



Australian Government

Department of Health

Privacy Policy

Complete Privacy Policy
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Change history

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Privacy Policy

About this Privacy Policy

The *Privacy Act 1988* (**the Privacy Act**) requires entities bound by the Australian Privacy Principles (**APPs**) to have a privacy policy.

This Privacy Policy provides detailed information about the Department of Health's (**the Department**) personal information handling practices. If you want an overview of our personal information handling practices, please refer to our [Privacy Policy Summary](#). It provides an easy to understand summary of:

- the kinds of personal information that we collect and hold
- how we collect and hold your personal information
- the purpose for which we collect, hold, use and disclose your personal information
- how you can contact us if you want to access or correct personal information that we hold about you
- how you can complain about a breach of the Privacy Act and how we will respond to your complaint
- personal information that may be disclosed to overseas recipients.

If you would like to access this Privacy Policy in an alternate format or language, such as for the vision impaired, or those from non-English speaking backgrounds, please contact the Department at the contact details set out at the end of this document. We will take reasonable steps to provide you with alternate access.

What the Department does

The Department's purpose is to lead and shape Australia's health and aged care systems and sporting outcomes through evidence based policy, well targeted programs and best practice regulation.

We administer a broad range of programs and activities to support Australia's world class health and aged care system which allows universal and affordable access to high quality medical, pharmaceutical, hospital and aged care services while helping people to stay healthy through health promotion and disease prevention activities. Further information about the Department can be found on the [Department's website](#).

Our diverse set of responsibilities include:

- Aboriginal and Torres Strait Islander health
- access to pharmaceutical services
- access to medical and dental services
- ageing and aged care
- biosecurity and emergency response
- cancer and palliative care
- cancer screening register
- digital health

- health infrastructure, regulation, safety and quality
- health provider compliance
- health protection
- health research
- health workforce capacity
- hospitals and acute care
- immunisation
- medicines regulation
- mental health
- population health and sports
- preventive health
- primary health care
- private health
- sport and recreation.

Our obligations under the Privacy Act

This Privacy Policy explains how we comply with the Privacy Act.

The Privacy Act sets out 13 APPs which regulate how we collect, use, hold and disclose your personal information, and how you may access and correct personal information we hold about you. As an Australian Government agency, we are bound by the APPs in the Privacy Act.

We may collect both personal information and sensitive information about you.

Personal information

The Privacy Act defines ‘personal information’ as:

‘information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- *Whether the information or opinion is true or not; and*
- *Whether the information or opinion is recorded in a material form or not.’*

It will depend on the circumstances as to whether information about you will be considered ‘personal information’.

For example, information about your name, date of birth or your photos is likely to be considered personal information as you can be identified from this information. Depending on the circumstances, information that does not include your name and date of birth may still be personal information.

Sensitive information

Sensitive information is a subset of personal information. The Privacy Act defines ‘sensitive information’ as information or an opinion about a person’s:

- racial or ethnic origin

- political opinions or membership of a political association
- religious beliefs or affiliations
- philosophical beliefs
- membership of a professional association or trade association
- union membership
- sexual orientation or practices
- criminal record
- health or genetic information
- biometric information and templates.

For example, sensitive information could include a copy of your medical certificate or information about your religion.

Remaining anonymous or using a pseudonym

You may wish to remain anonymous, or use a pseudonym, when interacting with the Department. Where possible, we will allow you to interact with us anonymously or using a pseudonym. For example, we may not need your personal information if you seek general information about a program, policy or consultation process.

However, in some circumstances, it may be impracticable to remain anonymous or use a pseudonym, or we may be legally required to deal with you in an identified form. For example, we may not be able to resolve a complaint that you have made without collecting your name. We will notify you at the time of collection if this is the case.

How the Department collects and holds your personal information

Collecting your personal information

In most cases, we will collect personal information about you directly from you. However, there may be circumstances in which we will collect personal information about you from your representative or a third party. For example, we may collect personal information about you from your legal guardian or family member.

