

DATA AND PUBLISHING / PACK 10

Privacy, marketing, records and cyber pack

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The evidence behind every lead form, identity check, campaign claim, image and retained record.

THE FIVE-STAGE CONTROL MAP

A file becomes defensible when each stage has an owner, a current source, an approval and retained evidence.

01 Collect	02 Explain	03 Protect	04 Use	05 Delete
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W AGENT RULE

Draft the operational brief. Use official prescribed forms. Route legal instruments to the licensed professional responsible for them.

PACK 10 / ACTION CHECKLIST

Build the evidence file

Tick only when the document exists, is current, has been approved by the right person and is stored against the matter.

01	Data map	List personal information, sensitive information, identity documents, source, purpose, system, access and retention.	☐
02	Privacy coverage	Record Privacy Act coverage, including AML/CTF reporting-entity activities from 1 July 2026.	☐
03	Collection notices	Use matter-specific notices at enquiry, application, identity, employment and marketing collection points.	☐
04	Privacy policy	Publish accurate practices, contacts, access/correction and complaints process; review when systems change.	☐
05	Consent and preferences	Keep evidence for email, SMS, calls, testimonials, photography, video, cookies and third-party sharing.	☐
06	Marketing approval	Owner/client approval, claim evidence, price review, media licence, music licence and takedown process.	☐
07	Security	MFA, least privilege, secure sharing, vendor assessment, backups, device controls and access reviews.	☐
08	Breach response	Contain, preserve evidence, assess eligible data breach risk, notify where required and remediate.	☐
09	Retention and destruction	Keep legal records for required periods, suspend deletion for disputes, and securely destroy excess data.	☐

PACK 10 / SIGNING BOUNDARY

What W Agent must not blur

These controls are deliberately conservative. They protect the client, the agency and the professional who is responsible for the final instrument.

1	Small-business privacy exemptions are not a universal pass. AML/CTF-related personal information can bring a small real estate reporting entity within the Privacy Act for those activities.
2	A privacy policy describes practices; it does not replace the notice required when personal information is collected.
3	Never upload identity documents, trust information or confidential contracts into public forms or unsecured collaboration tools.

OFFICIAL SOURCES

Open the live source again immediately before use. A saved or printed copy can become stale.

01	OAIC AML privacy guidance https://www.oaic.gov.au/privacy/privacy-guidance-for-organisations-and-government-agencies/organisations/privacy-guidance-for-reporting-entities-under-the-anti-money-laundering-and-counter-terrorism-financing-act
02	OAIC privacy policy guide https://www.oaic.gov.au/privacy/privacy-guidance-for-organisations-and-government-agencies/more-guidance/guide-to-developing-an-app-privacy-policy
03	AUSTRAC real estate starter kit https://www.austrac.gov.au/industry-and-business/obligations-and-guidance/program-starter-kits/real-estate-program-starter-kit/real-estate-program-starter-kit-getting-started

IMPORTANT

This W Agent pack is a general operational checklist, not legal, conveyancing, financial, tax, valuation, planning, building, employment or franchising advice. It is not a prescribed form, authority, contract, disclosure document or government-approved instrument. Laws, forms, facts and transaction risks change. Obtain matter-specific advice and use current official or professionally licensed documents before signing, serving, advertising, receiving trust money or providing a regulated service.