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Declarable Circumstances Form

Privacy Notice

The Department of Home Affairs (the Department) is collecting your personal information and the personal information of your associates for the purposes of assessing your declarable circumstance(s) and determining your ongoing eligibility to hold or maintain a Commonwealth security clearance and/or an Employment Suitability Clearance (ESC).

Failure to provide your personal information or the information requested about third parties associated with you will result in the Department not being able to assess your declarable circumstance and/or make a determination as to your entitlement to hold, or maintain, an ESC and may result in you not being eligible for employment or association with the Department and/or not being eligible to have non-public access to the Department's assets.

The Department will use and disclose the personal information that you provide to undertake relevant background checks in order to identify any factors or personal circumstances that pose an integrity risk to you or the Department. It will assess whether you are suitable for employment with the Department or to have access to its non-public assets. In addition, under the Protective Security Policy Framework (PSPF), it is mandatory for holders of a Commonwealth security clearance to report changes in their circumstances to their employer / sponsoring agency. Depending on the information that you disclose on this form, the Department will also use and disclose your personal information to the Australian Government Security Vetting Agency (AGSVA) to report a change of circumstance to the AGSVA on your behalf.

In all cases, the following checks will probably be conducted with Australian and/or overseas persons and authorities, as required:

- corroboration of any previous employment, whether Australian Government or private sector, to determine employment history and any matters relating to code of conduct, service records, discipline records, professional conduct and behaviour in the workplace
- corroboration of any past/present security records, including requesting any personal security file
- corroboration of places of residence
- checks to verify the authenticity and validity of personal and identity documents, including but not limited to:
 - birth, marriage and change of name documentation
 - naturalisation/citizenship/visa documentation and passports, and
 - driver licences and Medicare cards.

The following checks/inquiries may also be made with Australian and/or overseas persons and authorities, as required:

- checks of claimed educational qualifications with relevant institutions
- checks of travel activity, migration related activity and corroboration of overseas travel
- inquiries with financial institutions and others with whom you have financial dealings
- internet-based searches
- inquiries into criminal associations/associations with groups perceived by the community to be engaged in criminal activity
- inquiries into criminal or unlawful activity you have been or may be engaged in or associated with
- checks of professional associations
- checks of involvement in civil legal proceedings
- checks of criminal and traffic history
- checks of involvement in criminal investigations or proceedings
- inquiries into illicit drug use
- checks of import and export activity
- inquiries into your dealings with the Department
- checks of firearm, driver or other licences
- inquiries with previous employers (if not currently employed by the Department, your present employer will not be contacted without your specific consent)
- inquiries with nominated and in some cases un-nominated character referees and associates about your general character and/or
- information about your suitability for employment or association with the Department
- checks/inquiries with other agencies or organisations where, after considering the information you provide for the purposes of applying for and maintaining your ongoing eligibility for an ESC, it becomes apparent that the other agency or organisation may be able to contribute information relevant to the assessment of your suitability for employment or association with the Department.

When conducting these checks/inquiries, the Department will generally only provide the relevant Australian and/or overseas persons or authorities with your identifying information, unless it is necessary in order to conduct the particular check or inquiry to give them other information you have provided for the purpose of assessing your declarable circumstance(s) and determining your ongoing eligibility to hold or maintain a Commonwealth security clearance and/or an Employment Suitability Clearance (ESC).

Initials: _____ Date: _____

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Each and any of the third parties to whom the Department discloses your personal information will examine their information holdings relating to you and may disclose your personal information or the personal information of your associates to the Department and to each other, where the disclosure is necessary and related to assessing your declarable circumstance(s) and determining your ongoing eligibility to hold or maintain a Commonwealth security clearance and/or an Employment Suitability Clearance (ESC).

For the purposes of assessing your declarable circumstance(s) and determining your ongoing eligibility to hold or maintain a Commonwealth security clearance and/or an Employment Suitability Clearance (ESC), the Department may disclose your personal information to, and may collect your personal information from third parties.

These third parties may include but are not limited to:

- Registrars of Births, Deaths and Marriages
- the Australian Federal Police
- State and Territory Police Forces
- the Australian Commission for Law Enforcement Integrity
- the Australian Taxation Office
- the Department of Human Services
- the Australian Criminal Intelligence Commission
- the Australian Security and Intelligence Organisation
- the Australian Government Security Vetting Agency (AGSVA)
- any authorised Documentation Verification Service (DVS) Gateway Service Provider and any identity credential issuing authority connected to the DVS
- your current and previous employers
- your current and previous lessors or managing agents
- your nominated education institutions
- any referee (regardless of whether they are nominated by you)
- your nominated legal representative or any third party who you authorise the Department to communicate with on your behalf
- any financial institutions with which you have had dealings.

The Department may also disclose your personal information to, and may collect your personal information from, overseas persons and authorities in your country or former country of residence or citizenship or a country or countries in which you inform the Department you have business interests. Information may also be disclosed to authorities from other countries, such as law enforcement or customs agencies, in circumstances permitted under the *Privacy Act 1988*. Where, after considering the information you provide, it is determined that checks with authorities from countries other than these countries are necessary before your application can be approved, your specific consent to those checks being undertaken may be sought.