The Department can collect personal information under certain legislation, where it is so authorised.

The personal information may be collected directly by us or by people or organisations acting on our behalf, for example, contracted service providers.

We may also obtain personal information about you that is collected by other Australian Government agencies or other bodies. For example, we may collect information about you from:

- the Department of Human Services
- the Department of Agriculture and Water Resources
- the Department of Immigration and Border Protection
- State and Territory health departments
- the Australian Sports Commission and national sporting organisations

- our portfolio agencies
- health care providers
- health care organisations
- aged care services
- contracted service providers that provide services on behalf of the Department in relation to its programs
- contracted service providers that assist in the Department's human resources, communications, information technology or other corporate functions
- courts and tribunals
- international organisations such as health care facilities and treating practitioners.

This list is not exhaustive and we may collect information about you from other Australian Government agencies or from other bodies.

The Department will collect your personal information in accordance with the APPs. The Department may collect such information where it is authorised. Where possible however, the Department will seek your consent for the collection of your personal information.

Methods of collection

We collect personal information about you through a range of different channels including:

- paper-based and electronic forms (including online forms)
- face to face meetings
- databases
- telephone, email and facsimile communications
- departmental websites (including online portals)
- social media websites and accounts.

When the Department collects your personal information, where it is reasonable to do so, we will issue you with a privacy notice explaining how we will handle your personal information.

For example, when you commence employment with the Department, we will issue you with a privacy notice explaining:

- the purpose of collection
- the intended use of the personal information
- to whom your personal information may be disclosed.

Unsolicited personal information

We may, on occasion, receive unsolicited personal information about you from individuals or other entities, without it being requested.

We will deal with this personal information in accordance with the APPs. That is, we will destroy your personal information unless it is contained in a Commonwealth

record or if we consider that we could have lawfully collected it pursuant to the APPs, we will collect it.

Personal information held by third parties

Under the Privacy Act, we are required to take measures to ensure that when your personal information is to be held by a third party, that the third party complies with the same privacy requirements applicable to the Department.

The Department includes privacy clauses in its contractual agreements with third parties, including funding agreements, consultancy and services contracts and various other ad-hoc contractual agreements. This is to ensure that the third parties handle personal information in accordance with the APPs.

Privacy Impact Assessments

The Department is required to take reasonable steps to implement practices, procedures and systems that will ensure compliance with the Privacy Act and enable it to deal with enquiries or complaints about privacy compliance.

The Department may conduct a Privacy Impact Assessment (**PIA**) for its activities and certain projects. A PIA is an assessment of a project that identifies the impact that the project might have on the privacy of individuals, and sets out recommendations for managing, minimising or eliminating that impact. A PIA may be undertaken in circumstances in which a project involves the handling of personal information. The Department must undertake a PIA when directed to do so by the Office of the Australian Information Commissioner (**OAIC**). Where appropriate, the Department will make the PIA publically available.

For example, the Department conducted a Privacy Impact Assessment for the [National Cancer Screening Register](#).

Storage and data security

Storage of personal information

Personal information held by the Department is stored on electronic media, including the Department's Electronic Document and Records Management System and cloud computing solutions. Personal information is also held on paper files.

Electronic and paper records are protected in accordance with Australian Government security policies, including the *Attorney-General Department's Protective Security Policy Framework* and the *Department of Defence Information Security Manual*.

Access to records by staff and contractors is restricted to officers on a need to know basis. Certain personal information is held on behalf of the Department by its contracted ICT service provider, who is contractually required to protect the information to the same standards as the Department in accordance with the APPs.

Our networks and websites have security features in place to protect the information that the Department holds from misuse, interference and loss from unauthorised access, modification or disclosure.

We store and dispose of personal information within records in accordance with the *Archives Act 1983* and relevant records authorities. For more information, see the [National Archives of Australia website](#).

