

# PRIVACY POLICY

## Contents

1.	PURPOSE AND APPLICATION .....	2
2.	POLICY STATEMENT .....	2
3.	DEFINITIONS .....	2
4.	What we collect .....	3
5.	Methods of collection.....	3
6.	How personal information is used and disclosed.....	4
7.	Who we disclose your personal information to .....	4
8.	Data quality, access and correction.....	5
9.	Data security.....	5
10.	Complaints.....	5
11.	Unique identifiers .....	6
12.	Anonymity .....	6
13.	Does personal information leave Victoria? .....	6
14.	Other relevant laws .....	6
15.	RELEVANT LEGISLATION, POLICIES AND OTHER DOCUMENTATION.....	7
16.	FURTHER INFORMATION .....	7

## POLICY AUTHORISATION

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## 1. PURPOSE AND APPLICATION

The Parliament of Victoria and the parliamentary departments are committed to protecting your privacy. We handle personal information in accordance with the Information Privacy Principles contained within the *Privacy and Data Protection Act 2014 (PDP Act)* and other relevant legislation.

When we refer to “us” or “we”, we mean each of the parliamentary departments, being the Department of the Legislative Council, the Department of the Legislative Assembly, and the Department of Parliamentary Services. Together, the parliamentary departments provide support, infrastructure and professional services that enable the work of the Parliament of Victoria.

This privacy policy describes how we handle your personal information, sensitive information and health information when you interact with the Parliament of Victoria and the parliamentary departments. It may be updated from time to time.

It applies to all staff employed by the parliamentary departments, including parliamentary officers, volunteers and contractors on a temporary or ongoing basis. It does not apply to:

- proceedings in the Legislative Council or Legislative Assembly, including petitions or e-petitions;
- Members of Parliament or electorate officers; or
- the collection, holding, management, use, disclosure or transfer of information by Parliamentary Committees in the course of carrying out their functions as Parliamentary Committees.

## 2. POLICY STATEMENT

We value the privacy of individuals and are committed to protecting your privacy and personal information. We handle your personal information in accordance with the PDP Act and the Information Privacy Principles (IPPs) and other relevant legislation, including the *Health Records Act 2001 (HR Act)*, the Health Privacy Principles (HPPs) and the *Privacy Act 1988 (Cth)* (together, **privacy legislation**).

## 3. DEFINITIONS

**Personal information** is defined in section 3 of the PDP Act as “information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.” It includes a broad range of information, or an opinion, that could identify an individual, such as the individual’s image, name, address, phone number, date of birth or IP address, but does not include health information.

**Health information** is defined in section 3 of the HR Act and includes information or an opinion about an individual’s physical, mental or psychological health, including any disability, an individual’s expressed wishes about the future provision of health services to him or her, and the nature of a health service an individual has received or will be receiving, that is also personal information.

**Sensitive information** is defined in Schedule 1 of the IPPs as “information or an opinion about an individual’s racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, or criminal record”, that is also personal information.

In this policy, any reference to **personal information** is also a reference to health information and sensitive information unless otherwise stated.

#### **4. WHAT WE COLLECT**

We collect personal information that is reasonably necessary for us to perform our statutory functions and other activities to deliver the support, infrastructure and professional services that enable the work of the Parliament of Victoria. We may collect personal information about you including your name, gender, photograph, phone number, email address, home address and other contact details.

We may also collect other kinds of personal information relating to the use of our Website. This may include your IP address and the date and time of your visit. You can find more information about this in our Website Privacy Collection Notice.

We do not usually collect sensitive information or health information. However, we may collect it in circumstances where the information is both directly relevant and necessary to our functions and activities or where you provide it to us in the course of our dealings with you.

Where our policies require it, we may also collect health information about your COVID-19 vaccination status if:

- you wish to attend a workplace under the management or control of the Parliament of Victoria or the Presiding Officers. This is not required for members of the public visiting the Parliament of Victoria and the parliamentary precinct; and
- you are a contractor, subcontractor, consultant, service provider, employee of a contractor or subcontractor, employee of a labour hire company, apprentice, trainee, student gaining work experience, intern, volunteer or any other individual employed by a third party to perform work for the Parliament of Victoria or a parliamentary department.

