS has the following measures in place in keeping with the code to ensure compliance with the Act:

1. EMRS does not carry out any marketing activities, such as sales promotions, direct marketing, direct selling and similar activities; information is used purely for research purposes
2. Identifiable information obtained through research is only retained for a set period of time (up to one year) by EMRS
3. EMRS has clear records about all information that is collected during its research projects, and it is reviewed annually to determine if it is necessary to still retain the information. If not, the information is destroyed
4. EMRS de-identifies any research information before it is shared with clients
5. Call centre scripts allow participants to verify the bona fides of the EMRS team carrying out the research (see Attachment E)
6. Participants are informed of relevant privacy policies, which outline the complaints procedure (see Attachment E)
7. Any focus groups participants are advised of any recording and viewing by clients or others prior to the commencement of focus groups (see Attachment F)

Contacting customers and compliance with the *Telecommunications Act 1997* (5.20 and 5.23 of the Regulations)

7. When contacting a person using **mobile information** for the purposes of **authorised research**, a research entity must ensure that the **contacted person** is told or asked the following during the call:
 - a. the **research entity's** name;
 - b. the purpose of the research;
 - c. how the **research entity** obtained the mobile number used to contact the **contacted person**;
 - d. how the **research entity** proposes to use the **research information** relating to the **contacted person**;
 - e. that the use of the number by the **research entity** is authorised by the ACMA for the purposes of the **authorised research**;
 - f. if asked, how the **contacted person** can access any personal information about them held by the **research entity**;
 - g. whether the **contacted person** gives consent for the use and disclosure of the **research information** relating to the person in the research;
 - h. that the **contacted person** may withdraw any consent so given at any time during the call; and
 - i. how the research entity proposes to give the **contacted person** any other information that is required by law (for example, under the *Privacy Act 1988*).

Describe and provide evidence of the practices, procedures, processes and systems that will be used to meet this requirement:

All of EMRS surveys that it runs for clients are scripted and interviewers are trained in how to respond in the event a question arises during the interview that is not addressed in the initial script.

See Attachment E for an example of a script we would use for the Liberal Party of Australia when using mobile information authorised for electoral research. Additional information may be included in the script, such as the demographic of the person we wish to speak to, depending on the scope of the engagement and the client.

8. An authorised research entity is required to comply with all applicable laws related to unsolicited contact with another person including:
 - a. the *Privacy Act 1988*
 - b. the *Spam Act 2003*
 - c. the *Do Not Call Register Act 2006*.

Describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure compliance with the applicable laws related to unsolicited contact:

- a) Privacy Act

So far as the Privacy Act is concerned, EMRS does not engage in unsolicited contact. From time to time it might receive unsolicited personal information, which is either destroyed or de-identified where reasonable and lawful.

See the response to question 5.

b) Spam Act

EMRS does not send unsolicited commercial electronic messages as part of its business, so the Spam Act has no application. For completeness, it also does not use address harvesting software

a) Do Not Call Act

EMRS does not make telemarketing calls or send telemarketing faxes as part of its business, so the Do Not Call Register Act has no application.

9. An **authorised research entity** must comply with any requirements imposed on it by the *Telecommunications Act 1997* and any legislative instrument made under that Act.

Describe and provide evidence of the practices, procedures, processes and systems that will be used to comply with this requirement (including compliance with the *Telecommunications (Telemarketing and Research Calls) Industry Standard 2017*):

Compliance with the Telecommunications Act 1997 is ensured through EMRS operational leads and automated through technology.

Additionally, CJT and EMRS employees all participate in a formal staff induction, ongoing training and monitoring to ensure they comply with all requirements set out in the Telecommunications Act 1997.

The Telecommunications (Telemarketing and Research Calls) Industry Standard 2017 sets out the requirements for:

1. When research calls cannot be made. (see below example)
2. Information that must be provided during a research call (see Attachment E)
3. When calls must be terminated.
4. The use of call line identification

Each of these items are addressed in EMRS's training materials. (See below)

Additionally, for each shift, there is a manager onsite to provide all oversight of activities. The managers ensures smooth running of operations throughout a shift and helps with any troubleshooting. They also conduct a review of all responses at the conclusion of a shift, and flags any issues.

