Australian Government

Department of Infrastructure, Transport, Regional Development and Communications

Privacy Policy

August 2020

The Department of Infrastructure, Transport, Regional Development and Communications (the department) is subject to the Privacy Act 1988 (Cth) (the Privacy Act). The Privacy Act contains 13 Australian Privacy Principles (APPs) which are rules about how the department may collect, use, disclose and store personal and sensitive information, and how you may access and correct records containing your personal or sensitive information. The department is committed to protecting your privacy in accordance with the APPs.

Types of personal information held by the department

The department only collects personal information that is necessary for, or directly related to, its functions or activities. The types of information the department generally collects and holds includes:

- personal contact details
- personnel/employee records including educational qualifications
- complaint and feedback information
- contract, tender and submission documents
- litigation and compensation records
- grants and award information
- employee conflict of interest declarations
- mailing and subscription lists
- FOI applications
- ministerial correspondence
- personal details of board appointees

Sensitive information

Due to the various functions undertaken by the department, especially in relation to the administration of Australia's external territories such as Christmas Island, Cocos Keeling and Norfolk Islands, the department also collects and holds a range of sensitive personal information including:

- health and medical records
- documents relating to the National Redress Scheme
- immigration and transfer files
- housing and tenancy information
- subsidised travel applications
- bank details
- rehabilitation and compensation case files
- income and asset information

Why the department collects personal information

The department only collects information which is necessary for, or directly related to its functions or activities. The mains functions and activities include the development of policy advice, regulation and delivery of programs in relation to: infrastructure (including cities and water); transport (including aviation and airports, land transport, maritime, rail); regional development (including local government and territories); communications (broadband, infrastructure, mobile black spots, consumers, media and content); and arts. Other activities concern the administration of the department, for example, consulting with our stakeholders and managing complaints.

The full list of the legislation administered by the department and the matters for which the department collects, uses and stores personal information about is found in the Administrative Arrangements Order.

How the department collects personal information

The department's usual practice is to collect personal information directly from you or your authorised representative. In limited circumstances we may collect personal information about you from a third party (for example, another Australian Government department or a publicly available source). For example, if:

- it is not practicable to collect personal information from you
- you have consented to the personal information being collected from someone else or
- the department is authorised or required by law to collect your personal information from someone else

How the department stores personal information

The department stores all personal information securely and restricts access to those employees who need access in order to perform their duties or to assist individuals. Personal information is stored electronically such as on databases, hard drives or in emails, or on hard copy files.

The department takes all necessary steps to ensure that personal information is protected from misuse, loss and interference.

When information is no longer required it is securely destroyed in accordance with the Archives Act 1983 and relevant disposal authorities or forwarded to National Archives.

Use and disclosure of personal information

The department only uses and/or discloses information for the purposes for which it was collected (the primary purpose), unless an individual has consented to another use.

There are certain limited circumstances in which the department may use or disclose information for a different purpose, known as a secondary purpose, where that purpose is:

- directly related to the primary purpose for which the information was collected
- required or authorised under an Australian law or has been ordered by a court or tribunal
- necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or public health or safety
- a permitted general situation or health situation, as defined by the Privacy Act or
- an enforcement related activity and the use or disclosure of the information is reasonably necessary

If the department uses or discloses information for a purpose other than what it was originally collected for the department will keep a written notice of that use or disclosure as required by the APP's.

Disclosure of personal information overseas

The department does not ordinarily disclose personal information overseas. Certain activities, including surveys may utilise services based overseas. The Privacy Collection Notice which accompanies each activity will identify these services.

Access to personal information

Individuals may request access to personal information held by the department. There is no charge associated with making a request and the department will process the request and provide access to the information, in most cases, within 30 days.

The more information an individual can provide about dealings they have had with the department, the easier and more quickly information can be located.

For security reasons, and to protect individuals' privacy, applicants may be asked to provide proof of their identity.

To access personal information, a written request should be sent to the department's Privacy Officer by email at privacy@infrastructure.gov.au or in writing to:

> Privacy Officer
> Department of Infrastructure, Transport, Regional Development and Communications
> GPO Box 594
> CANBERRA ACT 2601

The Privacy Officer can be contacted on (02) 6274 6495 to discuss any privacy issues.

Amendment or correction of personal information

Individuals may request the amendment of personal information held which is considered to be inaccurate, out-of-date, incomplete, irrelevant or misleading. If an individual considers information held by the department requires amendment a written request should be sent to the department's Privacy Officer outlining what aspects of the information is believed to be inaccurate, incorrect or out-of-date.

There is no charge associated with making a request and notification of the outcome will be provided, in most cases, within 30 days. If the department refuses to correct or amend the information a written explanation will be provided.

Making a privacy complaint

An individual may submit a complaint about the way the department has handled their personal information. Complaints should be in writing and sent to the Privacy Officer using the contact details above.

The complaint should provide sufficient detail so the issues and concerns can be investigated.

If an individual is not satisfied with the outcome of an investigation, a complaint can be submitted to the Office of the Australian Information Commissioner (OAIC). Further details about making a privacy complaint to the OAIC can be found at www.oaic.gov.au/privacy/privacy-complaints/lodge-a-privacy-complaint-with-us/.

Further Information

For information on Privacy and Information Policy refer to the Office of the Australian Information Commissioner (OAIC) at www.oaic.gov.au or by telephone on 1300 363 992.