Your personal information, which has been collected as part of the declarable circumstances process, may be used and/or disclosed by the Department or a third party for a purpose that is not directly related to the purpose for which the information was collected, in circumstances where that is permitted under the *Privacy Act 1988* or other applicable law. This could include but is not limited to use or disclosure for the purpose of:

- the AGSVA or other relevant vetting agency assessing your declarable circumstance(s) and confirming if you already hold a security clearance, initiating a security clearance process and/or assessing and determining your application for, and ongoing eligibility to maintain a Commonwealth security clearance
- the Australian Criminal Intelligence Commission, Australian Federal Police and State and Territory Police forces undertaking a National Police History Check in relation to you
- the Australian Security Intelligence Organisation considering a matter that has been identified which may be relevant to national security
- your current employer taking appropriate action in relation to a matter which may relate to an internal disciplinary or administrative issue.

At all times, your personal information will be collected, used, stored and disclosed by the Department in accordance with the Australian Privacy Principles in Schedule 1 of the *Privacy Act 1988*. Further information regarding how the Department handles personal information and your rights to seek access to and correction of your personal information can be found in the Department's privacy policy on the Department's website or by contacting the Department's Privacy Helpdesk by email to privacy@homeaffairs.gov.au. The Department's privacy policy also contains information about how you can complain about a breach of the Australian Privacy Principles and how the Department will deal with a complaint.

Consequences for providing false and/or misleading information

You will be asked to certify that all information and supporting documents you have provided to support your declarable circumstances(s) are correct. Giving false or misleading information to the Department is a serious offence under Division 137 of the *Criminal Code Act 1995* (Cth), which is punishable by a period of imprisonment of up to 12 months. This includes omitting to advise the Department of any matter or thing without which the information you provide is misleading.

Providing false or misleading information to the Department may also result in a range of adverse administrative actions being taken. These may include (but are not limited to), a finding that you are not suitable to be granted an ESC and thus not be employed by or associated with the Department, a finding that you are not suitable to hold a Commonwealth security clearance, a reduction in your classification, re-assignment of your duties, or a fine or reduction in your salary.

Initials: _____ Date: _____

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Section 1: Personal Particulars

| | | | | | |
|---------------------------------------------------------------------------------------------------------|--|-------------------------------------------|--------|---------|--|
| Title | | Family Name: | | | |
| Given name(s) | | | | | |
| Previous name(s) | | | | | |
| Gender | | AGS/Employee ID <i>(if applicable)</i> | | | |
| | | Town / City | State | Country | |
| Date of birth <i>(dd/mm/yyyy)</i> | | Place of birth | | | |
| Phone | | | Mobile | | |
| Email | | | | | |
| Security Clearance | | AGSVA ID <i>(if known)</i> | | | |
| How are you associated with the Department? | | | | | |
| What section do you work in / what company or agency do you work for? | | | | | |
| Have you been requested by the Department to complete this form as part of an ESC Reactivation process? | | | | | |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | |
| Additional Comments / Information | | | | | |
| | | | | | |

Section 2: Declarable Circumstances

Please select all relevant types of declarable circumstance(s) below and provide complete details of each circumstance on the following page. Where applicable you should provide certified copies of supporting documents (e.g. driver's licence for change of address, marriage certificate for change of name). Refer to the [Declarable Circumstances Policy](#) for more information on circumstances that are required to be declared.

| | |
|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| Type of Report | |
| <input type="checkbox"/> New Declarable Circumstance(s) | <input type="checkbox"/> Update to Previous Declarable Circumstance(s) |
| Circumstances Relevant to both your ESC and Security Clearance | |
| <input type="checkbox"/> Changes to your name or identity | |
| <input type="checkbox"/> Changes to your contact details | |
| <input type="checkbox"/> New passport(s) including new passport number(s) | |
| <input type="checkbox"/> Changes to your marital status, domestic partnerships or personal relationships | |
| <input type="checkbox"/> Changes in domestic circumstances, including people sharing your home | |
| <input type="checkbox"/> Visit to, or residence in foreign countries | |
| <input type="checkbox"/> Close relatives residing in foreign countries | |

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- Contact with foreign nationals (in accordance with the Australian Government Contact Reporting Scheme)
- Changes in Citizenship or nationality
- Any interaction with any law enforcement agency or regulatory authority (eg. a traffic or motoring authority) which is not related to the performance of your duties
- Attendance at any court of law which is not related to the performance of your official duties
- Becoming the subject of a court order
- Non-compliance with a border related law
- Being the subject of an administrative investigation or facing formal disciplinary or administrative action
- Security incident(s)
- Illicit drug use
- Declarable associations
- Involvement in any criminal activity, corrupt conduct or serious misconduct
- Any other changes that you think may be of interest or concern to AGSVA or to the Employment Suitability team
- Any other matter which represents a change from information previously declared or provided to AGSVA, other authorised vetting agencies, or to the Employment Suitability team
- Reporting in accordance with Aftercare Arrangement(s)

Circumstances Relevant to your Security Clearance

- Changes in financial circumstances (including gambling issues)
- Changes in religious or political beliefs
- Alcohol problems or dependence
- Changes in health / medical circumstances

Circumstances Relevant to ESC Reactivation

- Nil declarable circumstances to report

Supporting Details

Please provide as much detail as possible – if you require more room attach another page

Do you wish to discuss any of the information you have provided with the Employment Suitability team?