1. When research calls cannot be made.

As shown below we adhere to the calling times set out above that are contained within the DNCR act Telecommunications industry standard 2017. In the event that a manager or supervisor does not turn off a project manually, our Computer Assisted Telephone Interviewing

system will automatically shut off all outbound calls as displayed by the screenshot below from our CATI system.



3. When calls must be terminated.

Below is a screen shot taken from the interviewing staff internal user guides which shows what to do when a member of the public withdraws their consent. The outcome of the call must be recorded as 'Incomplete'. This will then allow the information to be identified to be removed from the data base. Additionally see below a slide show from original induction training.

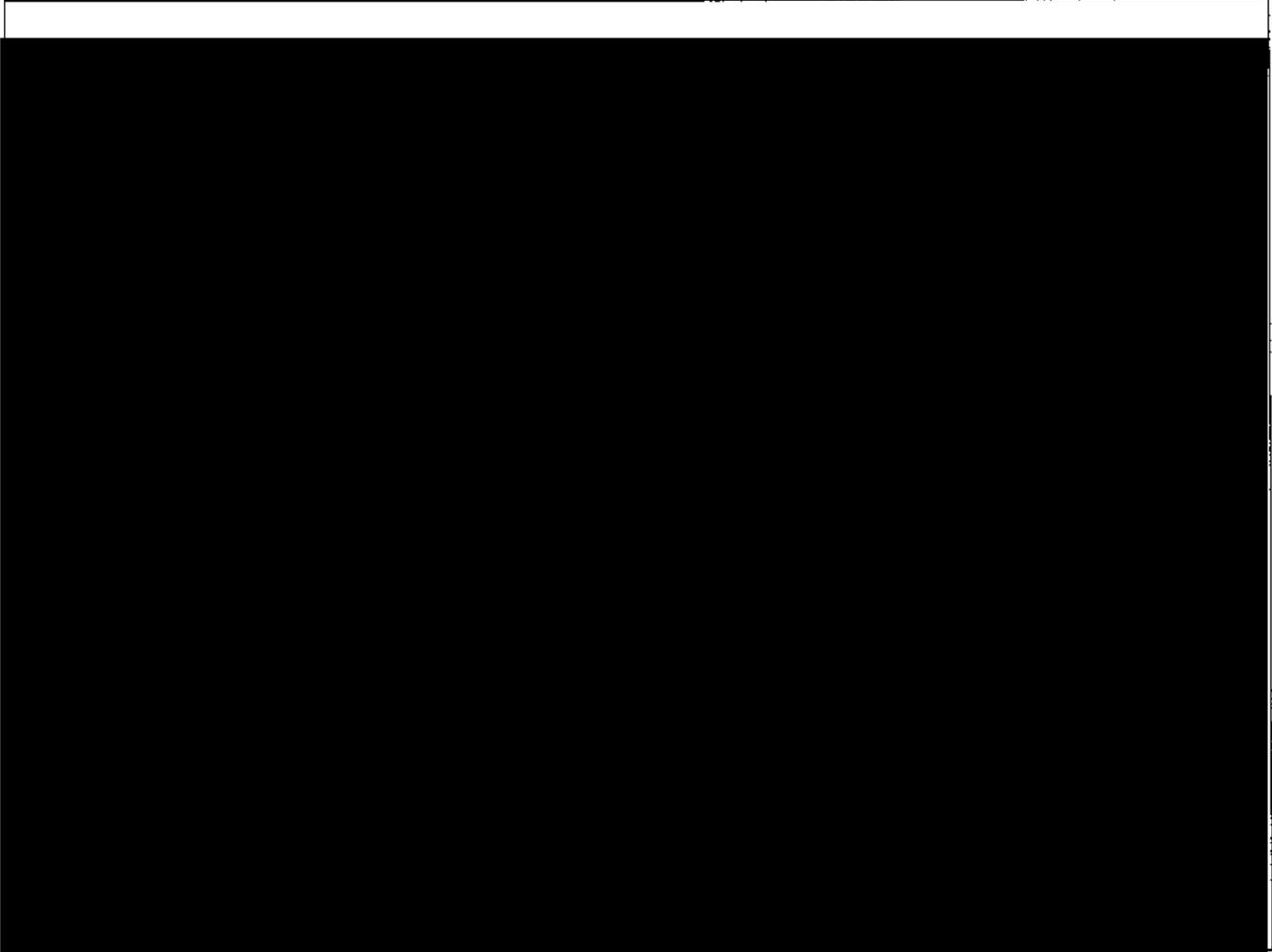
Home Page Introduction Surveying Interviewing Data Collection Reporting Quality Assurance Training Feedback	<u>Call back</u>
	Code when you have spoken to a respondent and they have asked for a call back at a specific time or date
	<u>Disconnected</u>
	An automated message saying the number is disconnected When you hear one consistent tone (Beep)
	<u>Fax Machine</u>
	Breaking dialing number fax tone
<u>Incomplete</u>	
Use the incomplete completion code when you have been speaking with the respondent when they have agreed to conduct the survey, and then they hang up or refuse to continue the survey. It is a legal requirement to meet the Privacy Act 1998 that no personal identifying details or responses to surveys are recorded when a respondent withdraws their consent	
<u>NoContact</u>	
Nothing at all	