Retention and destruction of personal information

We will take reasonable steps to destroy or de-identify your personal information if we no longer need it for the purpose it was collected, unless required by law or a court/tribunal order to retain the information, or if it is contained in a Commonwealth record.

The kinds of personal information collected and held by the Department

We collect and hold a variety of personal information relating to:

- employment, work health and safety and personnel matters
- the performance of the Department's legislative functions and activities
- the performance of the Department's powers, functions or duties connected with administrative actions
- the management of contracts, funding agreements and procurement processes
- a range of statutory and non-statutory committees, boards, reference and working groups
- individuals signed up to distribution and mailing lists
- the management of fraud and compliance investigations and audits
- correspondence from members of the public to the Department and Ministers and Assistant Ministers
- correspondence referred to the Department by other departments, Ministers or Assistant Ministers
- complaints (including privacy complaints) made and feedback provided to us
- requests for access to documents held by the Department including requests under the *Freedom of Information Act 1982*
- the provision of legal advice by internal and external lawyers.

The personal information that we collect may include:

- your name, address and contact details (for example, phone, email and fax)
- information about your personal circumstances (for example, marital status, age, gender and relevant information about your partner and children)
- information about your financial affairs (for example, payment details and bank account details)

- information about your identity (for example, date of birth, police check and security clearance details, country of birth, passport details, visa details and drivers licence)
- information about your employment (for example, work history, referee comments and remuneration)
- information about your background (for example, educational qualifications, the languages you speak and your English proficiency)
- government identifiers (for example, Medicare number and health care identifier)
- information about entitlements under the Department's legislation.

The sensitive information that we collect may include:

- your racial or ethnic origin where it is relevant in determining eligibility for a benefit or program or where requested to assist in better targeting access to a benefit or program
- your health (including information about your medical history or a family member's medical history) where relevant to assessing an application, making reasonable adjustments in a recruitment process or the management of staff
- membership of a professional association where it is relevant to eligibility for a program or where it is a criterion for eligibility to be engaged in a particular position in the Department
- your lesbian, gay, bisexual, transsexual, and/or intersex status where you elect to answer this field in applying for a program or completing a survey and the information is able to be collected under APP 3.

We may also collect information that has been de-identified and reported to the Department by organisations coordinating or providing health services funded by the Department, to be used for statistical and evaluation purposes. In addition, we may collect records containing de-identified information uploaded by organisations coordinating or providing health services funded by the Department, for statistical and evaluation purposes.

We will take reasonable steps to ensure that personal information we collect about you is accurate, up-to-date, complete, relevant and not misleading.

Purposes for which personal information is collected, used and disclosed

The purpose for which we collect your personal information is important as it restricts how we can use and disclose your personal information, unless an exception in the Privacy Act applies.

Unless an exception applies, we will:

- only use or disclose your personal information for the purpose it was collected; and
- notify you of this purpose at the time of collection, or as soon as practicable after collection.

At the time of collection, you will generally be given information about our handling of your personal information.

We will only use or disclose your personal information for another purpose where we are able to do so in accordance with the Privacy Act. There are a number of general purposes for which we may collect your personal information. The table below outlines the purpose for which information is usually collected, including information about how personal information is used and disclosed in accordance with that purpose.

However, there may be other circumstances that are not set out in the table below in which we may collect and use your personal information. In these circumstances, we will ensure that we handle your personal information in accordance with the Privacy Act.

