



## DPS Privacy Policy

Date: 25 May 2017 File: 15/5446  
Approved: Secretary  
Contact: Director, Legal Services  
People & Governance Branch

---

### Table of Contents

Date of effect.....	1
Policy review mechanisms .....	1
Intent of policy .....	1
Application .....	1
Policy statement.....	2
The kinds of personal information DPS collects and holds .....	2
Sensitive information .....	2
How DPS collects and uses personal information .....	3
Use of consultants, contractors and outsourced service providers.....	4
How DPS holds personal information .....	4
Disclosure .....	4
Access to and correction of personal information.....	5

### Date of effect

- 1 This policy was approved by the Secretary on 25 May 2017.
- 2 This policy replaces all previous DPS policies and any other related strategies, local guidance or directions on this subject, unless otherwise specified in this policy.

### Policy review mechanisms

- 3 This document will be reviewed every three years or earlier if required.

### Intent of policy

- 4 This policy is designed to set out DPS' approach to collecting, holding, using and disclosing personal information.

### Application

- 5 This policy applies to all DPS employees, consultants, contracted service providers and employees of contracted service providers.

6 The arrangements for access to, and correction of, personal information held by DPS also apply to Parliamentarians and their staff, former employees, as well as members of the public who have provided personal information to DPS in connection with activities at Parliament House (for example, interest groups who provide contact details for events, protests and consultative groups).

## Policy statement

7 Wherever possible, DPS determines how it collects, holds, uses and discloses personal information in accordance with the Australian Privacy Principles (APPs) contained in Schedule 1 of the [Privacy Act 1988](#) (Privacy Act).

## The kinds of personal information DPS collects and holds

8 'Personal information' is defined in subsection 6(1) of the Privacy Act as:

*information 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.*

9 Personal information DPS collects and holds includes information related to:

- (a) recruitment, employment and management of DPS employees
- (b) dependants, next-of-kin and emergency contacts of DPS employees
- (c) contractors, consultants, contracted service providers and their employees
- (d) the provision of security passes for Parliament House, including escorted passes to visitors to the private areas of Parliament House
- (e) events at Parliament House facilitated by DPS (for example, school tours, private tours, private functions)
- (f) the provision of feedback to DPS on its services
- (g) the information and communications technology (ICT) functions, including website and email access and, in the case of Parliamentarians and their staff, managing ICT entitlements, and
- (h) work health and safety incidents at Parliament House

## Sensitive information

10 Personal information collected by DPS may also be sensitive information. Sensitive information is also defined in the Privacy Act and includes information about a person's health, political opinions and other listed personal circumstances. DPS will only collect sensitive information (for example, medical information) about an individual if:

- (a) the individual has consented and the information is reasonably necessary for one or more of DPS' functions or activities
- (b) the collection is required or authorised by or under law
- (c) it is unreasonable or impracticable to obtain the consent of the individual about whom the information concerns, and the collection is necessary to prevent or lessen a serious threat to the life, health or safety of any individual, or to public health and safety

- (d) the collection is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim, or
- (e) DPS has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to DPS' functions or activities has been, is being, or may be engaged in, and DPS reasonably believes that the collection is necessary in order to take appropriate action.

11 DPS collects only personal information that is reasonably necessary for, or directly related to, its functions or activities. The nature and extent of personal information DPS collects and holds will vary depending on a person's particular relationship and interaction with DPS.

### **How DPS collects and uses personal information**

12 DPS endeavours to collect personal information about a person directly from that person where it is reasonably practicable to do so. DPS collects this information through various means, including forms, information provided to managers and supervisors, and through DPS' people and organisational data management systems.

13 It is not always possible to collect personal information directly. DPS may collect personal information indirectly from other sources including:

- (a) access to Parliament House
- (b) access to the Parliamentary Computing Network
- (c) other ICT networks and systems
- (d) past and present employers and referees
- (e) health practitioners
- (f) publicly available sources, and
- (g) other government agencies and organisations.

14 DPS may also generate personal information in the course of its functions or activities.

15 When collecting personal information, DPS will endeavour to act consistently with the requirements under the APPs to notify the purposes for which the information is being collected, whether the collection is required or authorised by law, and any person or body to whom DPS usually discloses the information. DPS will usually provide this notification by including privacy notices on paper-based forms and the online portal.