4. The use of call line identification.

As per the Telecommunications Industry act, we always have a CLI displayed. This enables respondents to call us back if they have a missed call.

This is routed to our supervisor desk to allow us to determine if questions need to be answered, specific phone numbers need to be marked as DNCR or put back into the system again if the respondent wishes to conduct the survey.

Please find a screen shot below of our dialler settings clearly showing that we are running with CLI turned on.



Contacted person does not consent to use and disclosure of research information (5.20 of the Regulations)

2. If a **contacted person** informs an **authorised research entity** during a call that the person does not consent, or withdraws consent, to the use and disclosure of **research information** relating to them, the **authorised research entity** must comply with certain requirements.

Describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure compliance with the requirement to:

- a. not record, use or disclose any **research information** relating to the **contacted person**.

If a person determines that they do not consent or withdraw their consent, the field house does not record, use or disclose research information concerning the person.

EMRS asks respondents at the start of the call if they consent to participating and notes that they can withdraw their consent at any time. (See Attachment E for a sample script)

When a person withdraws their consent it is coded in the system as an incomplete survey and the operations team, rather than the interviewer, manually removes the data at the conclusion of a shift. Spot checks are conducted by the operations team on a weekly basis to ensure all such records are removed.

(Only completed surveys that reach the end successfully and the telephone interviewer submits the data to the system are held as records of calls.)

This procedure is outlined in the training manual for staff. A screen shot is included below – see "incomplete".

Given this a fairly commonsense procedure, there is not a script for this particular circumstance.

<p>Home Page</p> <p>Initial Survey Page</p> <p>Interviewer Training</p> <p>Response Management</p> <p>Fieldwork</p> <p>Project Management</p> <p>Quality Control</p> <p>Reporting</p> <p>Helpdesk</p>	<p><u>Call back</u></p> <p>Code when you have spoken to a respondent and they have asked for a call back at a specific time or date</p> <p><u>Disconnected</u></p> <p>An automated message saying the number is disconnected</p> <p>When you hear one consistent tone (Beep)</p> <p><u>Fax Machine</u></p> <p>Striking dialing noise / fax noise</p> <p><u>Incomplete</u></p> <p>Use the incomplete completion code when you have been speaking with the respondent when they have agreed to conduct the survey, and then they hang up or refuse to continue the survey. It is a legal requirement to meet the Privacy Act 1988 that no personal identifying details or responses to surveys are recorded when a respondent withdraws their consent.</p> <p><u>NoContact</u></p> <p>Number at risk</p>
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b. not use the **mobile information** relating to the **contacted person**.

In this instance, regular practice is for participants to be added to an internal "do not call" list operated by the fieldhouse, meaning on any future projects even if the fieldhouse inadvertently tied to call the number, the dialler and system will not allow it to go through as it would have been blacklisted.

For the purposes of IPND mobile information, a separate IPND "do not call" list will be set up. This this will only contain IPND numbers – not those obtained through electoral rolls and other purchased sample lists.

c. as soon as reasonably practicable, take all reasonable steps to destroy any **research information** relating to the person within 10 business days after the **contacted person** refuses to give, or withdraws, consent.

Information collected on respondents who withdraw consent are marked "incomplete" and deleted by operations staff at the conclusion of the shift.

Should a contacted person or research participant lodge a complaint via our complaints procedure in the EMRS privacy policy or request to withdraw their consent to provide their details and data after the call, we destroy all associated data collected from that person from the primary data source held securely on our servers and from an quality control or validation data sources.

d. give written notice to all other **authorised research entities** that the **mobile information** relating to the **contacted person** must not be used.

