

# OCPC's Privacy Policy

## Overview

This Privacy Policy relates to the Office of the Chief Parliamentary Counsel, an administrative office in relation to the Department of Premier and Cabinet. OCPC value the privacy of every individual and protecting your privacy and personal information is important to us.

## Scope

This policy sets out how OCPC collects, uses, discloses or transfers personal and health information in accordance with the Information and Health Privacy Principles contained within the *Privacy and Data Protection Act 2014* (Vic) and the *Health Records Act 2001* (Vic) and those Acts.

In this policy, the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001* are referred to as the "privacy Acts".

## The Office of the Chief Parliamentary Counsel

The Office of the Chief Parliamentary Counsel (OCPC) drafts legislation for the government and the Parliament of Victoria.

OCPC's key roles are:

- drafting Bills and amendments to Bills
- drafting and settling statutory rules
- assisting Victorian courts and tribunals with the drafting of their rules

The Chief Parliamentary Counsel is also the Government Printer. The Government Printer is responsible for the printing and publishing of legislation and the Government Gazette.

## What types of personal information do we collect?

- Personal information means information or an opinion 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, but does not include information of a kind to which the *Health Records Act 2001* applies.
- Health information means information or an opinion about an individual's physical, mental or psychological health, including any disability, a health service an individual has received or will be receiving, that is also personal information or other personal information collected to provide a health service. For further details about the meaning of 'health information', see section 3(1) of the *Health Records Act 2001*.
- Sensitive information means 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 Privacy Policy, any reference to personal information includes health information and sensitive information.

## Methods of collection

OCPC collects personal information for a range of statutory and administrative reasons. Typical methods and reasons for collection include:

- correspondence from members of the public
- job applications
- optional survey responses
- requests under the *Freedom of Information Act 1982 (Vic)*
- documents or correspondence referred to OCPC by other agencies
- data sharing arrangements between OCPC, DPC and other agencies
- complaints to or about the Office

OCPC will keep your personal information confidential, except when it is necessary to disclose it in connection with the original purpose for which your information was initially collected or as otherwise permitted under the Information and Health Privacy Principles and the privacy Acts.

Wherever possible, information is collected from you directly. We aim to collect it lawfully, fairly and without undue intrusion in accordance with the privacy Acts and the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

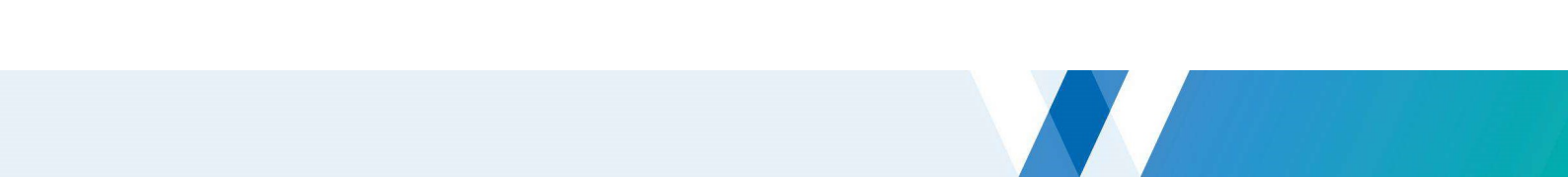
## How do we use and disclose information?

Generally, OCPC uses personal information for the primary purpose it was collected. When OCPC initiates a request for personal information, such as through a job application, you will be provided with a collection notice outlining how that information will be handled.

Alternatively, where you provide your personal information to OCPC such as initiating contact with the Office, your information will be kept confidential and handled in accordance with the Information and Health Privacy Principles and the privacy Acts.

OCPC will not disclose your personal information other than for the purpose it was initially collected, or, where appropriate, a secondary purpose that is permitted by the Information and Health Privacy Principles or the privacy Acts. Generally, this means information will be disclosed only where it is reasonable, and with your permission to the extent that it is required.