16 Some of the primary purposes for which DPS collects and holds personal information are outlined at paragraph 9 above. DPS may also use personal information for secondary purposes where this is consistent with the Privacy Act. This may include where:

- (a) a person has consented to this use, or where the secondary purpose is related (or directly related if the information is sensitive information) to the primary purpose and it would be reasonable to expect DPS to use or disclose the information for the secondary purpose
- (b) it is required by law, or
- (c) a permitted general situation exists such as to prevent a serious threat to safety.

17 The secondary purposes for which DPS might use or disclose personal information will depend on the circumstances under which the information was collected but might include, but not necessarily be limited to, secondary purposes related to quality assurance, auditing, reporting, research, evaluation and analysis.

### **Use of consultants, contractors and outsourced service providers**

18 DPS uses consultants, contractors and outsourced service providers (contracted service providers) to undertake certain business functions. Personal information may be collected by or provided to a contracted service provider when necessary. DPS takes contractual measures to ensure that contracted service providers who have access to personal information collected by DPS, or who collect or hold personal information on behalf of DPS, are subject to the same information security policy, training and auditing requirements as DPS personnel and are required to comply with the privacy requirements applicable to DPS employees.

### **How DPS holds personal information**

19 DPS stores personal information as hardcopy documents and electronic data (which may include secure approved cloud environments).

20 DPS takes all reasonable steps to protect the personal information held by DPS against loss, misuse and unauthorised access, modification or disclosure. Personal information is managed in accordance with the [DPS Information and Records Management Framework](#). Under this framework, DPS aims to comply with all relevant Australian Government legislation, security policies and standards and whole-of-Government requirements.

21 Documents containing personal information will be appropriately classified and may be accessed by individuals in accordance with the arrangements described at paragraphs 27 to 29 below.

22 Access to personal information is restricted to DPS employees on a need to know basis. Unauthorised access to, and use or disclosure of, personal information is contrary to the Parliamentary Service Values and Code of Conduct. Access to any record in the DPS records management system can be monitored through audit trails.

23 DPS endeavours to ensure that personal information it collects, holds, uses and discloses is accurate, up-to-date and complete.

24 When personal information collected by the Department is no longer required it is destroyed, in accordance with the [Archives Act 1983](#), or de-identified.

### **Disclosure**

25 DPS may disclose personal information to other entities, including:

- (a) other parliamentary departments, government agencies and organisations that have a function in relation to, or affecting the administration of, DPS employees, such as the Australian Taxation Office, Comsuper and Comcare
- (b) in the case of security clearances, the Australian Government Security Vetting Agency, the Australian Federal Police and state and territory policing agencies

- (c) law enforcement agencies such as the Australian Federal Police and state and territory police, and
- (d) federal, state and territory courts and tribunals.

26 DPS does not disclose personal health information to any other person, including next of kin, unless the individual about whom the information relates has given express consent, or the disclosure is required or authorised by or under Australian law, or would otherwise be consistent with the APPs.

### **Access to and correction of personal information**

27 Individuals have a right to request access to, or seek correction of, personal information DPS holds about them. DPS will endeavour to provide access to personal information within 30 days.

28 If a request is made to correct personal information, DPS will take such steps as are reasonable in the circumstances to correct the information, noting that DPS' ability to correct or amend personal information may be limited where the information is contained in a Commonwealth record, as defined in the [Archives Act 1983](#).

29 *Points of contact:*

- (a) Employees – DPS HR Services and Strategy in the first instance, via email to [DPSPayroll@aph.gov.au](mailto:DPSPayroll@aph.gov.au)
- (b) Recruitment applicants – DPS HR Services and Strategy, via email to [DPS.Recruitment@aph.gov.au](mailto:DPS.Recruitment@aph.gov.au), or the contact officer for the recruitment
- (c) Individuals who are not DPS employees – the DPS Privacy Officer, in the Legal Services team, via email to [dpsinforequests@aph.gov.au](mailto:dpsinforequests@aph.gov.au), who will assess and coordinate access to the personal information requested
- (d) Parliamentarians and their staff – DPS ParlICT, via email to [ParlICT@aph.gov.au](mailto:ParlICT@aph.gov.au).