Purpose of collection	Use and disclosure	Access
Performing employment, work health and safety and personnel functions	Personal information will be used and/or disclosed to manage new and ongoing employees' employment such as leave applications and approvals and payroll and pay related records. Personal information will also be used and disclosed to monitor employees' phone and internet usage, code of conduct investigations, police checks and security clearances, while undertaking fraud or audit functions or for other purposes relevant to employer powers under the <i>Public Service Act 1999</i> . For workers' compensation matters, personal information may be disclosed to Comcare, Comcover, rehabilitation providers and legal advisors.	Departmental staff and staff of contracted service providers on a 'need to know' basis.
Managing the operation of departmental or portfolio committees, boards, reference and working groups	Personal information will be used and/or disclosed to decision makers (which may include external parties, including ministers or the chair of such committees). Biographical information may be disclosed on the Department's website or in media announcements regarding particular appointments.	Departmental staff and staff of contracted service providers on a 'need to know' basis.
Undertaking legislative, administrative, policy and	The Department may use and disclose personal information to	Departmental staff and staff of contracted

Purpose of collection	Use and disclosure	Access
program related functions, duties and powers	other Commonwealth, State or Territory government departments and external bodies or contracted service providers responsible for performing the functions, or assisting the Department to perform the functions.	service providers on a 'need to know' basis who are responsible for the administration of the particular function.
Undertaking fraud and compliance (including health provider compliance) investigations both internally and externally	Personal information may be used to undertake fraud and compliance investigations against employees, consultants, health providers as well as contractors and other bodies. The Department may disclose personal information to other Commonwealth and State departments, enforcement bodies, review, audit, investigation and intelligence bodies or consultants as well as the Commonwealth's legal advisers.	Departmental staff and staff of contracted service providers responsible for the particular program or investigation on a 'need to know' basis.
Undertaking health promotion activities and campaigns	Personal information may be used for purposes including health promotion activities, for example campaigns targeting Aboriginal and Torres Strait Islander health and mental health.	Departmental staff and staff of contracted service providers on a 'need to know' basis.
Contract management	Personal information may be used or disclosed as part of the approach to market process, even where the applicant is not successful.	Departmental staff and staff of contracted service providers on a 'need to know' basis.
Managing and responding to correspondence and enquiries from members of the public	Personal information is used for the purpose of corresponding with the public and distributing departmental publications.	Departmental staff and staff of contracted service providers on a 'need to know' basis.
To undertake research, surveys (including one off and longitudinal) and reports of health activities and businesses	Personal information may be disclosed to individual researchers or other Commonwealth and State departments.	Departmental staff and staff of funding recipients or contracted service providers responsible for the collection, collation and management of a particular survey,

Purpose of collection	Use and disclosure	Access
		research project or report on a 'need to know' basis.
Compiling statistics and evaluation of the provision and commissioning of health care services	The Department may use or disclose personal information to other Commonwealth, State or Territory government departments and external bodies or contracted service providers responsible for performing the functions, or assisting the Department to perform the functions.	Departmental staff and staff of contracted service providers on a 'need to know' basis.
Undertaking disease surveillance functions for the purposes of disease prevention and protection in the community	The personal and sensitive information will be used to prevent, protect against, control and respond to public health events. The Department may disclose personal information to other Commonwealth, State or Territory government departments and external bodies or contracted service providers responsible for performing the functions, or assisting the Department to perform the functions.	Departmental staff and staff of contracted service providers on a 'need to know' basis.

In addition to the above table, we may disclose your personal information as required or authorised by or under a law or court order or where otherwise allowed under the Privacy Act and the APPs.

As a general guide, we routinely disclose personal information to:

- the Department of Human Services
- the Department of Agriculture and Water Resources
- the Department of Immigration and Border Protection
- State and Territory health departments
- national sporting organisations
- the Australian Sports Commission, the Australian Institute of Health and Welfare and other portfolio agencies
- health care providers
- health care organisations
- aged care services
- contracted service providers that provide services on behalf of the Department in relation to its programs

- contracted service providers that assist in the Department's human resources, communications, information technology or other corporate functions
- review, audit, investigation and intelligence agencies and bodies
- courts and tribunals
- international organisations such as health care facilities and treating practitioners.

This list is not exhaustive and we may disclose your personal information to other Australian Government agencies or to other bodies.

Disclosure of personal information overseas

We disclose personal information to overseas recipients in limited circumstances.