In the context of e-Services or other types of contracts, OCPC may disclose your information to third parties. Generally, third parties will be bound by the privacy Acts and the Information and Health Privacy Principles, and your data 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 or another administrative requirement.

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

In some circumstances, OCPC is required or authorised by law to release information to other government agencies, including law enforcement 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.

## Data quality

OCPC takes reasonable steps to ensure the information it holds is accurate, complete and up to date. In accordance with the *Public Records Act 1973* (Vic), your personal information will be deleted after the requisite period of time has elapsed, or where it is no longer required for any purpose. This prevents the holding of information that may be out of date or incorrect. To further ensure the quality and accuracy of your personal information, you can update the Office with any changes to your circumstances.

## Data security

All personal information is stored securely. OCPC has a range of information security controls in place, including but not limited to:

- firewalls
- Security Incident Event Management
- web and email filters
- Security Operations Centre
- antivirus software
- protective markings
- Privileged Identity Management

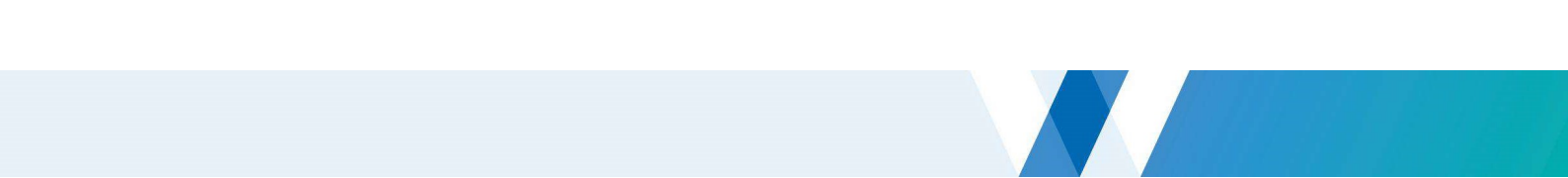
Once any personal information comes into our possession, we will take reasonable steps to protect that information from misuse, loss and unauthorised access, modification and disclosure. Access to systems, applications, and the information that we collect is limited to authorised personnel only.

## Access, correction and complaints

You may request access to, or correction of, documents that contain your personal information which are in the possession of OCPC.

In some cases, requests for access or correction will be handled in accordance with the *Freedom of Information Act 1982* (Vic).

Should you wish to gain access to or correct the personal information of yours that we hold, or make a privacy complaint, please contact:



Privacy Officer, OCPC  
Level 2, 1 Macarthur Street  
East Melbourne VIC 3002

You may also make a privacy complaint to:

- the Office of the Victorian Information Commissioner for a complaint relating to personal information or sensitive information: 1300 006 842 or by email to [privacy@ovic.vic.gov.au](mailto:privacy@ovic.vic.gov.au).
- the Health Complaints Commissioner for a complaint relating to health information: 1300 582 113 or via the Health Complaints Commissioner website.

## Can I remain anonymous?

When you contact OCPC directly, you do not have to identify yourself. However, if you would like a response, we will need to be provided with some means to contact you, such as an email or postal address.

When you provide your personal information the collection notice provided to you will detail if you have the option to remain anonymous.

## Does my information leave Victoria?

Generally, OCPC will not transfer your personal information outside Victoria. Any transfers of information outside Victoria will be made in accordance with the privacy Acts and the Information and Health Privacy Principles.

OCPC will only transfer personal or health information outside of Victoria where allowed by law, including but not limited to circumstances where:

- the individual consents to the transfer;
- the Office reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which is substantially similar to the Information and Health Privacy Principles; or
- reasonable steps have been taken to ensure that the transferred information will not be held, used or disclosed inconsistently with the Information and Health Privacy Principles; or
- the transfer is for the individual's benefit and it is impracticable to obtain the individual's consent (which would likely have been given).