Yes No

Declaration and Consent

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| I, | <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p><i>(Insert full name)</i></p> |
| <p>have read the Privacy Notice and for the purposes of assessing my declarable circumstance(s) and determining my eligibility to hold or maintain a Commonwealth security clearance and/or an Employment Suitability Clearance (ESC), consent to:</p> <ul style="list-style-type: none">• the Department of Home Affairs (the Department) collecting my personal information on the forms and documents provided and from third parties in the circumstances described in the Privacy Notice• the Department using my personal information• the Department disclosing my personal information to any or all of the third parties identified in the privacy notice, in the case of third parties who are overseas recipients on the basis that Australian Privacy Principle (APP) 8.1 (which would require the Department to take such steps as are reasonable in the circumstances to ensure the overseas recipient does not breach the APPs in relation to the information) will not apply to the disclosure• any of the third parties identified in the privacy notice examining their information holdings relating to me and disclosing my personal information to the Department and to each other. <p>I acknowledge that my personal information may be used and/or disclosed by the Department or a third party to whom the Department discloses it for another purpose, in circumstances permitted under the <i>Privacy Act 1988</i>.</p> <p>I have read the Consequences for Providing False and/or Misleading section (above) and I acknowledge that I understand that:</p> <ul style="list-style-type: none">• giving false or misleading information to the Department is a serious offence, and• if I give false or misleading information to the Department I may be subject to adverse administrative action. <p>I acknowledge certify that, to the best of my knowledge, the information contained on this form is true, accurate and complete.</p> | |
| <p>Signature Date</p> <p><i>If submitting this form electronically, please type your name in the signature field. Electronic signatures will only be accepted from a .gov.au email address.</i> <i>(dd/mm/yyyy)</i></p> | |

Contact Us

If you have questions regarding the Declarable Circumstances process or its requirements, would like to arrange a confidential discussion regarding your circumstances or would like further information, please contact the Employment Suitability team at esc@homeaffairs.gov.au or 1300 243 717.

Submission Process

Submit your completed form to the Employment Suitability team via esc@homeaffairs.gov.au.

Important Information

1. All individuals who have been granted a Commonwealth security clearance and/or an ESC have a range of responsibilities to minimise risks to themselves, the Department, the Australian Government and Australia's national security. These responsibilities include reporting all declarable circumstances to the Employment Suitability team as soon as reasonably practicable after they occur. This form should be used to declare any reportable changes to your personal circumstances.
2. In some cases, your circumstances may be used by foreign governments, issue motivated groups or criminal organisations to coerce, cultivate, target or blackmail you into engaging in corrupt activity. Commercial organisations may also use your circumstances to gain information that would give them an unfair advantage in dealings with the Department. However, where the Department and the AGSVA are aware of these circumstances, it is less likely they can be used as leverage against you. The Department and the AGSVA can also work with you to develop strategies to minimise any risks which your circumstances may create.
3. Not all declarable circumstances may create a risk to you, the Department or, the Australian government or Australia's national security. In some cases, declarable circumstances reports simply ensure the Department and the AGSVA have accurate and up-to-date records. However, some declarable circumstances could affect aspects of your ongoing suitability to maintain Commonwealth security clearance and/or an ESC. You must report all declarable circumstances, even if this information may adversely impact on your ability to maintain Commonwealth security clearance and/or an ESC.
4. Reporting all declarable circumstances to the Employment Suitability team allows an assessment of potential risks to the portfolio and (if necessary) take steps to minimise any risks identified. The Employment Suitability team will also liaise with the AGSVA to assess whether your declarable circumstance may create a risk from a national security perspective, and in some cases, take the necessary steps to minimise any potential threat to the Australian Government or Australia's national security.
5. All information declared using the Declarable Circumstances Form is collected, used and stored in accordance with the *Privacy Act 1988* and the Protective Security Policy Framework - Australian Government Personnel Security Protocol.
6. In some cases, declarable circumstances may also be reported to the Employment Suitability team by your manager, supervisor, Agency Security Adviser, the AGSVA or other teams within Integrity and Professional Standards Branch.
7. Failure to report any relevant change of circumstances within a reasonable timeframe may result in disciplinary action and/or a review of your ability to maintain an ESC and/or Commonwealth security clearance.
8. For further information, refer to the Department's [Declarable Circumstances Policy](#).