As this information is deleted manually by operations staff at the end of the shift, it is not passed on to any third parties.

3. If one **authorised research entity** notifies another **authorised research entity** that consent to use **mobile information** has been refused or withdrawn, the entity which receives that notification must not use the **mobile information** of the person who has refused to give, or withdrawn, consent.

Describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure you do not use the **mobile information** after notification that consent has not been given or was withdrawn.

If consent is withdrawn, this information is deleted manually by operations staff at the end of the shift, so it cannot be passed on to any third parties.

4. If a **contacted person** refuses or withdraws consent to the use and disclosure of **research information** relating to them, what practices, procedures, processes and systems will be in place to deal with that request?

If a respondent shares that they would not like to continue, the call is terminated and data marked "incomplete". As referenced above in 5(a) the information is manually removed by the operations manager.

As a part of the termination procedure, the respondent is read a closing statement:

Thank you for your time. Just to remind you this survey has been conducted by EMRS.

EMRS is bound by national privacy legislation that respects the rights of all respondents. If you would like to read our privacy policy, please click the following link: <https://www.emrs.com.au/privacy-policy/>.

EMRS conducts training and ongoing monitoring of its interviewers to ensure compliance with all policies and procedures; however, given this is a fairly commonsense procedure, there is not a script for this particular circumstances.

During training, it is impressed upon interviewers that no undue pressure is placed on anyone we contact to undertake the survey and should they decline at the outset we end the call. In this instance, no information has been recorded.

Should a respondent contacted agree to begin the survey but at some point request that the call ceases, we oblige by ending the call. In this circumstance, incomplete surveys are also marked incomplete and the information deleted from the system.

5. An **authorised research entity** must have internal dispute resolution procedures to deal with inquiries or complaints from a **contacted person** about the entity's use or disclosure of any **research information** relating to the person.

Describe and provide evidence of internal dispute resolution procedures that will be used to:

- a. deal with inquiries or complaints from a contacted person about the use or disclosure of any **research information** relating to the person.

At conclusion of each call, interviewers read the following script:

Thank you for helping us with this research. Just to remind you this survey has been conducted by EMRS.

EMRS is bound by national privacy legislation that respects the rights of all respondents. If you would like to read our privacy policy, please click the following link: <https://www.emrs.com.au/privacy-policy/>.

To lodge your survey responses, simply click on the **Submit** button

EMRS's complaints procedure is set out in its privacy statement (see here <https://www.emrs.com.au/privacy-policy/>)

EMRS treats all complaints or queries regarding privacy and the AMSRS code seriously and will investigate with due diligence to ensure the matter is resolved appropriately to the satisfaction of all parties. This process is lead by EMRS Privacy Officer, Samuel Paske.

EMRS will respond and advise whether we agree with your complaint or not. If we do not agree, we will provide reasons. If we do agree, we will advise what (if any) action we consider it appropriate to take in response.

If research participants are still not satisfied, then we suggest they contact the Office of the Australian Information Commissioner. The contact details are outlined in EMRS privacy policy.

- b. provide the ACMA's contact details to a **contacted person** who wants to escalate their complaint.

On the two or three occasions we have needed to contact the ACMA to resolve a matter in the past 10 years, we have gone through the channels provided (typically in response to an email they sent to our field agency).

- c. provide reasonable assistance to the ACMA in relation to any such complaint if requested by the ACMA to do so.

On the very few instances where this has been necessary in the last 15 years of operation, EMRS has had a positive and constructive relationship and dealings with ACMA to resolve any legitimate complaints or enquiries they have contacted us in regard to.

Disclosure of research information (5.21 of the Regulations)

6. An **authorised research entity** must not disclose **research information** unless it is for the purposes of **authorised research** under the authorisation.

Describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure that **research information** is not disclosed, except for the **authorised research**.

For all engagements, EMRS keeps a record of personal information it holds. An annual review of information takes place to determine what records can be destroyed. Generally, information is kept for no longer than a year.

Information is held on a secure drive that only a small number of EMRS operations team have access to. All files are also password protected.

Data storage and destruction is also included in the privacy policy of EMRS. See here: <https://www.emrs.com.au/privacy-policy/>.

