

Senate Standing Committee on Finance and Public Administration

**BUDGET ESTIMATES – 27 MAY 2010
ANSWER TO QUESTION ON NOTICE**

Human Services Portfolio

Topic: Privacy breaches

Question reference number: HS36

Senator: FIERRAVANTI-WELLS

Type of question: Hansard F&PA page 127

Date set by the committee for the return of answer: 9 July 2010

Number of pages: 2

Question:

Senator FIERRAVANTI-WELLS—Thank you. I have one last question. We canvassed this in the identifiers. What is the issue in relation to staff that have left over the last financial year in relation to breach of privacy issues?

Ms Briggs—I do not understand the question.

Senator FIERRAVANTI-WELLS—Over the last financial year, how many staff have either left or in anyway been disciplined? Have there been breaches, or alleged breaches, of privacy matters in relation to inappropriate access to Medicare information?

Ms Briggs—If you can bear with me, I will just find the results for the last year. Up to the end of December—so over the first six months of the financial year—50 people have been subject to breaching arrangements.

Senator FIERRAVANTI-WELLS—What ultimately happened? Are any of those people still with the department? Can you give me the breakdown of—

Ms Briggs—Can I take that on notice.

Senator FIERRAVANTI-WELLS—Yes, please. Please give me a breakdown of what has happened with the 50. Thank you.

Ms Briggs—Sure.

Answer:

During the first six months of the 2009–10 financial year there have been 51 cases of unauthorised access to Medicare Australia customer data. Of these, 35 cases were a conflict of interest (staff looking at their own records) and 16 cases were perceived to be a privacy breach.

The following is a breakdown of the disciplinary action/outcomes for the 51 cases:

- one received a reduction in salary;
- five received formal counselling;
- six received informal counselling;
- seven resigned prior to knowing that they were detected and the delegate¹ received a report for information only;
- one resigned following notification of an inquiry into their actions by the delegate; and
- 31 received a formal warning (Unauthorised Access Detection Notice) and a copy of the notice was placed on their Medicare Australia Human Resources file.

¹ In Medicare Australia a delegate for unauthorised access is a person identified in the HR delegations instrument who has been given the power to act on behalf of the CEO to determine whether there has been a breach of the Australian Public Service Code of Conduct.