#### **5. METHODS OF COLLECTION**

Wherever possible, we will collect personal information directly from you, including:

- when you access and use our Website;
- when you access or visit Parliament House and the parliamentary precinct;
- have conversations with us via telephone and in person;
- when we receive feedback, complaints, enquiries, requests or reports;
- when you sign up to receive updates or newsletters from us;
- when we receive solicited or unsolicited communications from you, including on social media;
- when we conduct community engagement, information or education activities; or
- when you otherwise deal with or access services or support from a parliamentary department.

We will collect personal information from you only by lawful and fair means, and not in an unreasonably intrusive manner.

When we collect your personal information directly for a particular purpose, we will take reasonable steps to make you aware of the purpose of collection and how we will handle your personal information. One way we may do this is to provide you with a privacy collection notice at or before the time of collection, or as soon as practicable after the information is collected. For example, see the:

- Privacy Collection Notice - Website

- Privacy Collection Notice – Visitors to Parliament House

Occasionally, we may collect your personal information indirectly from third parties who act on your behalf, or who work with us, including our contractors. We may also collect your personal information indirectly by collecting information that is in the public domain. We will take reasonable steps to notify you if we collect your personal information indirectly.

### **Social media**

We use social media such as Twitter, LinkedIn, YouTube, Facebook and Instagram to communicate with the public. We may collect information posted on social media for the purpose of engaging with and understanding the views of the community. Whilst we do not ordinarily collect personal information via social media, any personal information we collect will be handled in accordance with this privacy policy.

If you prefer not to communicate with us on social media, please contact us in another way.

## **6. HOW PERSONAL INFORMATION IS USED AND DISCLOSED**

Ordinarily, the parliamentary departments will only use or disclose your personal information for the primary purpose for which we collected it, being a purpose that relates to our statutory functions and other activities. We may therefore use or disclose your personal information to:

- provide you with services and support, including community engagement or education activities;
- facilitate your access, event or visit to Parliament House or the parliamentary precinct;
- investigate and respond to your communications, including feedback, complaints, enquiries, requests or reports;
- distribute information, educational resources, updates or newsletters to you;
- undertake research and surveys;
- produce reports;
- manage our contracts and procurement; and
- grant you permission to access a workplace under the management and control of the Presiding Officers or a Department Head of a parliamentary department.

We may otherwise use or disclose your personal information for a reasonably related secondary purpose (for sensitive information, only for a directly related secondary purpose), as required by law or otherwise with your consent.

## **7. WHO WE DISCLOSE YOUR PERSONAL INFORMATION TO**

Your personal information will only be disclosed in accordance with this privacy policy, any relevant Privacy Collection Notice and relevant privacy legislation. This means that personal information will be disclosed for the primary purpose for which we collected it, or a reasonably expected related secondary purpose, or otherwise with your consent or as required by law.

In the context of certain e-services contracts or agreements, the parliamentary departments may disclose personal information to third parties. Generally, third parties will be bound by the privacy legislation, and personal information will be managed accordingly. Disclosure and information-sharing in this context is generally only permitted to achieve a particular purpose, such as secure data storage, systems administration or another administrative requirement.

For more information about the permitted reasons for disclosure as part of a secondary purpose, refer to the Information Privacy Principles and, if relevant, the Health Privacy Principles.

In some circumstances, the parliamentary departments may be required or authorised by law to release personal information to integrity agencies, law enforcement or regulatory bodies. For example, disclosure may be permitted to lessen or prevent a serious threat to an individual's life, health, safety or welfare, or to lessen or prevent a serious threat to public health, public safety or public welfare.

## 8. DATA QUALITY, ACCESS AND CORRECTION

We take reasonable steps to ensure that the personal information we hold is accurate, complete and up to date in accordance with our legal obligations, including under privacy legislation. This includes updating and maintaining personal information when we are advised by individuals that information is incorrect or has changed.

You may request access to, or correction of, documents that contain your personal information which are in our possession. You have a right to have your information corrected if your:

- personal information is not accurate, complete or up to date, or
- health information is not accurate, complete or up to date or if it is misleading.