The exception to this is where the disclosure is required as a result of services provided to you through overseas programs such as the Medical Treatment Overseas program or where associated with our role relating to human biosecurity.

Privacy Guidelines for the Medicare Benefits and Pharmaceutical Benefits Programs

Your personal information, will where relevant be handled in accordance with the *Privacy Guidelines for the Medicare Benefits and Pharmaceutical Benefits Programs Issued by the Privacy Commissioner under section 135AA of the National Health Act 1953 (Cth)*.

Access and correction

You have a right under the *Freedom of Information Act 1982 (FOI Act)* and the Privacy Act to access personal information that we hold about you. You also have a right to request correction of your personal information if it is inaccurate, out of date, incomplete, irrelevant or misleading.

You can request access to documents containing your own personal information by emailing our FOI Unit at foi@health.gov.au. There is no charge under the FOI Act for making a request or for the provision of your own personal information. Your right of access under the FOI Act is subject to our right to refuse access under the FOI Act. More information about making FOI requests is available on our FOI web page on the [Department's website](#) or by telephoning (02) 6289 1666.

Alternatively, you can request access to your personal information under the Privacy Act by contacting the Department via the contact details set out at the end of this Privacy Policy. We will take reasonable steps to provide you with access and/or make a correction to your personal information within 30 calendar days, unless we consider there is a sound reason under the Privacy Act or other relevant law to withhold the information, or not make the changes.

If we do not provide you with access to your personal information, or refuse to correct your personal information, where reasonable we will:

- provide you with a written notice including the reasons for the refusal
- provide you with information regarding available complaint mechanisms
- at your request, take reasonable steps to associate a statement with the personal information that you believe to be inaccurate, out of date, incomplete, irrelevant or misleading.

If we correct your personal information, at your request, we will also take reasonable steps to notify other agencies or organisations that we have previously disclosed your personal information to, and that are bound by the Privacy Act, of the correction.

Complaints

How you can complain about the treatment of your personal information

If you believe that we have breached the Privacy Act or mishandled your personal information, you can contact us using the contact details set out below.

Each complaint will be dealt with on a case-by-case basis. All complaints will be investigated by us and you will be advised of the outcome.

All privacy complaints are taken seriously.

Procedure for making a privacy complaint

If you believe that we have breached the APPs or mishandled your personal information, you should take the following steps:

1. Contact us: in the first instance, any privacy concern or complaint should be reported directly to the Department. This can be done using the contact details set out at the end of this document.
2. Submit your concern or complaint in writing: in order to be able to fully investigate your complaint, we would prefer that you make your complaint in writing using the contact details set out at the end of this document. The complaint should include information about the claimed privacy breach and your contact details. Please note that if you do not provide sufficient information, we may not be able to fully investigate and respond to your complaint.
3. Reasonable amount of time: we will acknowledge your concern or complaint upon receipt, if you provide your contact details. We will try to respond to your privacy concern or complaint within 30 calendar days from the date that we receive it. We will notify you if we cannot respond to you within this time period.

If you are not happy with our response, you can complain directly to the OAIC. The Australian Information Commissioner's details are:

Means of contact

Telephone:
Email:
Post:

Contact details

1300 363 992
enquiries@oaic.gov.au
Australian Information Commissioner
GPO Box 5218
Office of the Australian Information
Commissioner
Sydney NSW 2001

Please note that the OAIC generally requires that a complaint first be raised with us before the OAIC will investigate.

How to contact the Department

If you wish to make any comments or suggestions about our Privacy Policy, or wish to otherwise contact the Department in relation to a privacy concern, you can do so on:

Phone: (02) 6289 1555 or freecall 1800 020 103
Online: See the online enquires form on the [Department's website](#).
Email: privacy@health.gov.au
Post: Department of Health
GPO Box 9848
CANBERRA ACT 2601

This privacy policy was last updated in November 2017.