Unless otherwise required by law, EMRS, like C|T, keeps a record of all file information that it holds and reviews the records on an annual basis to determine what can be destroyed. Unless there are a particular circumstances, information will be destroyed within the year. Information that is collected by EMRS is accessible only to operations employees.

The operations team of EMRS de-identifies research information before it is shared with C|T.

7. Except as outlined at question 14 above, an **authorised research entity** must not disclose **research information** except to its **research employees** (unless required to do so by or under a law that applies to it).

Describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure compliance with this requirement.

As noted earlier, all relevant employees of EMRS are members of the AMSRS and bound by the AMSRS Code of Professional Behaviour, which forbids the use of data for purposes other than that which it is collected for. This is culturally embedded in our organisation.

EMRS restricts IT access and only relevant members of the operations team have access to this information. Files are stored on a secure drive and password protected.

De-identified information is stored in password protected files that are shared with CT by EMRS are stored on secure parts of the drive. Employees outside of the research team are not able to view this material.

8. An **authorised research entity** may disclose **research information** relating to a **contacted person** if:
- the information is de-identified (that is, it does not identify the person, and the person is not reasonably identifiable from the information), and
 - the information does not include the person's public number.

Describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure the **research information** is de-identified and does not include the person's public number before it is disclosed.

After data collection has concluded and prior to any data being made available internally to researchers or sent externally to clients, all identifying information (including phone number) is removed from the data file to be used. The de-identification takes place at EMRS by operations staff. It guarantees the anonymity of each respondent to be surveyed. This practice even extends to reviewing all written comments or answers provided to ensure no phone numbers or identifying details (names, addresses etc) are included in the final data file.

Technical systems (5.22 of the Regulations) and data security

9. An **authorised research entity** must have technical systems to receive **mobile information** in accordance with any method specified by the IPND Manager.

Describe and provide evidence of the processes and technical systems that will be used to receive the **mobile information from the IPND Manager**.

EMRS will comply with the IPND Data File Guidelines and the Technical Requirements as set out by the IPND manager, in accordance with the Standard IPND Data Access Agreement.
<https://www.telstra.com.au/content/dam/tcom/personal/consumer-advice/ipnd/standard-ipnd-data-access-agreement-2017.pdf>

10. What technical security measures will be used to protect **mobile information** and **research information** that is stored or transferred in electronic format from misuse, loss, unauthorised access, modification or disclosure?

EMRS devices are password protected and equipped with software firewalls and anti-virus anti-malware. All networked services other than those necessary for the network to function are restricted.

11. What physical security measures will be in place to protect any **mobile information** and **research information** that is contained in hardcopy records from misuse, loss, unauthorised access, modification or disclosure?

EMRS holds very little information in physical form.

Hardcopies are shredded immediately after use or placed in locked secure shredding bins. No material is left unattended either in the office or outside.

Entry to the office requires an electronic pass. Additionally, areas of the premises where hard copies may be found are access via additional electronic access or keys.

All employees are briefed extensively on confidentiality upon starting with the firm. It is also a condition of each employee's contract.

12. Specify and provide evidence of:

- a. what internal security measures will be used to ensure access is restricted only to **research employees** who need to handle **mobile information** and **research information**.

All employees of EMRS are subject to access controls and confidentiality obligations, and we required our third-part data storage providers to comply with appropriate information security industry standards.

All EMRS devices are password protected and equipped with software firewalls and anti-virus anti-malware. All networked services other than those necessary for the network to function are restricted.

All employees are briefed extensively on confidentiality upon starting with the firm. It is also a condition of each employee's contract.

- b. whether audit trails will be used to monitor who accesses and manipulates the **mobile information** and **research information**.

CJT conducts 6 monthly security reviews, including for EMRS

- c. what measures will be in place to ensure that unauthorised copies of the **mobile information** and **research information** cannot be made, that is, copies that are not required for the authorised research.

The information is stored electronically in a location that is only accessible to relevant operations employees. All files are also password protected.

13. Will the **mobile information** and/or **research information** be accessible to or handled by persons or organisations outside of Australia at any time?

No

14. If yes:

- a. provide the name and contact details of the overseas person or entity:

Not applicable

- b. describe and provide evidence of the relationship between that person/s or entity and you (for example, contract):

Not applicable

- c. for what purpose(s) will the **mobile information** and/or **research information** be accessed or handled by the overseas entity?