If you wish to access or correct your personal information, please contact us at [PrivacyOfficer@parliament.vic.gov.au](mailto:PrivacyOfficer@parliament.vic.gov.au).

## 9. DATA SECURITY

We take reasonable steps to protect your personal information from misuse, loss and unauthorised access, modification and disclosure. Contractors are required to protect your personal information to the same standards as the parliamentary departments, and in accordance with the IPPs and HPPs, as applicable.

We store and handle your personal information in accordance with the Victorian Protective Data Security Framework and standards and have a range of information security controls in place. Access to systems, applications and information collected by the parliamentary departments is limited to authorised personnel only.

We take reasonable steps to destroy, delete or permanently de-identify personal information where it is no longer required for any purpose, and in accordance with relevant record-keeping, retention and disposal requirements under the *Public Records Act 1973*.

## 10. COMPLAINTS

If you have a concern or a complaint about how we have handled your information, please contact us at [PrivacyOfficer@parliament.vic.gov.au](mailto:PrivacyOfficer@parliament.vic.gov.au). Complaints can also be made to:

- the Office of the Victorian Information Commissioner (**OVIC**) for in relation to personal information or sensitive information. Complaints can be made by filling out an online form available on the OVIC [website](#), by calling 1300 006 842 or by email to [privacy@ovic.vic.gov.au](mailto:privacy@ovic.vic.gov.au).
- the Health Complaints Commissioner in relation to health information. Complaints can be made by filling out an online form available on their [website](#) or by calling 1300 582 113.

## 11. UNIQUE IDENTIFIERS

We limit our use of unique identifiers assigned by other organisations to circumstances where we are required to do by law, for example, collecting tax file numbers of employees. We will otherwise only assign unique identifiers to you if it is necessary to keep track of your interactions with us, to perform data analytics or to enable use to carry out our functions or activities efficiently.

## 12. ANONYMITY

We understand that from time to time individuals may not want to provide us with their personal information. If you contact us directly, you do not have to identify yourself and you may interact with us anonymously where it is lawful and practicable for you to do so. However, sometimes it may not be possible for us to provide you with information, respond to feedback or a complaint, provide services or support, or perform our functions or activities unless we can identify or contact you.

Where personal information is collected for a particular purpose for which there is a Privacy Collection Notice, the relevant collection notice will set out options to remain anonymous.

## 13. DOES PERSONAL INFORMATION LEAVE VICTORIA?

We use third party service providers which may store or process your personal information outside Victoria, including overseas. In those circumstances, we take reasonable steps to ensure that:

- the recipient of the information is subject to a law, binding scheme or contract which is substantially similar to the IPPs and HPPs; or
- the transferred information will not be held, used or disclosed inconsistently with the IPPs and HPPs.

In all other cases, we will only transfer personal information outside of Victoria where allowed by law, including where we have obtained your consent to the transfer.

## 14. OTHER RELEVANT LAWS

The *Privacy Act 1988* (Cth) may apply to some of our third party service providers and to the parliamentary departments, to the extent that they collect and handle tax file numbers. Further information can be found on the [Office of the Australian Information Commissioner website](#).

The *Public Interest Disclosures Act 2012* permits the Presiding Officers to receive public interest disclosures that relate to a Member of Parliament. Public interest disclosures about an employee or officer of the parliamentary departments may be made directly to the Independent Broad-based Anti-corruption Commission. See [Public Interest Disclosures](#) for further information about how to make a public interest disclosure.

## 15. RELEVANT LEGISLATION, POLICIES AND OTHER DOCUMENTATION

Document Name		
<i>Privacy and Data Protection Act 2014</i>	14	4
<i>Health Records Act 2001</i>	14	4
<i>Public Records Act 1973</i>	14	4
<i>Privacy Act 1988 (Cth)</i>	14	4
<i>Public Interest Disclosures Act 2012</i>	14	4

Table 1 – Relevant legislation, policies and other documentation

## 16. FURTHER INFORMATION

<b>Version</b>	1.0. This policy was last updated on 4 July 2023.
<b>Contact</b>	Privacy Officer <a href="mailto:PrivacyOfficer@parliament.vic.gov.au">PrivacyOfficer@parliament.vic.gov.au</a>