



Australian Government
Department of Veterans' Affairs

PEOPLE RECORDING INTERACTIONS WITH DVA STAFF - POLICY

About this policy

1. From time to time, people (including DVA clients, their representatives, members of the public and third party organisations) interacting with the Department of Veterans' Affairs (DVA) may wish to record those interactions on mobile phones or other recording devices. This document sets out DVA's policy on these matters.
2. The use of recording devices is regulated by law in Australia, including the *Telecommunications (Interception and Access) Act 1979* and various State and Territory listening devices laws. This policy is written to provide practical assistance to all DVA staff when approached by a person with requests, or confronted with attempts, to record telephone conversations, video conferences or in-person interactions with DVA staff.
3. Whilst there are differences in the specific legal obligations for all DVA staff across each State and Territory, DVA's policy and associated procedures have been written to ensure compliance across each State and Territory and therefore do not require adjustment or modification for a specific location.
4. This policy will be reviewed annually or when a change to the legislation, policy or associated procedures is required - whichever is sooner. Updates will be published on DVA's website: <https://www.dva.gov.au/>
5. This policy focuses on situations in which a person wishes, or attempts, to record their interaction with DVA staff. This may occur in any place where people employed by DVA

work, including DVA premises, Services Australia offices, Australian Defence Force bases, over the telephone or in a virtual environment.

People Recording Interactions with DVA Staff

6. DVA's policy position is that generally DVA staff are to refuse to consent to any person recording any interaction with DVA staff, unless a prior arrangement has been obtained by DVA, and DVA has agreed that a reasonable adjustment must be made to enable that person to access DVA's services.
7. DVA is unable to consent to any other people being recorded on DVA premises or any other location.
8. Each request to record will be considered as a single event and any permission granted by DVA will be for that interaction only. Previous approvals may be considered by DVA as part of the assessment process for new requests, but each request must be assessed against all elements of this policy on each occasion.

Reasonable Adjustment

9. DVA is committed to ensuring an accessible and inclusive service environment to enable people to participate in all aspects of DVA's service offerings. In keeping with the requirements of the *Disability Discrimination Act 1992*, DVA will apply the principle of 'reasonable adjustment' to remove barriers to participation in DVA's service offerings.
10. 'Reasonable Adjustment' refers to assistance or adjustments DVA makes to reduce or eliminate barriers that prevent a person accessing DVA's services. DVA considers an adjustment to be reasonable if it is:
 - Effective – it removes or at least minimises the barrier or disadvantage.
 - Practical – it does not take too long to implement and staff do not need extra training.
 - Inexpensive – the cost of the adjustment is low and within the available financial resources.
 - Proportionate – it is not overly disruptive to other people, or to DVA or to DVA's business needs.
 - Safe – the adjustment does not cause risk to others (an adjustment cannot be 'reasonable' if anyone's health and safety would be compromised by making that adjustment).
11. There is no defined list of the adjustments which may be requested by a person to help them access DVA services, as these will vary with each individual. Every request will be considered on its own merits and reflect the particular circumstances of the person making the request.

12. Generally DVA staff will refuse to consent to any person recording any interaction with DVA staff. Instead DVA will offer people who seek to record their interactions with DVA staff a range of alternative reasonable adjustments.
13. If a person is not satisfied with the alternatives offered to them they may request permission from DVA to record the interaction. This request can be made either verbally or in writing. When assessing these requests, DVA staff will consider:
 - the nature of the person's circumstances if identified by them (for example, disability),
 - the reasons the person gives for wishing to record the interaction, and
 - any exceptional circumstances they wish DVA to take into account.
14. DVA staff must ask people who wish to record interactions to assure DVA in writing that the proposed recording will be used for private purposes only and will not be published.
15. DVA staff at the APS6 level and above are authorised to make decisions about requests to record interactions with DVA staff. If the request to record is agreed by DVA to be a reasonable adjustment, the decision maker will then:
 - consider the location of any recording to mitigate the risk of other private conversations or departmental business being included in the recording,
 - consider health and safety risks to staff and other people present when deciding on the location for the interaction to proceed, and
 - document and file their decision, their reasons for making it and any written assurance given by the person that the recording will be for their own use and not be published.
16. If people are unhappy with the initial decision they may request a review of it. This review will be undertaken by a member of DVA's Executive Level staff who is at least one level senior to the original decision-maker. Their decision will be final.

Respect and Safety

17. DVA staff are here to help people and we are committed to providing the best service we can. We ask that our staff be treated with respect and courtesy at all times.
18. Everyone wishing to access DVA services, and DVA staff themselves, are expected to behave in accordance with DVA's [Service Charter](#).
19. Information about how DVA collects, uses and discloses personal information is outlined in DVA's [Privacy Policy](#).

Third Party Organisations

20. There may be circumstances where third party organisations interacting with DVA (for example, a contracted home care provider, community nursing agency, Ex-Services Organisation or a large health care provider) routinely record all of their own inbound and outbound communications, or wish to do so.
21. When staff of a third party organisation advise they will be recording a call, or other interaction (for example a video conference), they must be asked to notify DVA of their organisation's terms of usage. These organisations must comply with all Commonwealth, State and/or Territory privacy laws, and with any surveillance legislation applicable to their recording practices.
22. If the DVA officer taking the call is provided with the organisation's terms of usage, and they are satisfied with the identity of a caller from the Third Party organisation, they may proceed with the call. If not, the DVA officer must end the call.
23. Commonwealth Departments and agencies wishing to record interactions with DVA for business reasons are not considered to be third party organisations for the purposes of this policy.