Not applicable

- d. describe and provide evidence of the measures to be taken to ensure that appropriate privacy and security protections are in place to protect the **mobile information** and/or **research information** from misuse, loss and unauthorised access, modification or disclosure while it is accessed or handled by the overseas entity.

Not applicable

Employees of authorised research entity (5.24 of the Regulations)

15. An **authorised research entity** must take all reasonable steps to ensure that **research employees** are aware of and comply with the conditions of the authorisation, and notify the entity of actions that may result in a contravention of a condition.

Describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure that each **research employee**:

- a. is made aware of the conditions of the authorisation (including any additional conditions specified by the ACMA):

As noted above, all CJT employees coming into contact with the mobile information and operations employees of EMRS will be required to sign a form acknowledging the conditions of the authorisation. Prior to

any project being commenced where the mobile information will be used, employees will be briefed on practices.

b. cooperates with the entity in complying with those conditions:

Privacy and confidentiality requirements are detailed in the employee handbook (CJT Group handbook of which EMRS is a party) and are also a condition of each employees contract. Please see the privacy statement and excerpt from the contract referenced in Part 2, question 5 above.

c. will notify the entity in writing as soon as reasonably practicable after the **research employee** becomes aware of an act or omission that would result in a contravention of a condition:

Employees will be made aware of the specific requirements relating to IPND data at the commencement of the research engagement, including processes to alert team leaders of any contravention. This is also outlined in the declaration that all employees will sign regarding the conditions of authorisation.

Contravention of authorisation conditions (5.25 of the Regulations)

16. The Regulations set out requirements in the event of a contravention of a condition of the authorisation (including any additional conditions specified by the ACMA).

Describe and provide evidence of the practices, procedures, processes and systems to ensure that if you become aware that you (or another research entity under the same authorisation), contravene a condition then, as soon as reasonably practicable, you:

a. give written notice to the ACMA:

If EMRS becomes aware that it has contravened a condition, its privacy office, Samuel Paske, will inform the IPND liaison Michael Turner immediately. Use of the IPND mobile database will cease immediately until an investigation has been carried out.

If it has been proven a contravention has occurred, Michael Turner or the Managing Director or CJT RSR, Catherine Douglas, as representatives of the primary applicant will advise the ACMA through written correspondence. There will be no use of the mobile numbers until confirmation has been received from the ACMA that CJT and its field agency may proceed.

b. take reasonable steps to minimise the effects of the contravention:

As noted above, once we are aware of the contravention all activity relating to use of the IPND database will cease, pending communication with the ACMA.

At that point, both Michael Turner and the privacy officer at EMRS will conduct a thorough review to ensure there have not been further issues related to the data usage. This will include an audit of all activity where the mobile information has been used to certify:

- The information is being used only for authorised activity, that is research into electoral matters for the Liberal Party of Australia
- The information has not been disclosed to parties other than those who are authorised
- The information has been stored securely
- The information has been appropriately de-identified by EMRS prior to being shared with CJT
- The information has been destroyed in accordance with procedures, both for participants who withdraw consent and at the end of projects (and later the authorisation period)

Throughout the authorisation, under the direction of CJT, EMRS will conduct spot audits at the conclusion of each project to ensure full compliance with the authorisation. This activity will be included as a checkpoint for projects using the mobile information. This is in addition to the annual review of research information to determine whether or not it should be destroyed.

No use or disclosure of mobile information by former authorised research entities (5.30 of the Regulations)

17. When an authorisation ends, or if an authorised research entity is removed from an authorisation, a **former research entity** must:
- a. not make a record, or use, the **mobile information**
 - b. not disclose the **mobile information**, unless authorised, or required to do so by request of the ACMA
 - c. take all reasonable steps to destroy the **mobile information** within 10 business days after the authorisation ends or the **research entity** is removed from the authorisation.

Describe and provide evidence of what practices, procedures, processes and systems will be used to ensure that these requirements are met:

All employees will be made aware of the specific requirements related to IPND mobile information prior to the information being received.

As noted earlier, all relevant employees will be required to sign a declaration acknowledging the terms of use related to the IPND mobile information throughout the duration of time where CT is authorised to use the information. This includes destruction of the information within 10 business days after authorisation ends.

CJT will ensure its compliance officer for Australasia is aware of this requirement, and that key dates around the authorisation if they are known are included in the compliance calendar.

