

PRIVACY ACT · COMPLIANCE DEADLINE · 2026

AI Phone Systems and the 10 December Privacy Deadline

A new transparency obligation commences on 10 December 2026. Most of the compliance work happening right now is pointed at CRMs, hiring tools and pricing engines.

The obligation is narrow, the deadline is fixed, and the phone system is the blind spot. From **10 December 2026**, subclauses **1.7, 1.8 and 1.9 of Schedule 1 to the Privacy Act 1988**, inserted by the **Privacy and Other Legislation Amendment Act 2024**, require an APP entity whose computer programs make, or do things substantially and directly related to making, decisions that could **reasonably be expected to significantly affect the rights or interests of an individual** to set out in its **privacy policy** the kinds of personal information used and the kinds of decisions made. It is a *transparency* obligation, not a prohibition and not a right of appeal. The OAIC consulted on guidance through an issues paper in the first half of 2026 and has signalled it intends to publish before commencement.

■ The short version

#	The automated step	What it uses
1	Identity-based routing , the caller's number is matched against your CRM and the call is sent to a specific team, owner or queue	Phone number, customer record, account history
2	Priority queueing , recognised customers, high-value accounts or particular segments are placed higher in the queue	Customer tier, spend, contract status
3	AI qualification , a voice agent asks why the caller is ringing and classifies the intent before a human is involved	What the caller says, plus whatever context the record supplies
4	Callback eligibility , the system offers a callback to some callers and not others, or estimates a wait and applies a threshold	Queue position, segment, sometimes account status
5	Screening and blocking , numbers are blocked, sent to a different path, or challenged	Number, prior call behaviour, risk flags
6	Out-of-hours and overflow logic , after a threshold, calls divert to voicemail, an AI agent, or an external service	Time, volume, sometimes caller attributes
7	Automated identity verification , the caller is authenticated by data or by voice before reaching an agent	Account data, and in some deployments voice characteristics
8	Sentiment and escalation flags , a model detects frustration and escalates, tags, or changes the routing	Audio and transcript of the individual's own words

■ Also worth knowing

Step	Usual assessment	Why
Identity-based routing to the right team	✗ Usually out	Sending a caller to the department that handles their product is administrative convenience. Nothing about their rights or interests turns on it
Priority queueing by customer value	~ Borderline, assess it properly	One shorter wait is trivial. A standing rule that gives one class of customer materially faster access to a service they pay for, every time, is differential treatment produced by.
AI qualification of intent	~ Depends entirely on what follows	If it routes, out. If the classification determines whether the person gets an appointment, a hardship path, a quote or an escalation, it is substantially and directly related.
Callback eligibility	✗ Usually out	A convenience feature, unless eligibility is tied to account standing in a way that withholds access from a class of people
Screening and blocking	✓ Usually in	Automatically preventing an identified individual from reaching your business is close to the clearest example available.
Out-of-hours and overflow logic	✗ Out	Time-of-day rules generally use no personal information at all. They fail the first test before you reach the second
Automated identity verification	✓ Usually in	Passing or failing verification determines whether someone can access their own account and their own information. That is a rights-and-interests decision by any reading

Read the shape of it before the detail

This is a **disclosure obligation attached to your privacy policy**. It does not ban automated decisions. It does not require human review. It does not create an individual right to an explanation of a specific decision, and it does not require you to publish how the system works. Several 2026 commentaries have drifted toward describing something closer to the European position. **That is not what commences in December**. What commences is: say, in categories, in your policy, that this happens.

■ Questions the full guide answers

- ☐ What exactly commences on 10 December 2026?
- ☐ Does a phone system really make automated decisions?
- ☐ Which phone system decisions are usually in scope, and which are not?
- ☐ Does this apply to AI scoring of our own staff?
- ☐ What should the disclosure in our privacy policy actually say?
- ☐ We are a small business. Does the small business exemption mean we can ignore this?
- ☐ What is the fastest way to work out where we stand?

This is the summary. The guide has the detail.

Every point above is worked through in full on our site, with the Australian context, the numbers and the exceptions. If you would rather talk it through, call **1300 881 662** or visit **unidenvoice.com/get-started**.