18. During the authorisation period, will **mobile information** be linked to other data from another source?
- No
 - Yes. If yes, specify how the **mobile information** will be separated from the other data, and destroyed, when the authorisation ends or revoked to ensure compliance with the Regulations.

No.

Use or disclosure of authorised research information by former authorised research entities (5.31 of the Regulations)

19. When an authorisation ends, or if an authorised research entity is removed from an authorisation, a **former research entity** must not:
- a. make a record, or use, the **research information**
 - b. disclose the **research information**, unless authorised, or required to do so by request of the ACMA; unless the information does not identify the **contacted person**, the person is not reasonably identifiable from the **research information** and does not include the person's public number.

Describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure that when you become a **former authorised research entity**, you will not:

- a. make a record of, or use, the **research information**:

At conclusion of the authorisation period, CJT and its fieldhouse will destroy all research information connected to the mobile information. IPND liaison, Michael Turner, or Managing Director, Catherine Douglas, will give notice within ten business days of the authorisation period ending that all research information has been destroyed if the authorisation is not extended.

Additionally, the CT Group will require all employees and EMRS sign an acknowledgement that that will not record or use the research information once the authorisation has ended. At the end of the contract the CT Group IPND liaison will remind all relevant parties of their obligation.

- b. disclose the **research information**, unless it is **de-identified** and does not include the contacted person's number;

All research information provided to C|T by its field agency, EMRS, is de-identified. EMRS will review all information on an annual basis to determine what information needs to be maintained and what can be destroyed. Unless there are special circumstances, information will be destroyed within the year of the engagement.

The IPND liaison manager will remind all relevant parties of their obligation, including in this case non-disclosure unless the information is de-identified.

Removal from research authorisation (5.31 of the Regulations)

20. An **authorised research entity** which is removed by the ACMA from a research authorisation must:
- not make a record of, or use, the **research information**
 - not disclose the **research information**, unless authorised, or required to do so by or under an applicable law
 - take all reasonable steps to destroy the **research information** within 10 business days after the authorisation ends or the entity is removed from the authorisation.

Describe and provide evidence of the practices, procedures, processes and systems that will be used to ensure that you meet this obligation if it becomes applicable to you:

The CT Group will require all employees and EMRS sign an acknowledgment that that will not record or use the research information once the authorisation has ended. At the end of the contract the CT Group IPND liaison will remind all relevant parties of their obligation.

End of Part 2

PART 3: Privacy Impact Assessment

An application must be accompanied by a Privacy Impact Assessment. The Office of the Australian Information Commissioner provides a Guide to undertaking privacy impact assessments (the PIA Guide), available at: <https://www.oaic.gov.au/agencies-and-organisations/guides/guide-to-undertaking-privacy-impact-assessments>.

A Privacy Impact Assessment for the permitted research project must be conducted for each **research entity** covered by this application. A report on the assessment should be provided below or as an annexure. If provided as an annexure, it must include the below information at a minimum. Terms in the following table have the same meanings as they have in the PIA Guide.

Section heading	Content
Executive summary	<p>A brief executive summary, including:</p> <ul style="list-style-type: none"> the purpose of the Privacy Impact Assessment brief project description and key information flows summary of findings recommendations or existing strategies to address identified privacy risks.
Privacy Impact Assessment methodology	<p>This section should outline the approach taken to undertake the Privacy Impact Assessment Methodology, including any stakeholder consultation.</p> <p>(Refer to Plan the PIA and Identify and consult with stakeholders in the PIA Guide.)</p>
Project description	<p>This section should describe the key features of the project, including any relevant background or the rationale for the project. Outline how personal information will be handled in the project, including through diagrams illustrating information flows, if appropriate. Information flows can also be addressed in more detail in the next section if required.</p> <p>This section should be kept brief and should not contain any analysis of privacy implications, as these will be addressed in later sections.</p> <p>(Refer to Describe the project and Map the information flows in the PIA Guide.)</p>
Analysis	<p>This section should identify:</p> <ul style="list-style-type: none"> the project's impacts (positive and negative) on privacy privacy risks that may arise from the project, including whether the project complies with privacy legislation any strategies that are in place to remove, minimise or mitigate privacy risks recommendations about additional strategies required to remove, minimise or mitigate privacy risks. <p>It may be appropriate to present an assessment of the project against each of the Australian Privacy Principles or any other legal obligations relating to privacy. It is important to remember, however, that the Privacy Impact Assessment is more than a compliance check, and that other questions may also need to be addressed. If the analysis is lengthy due to the complexity of the project or significant privacy impacts, it may be appropriate to split this information into separate sections.</p> <p>For example:</p> <ul style="list-style-type: none"> including information on privacy impacts and risks, existing strategies, and recommendations in separate sections presenting separate analyses for discrete parts of the project or information flows. <p>(Refer to Privacy impact analysis and compliance check, Privacy management—addressing risks and Recommendations in the PIA Guide.)</p>

Section heading	Content
Conclusion	<p>This section should summarise the overall findings and outline the conclusions of the Privacy Impact Assessment, including whether the privacy safeguards currently in place or identified in the recommendations will be sufficient to protect personal information handled in the project.</p> <p>It should also outline the next and ongoing steps in the Privacy Impact Assessment process (refer to Respond and review in the PIA Guide).</p>
Appendices	<p>If required, appendices can be used to provide more detailed information. For example, the nature of consultation, who participated in consultation and the anticipated outcomes of the project.</p>

End of Part 3

Declaration

I declare that:

1. The contents of this application, and any enclosures or annexures to this application, are true and correct.
2. I am aware that the ACMA may:
 - a. request the research entity to provide further information within 90 days of the ACMA's request
 - b. treat the application as if it did not specify the research entity, if the research entity does not provide the requested information within 90 days of the ACMA's request.
3. If this authorisation is granted, the research entity that completes this declaration will:
 - a. comply with all conditions of authorisation, including any additional conditions specified by the ACMA when the authorisation is granted, or subsequently specified or varied
 - b. act in accordance with the Privacy Impact Assessment.
4. If this authorisation is granted, the applicant will not use or disclose information obtained pursuant to the Regulations except for the purpose for which authorisation is sought.
5. The applicant will be covered by the *Privacy Act 1988* for the duration of the authorisation (unless the applicant is a registered political party).
6. The applicant will not act, or engage in a practice, that breaches an Australian Privacy Principles (APP) in relation to personal information about an individual, or a registered APP code that binds the entity in relation to personal information about an individual.
7. I am aware that the applicant must comply with any requirements imposed on the entity by the *Telecommunications Act 1997* and any legislative instrument made under that Act, and with all applicable laws related to unsolicited contact with another person.
8. I am aware that the ACMA may consult any person or body that the ACMA considers appropriate (including the Office of the Australian Information Commissioner) in connection with certain decisions under the Regulations, and that information provided in this authorisation may be disclosed for the purpose of that consultation.
9. I am aware the ACMA may remove an authorised research entity from a research authorisation if the ACMA is satisfied that a condition of any research authorisation that covers the entity has been contravened.
10. I have the authority to sign this application on behalf of the applicant.
11. I am aware that under section 137.1 of the *Criminal Code Act 1995*, it is an offence to knowingly provide false or misleading information to a Commonwealth entity in connection with the performance of functions under a law of the Commonwealth.

Signature	
Print full name	DAVID FRED BELL

Position in organisation (if applicable)	MANAGER, PRIVACY
Date	17/11/2019

Privacy

The *Privacy Act 1988* (Cth) (the Privacy Act) imposes obligations on the ACMA in relation to the collection, security, quality, access, use and disclosure of personal information. These obligations are detailed in the Australian Privacy Principles.

The ACMA may only collect personal information if it is reasonably necessary for, or directly related to, one or more of the ACMA's functions or activities.

The ACMA will not use the information for any other purpose, nor will we disclose it, unless we have your consent, or we are otherwise permitted to do so under the Privacy Act.

Under the Regulations, the ACMA may consult any person or body that the ACMA considers appropriate before deciding to grant an authorisation; specify, vary or revoke an additional condition; remove an entity from an authorisation; and make a decision on a reconsideration request. Details of this application may be disclosed as part of consultation.

Further information on the Privacy Act and the ACMA's Privacy Policy is available at www.acma.gov.au/privacypolicy. The Privacy Policy contains details about how you may access personal information about you that is held by the ACMA, and seek the correction of such information. It also explains how you may complain about a breach of the Privacy Act and how we will deal with such a complaint. If you have any questions, please contact the ACMA's privacy contact officer by email at privacy@acma.gov.au.