

PRIVACY POLICY

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POLICY AUTHORISATION

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1. PURPOSE

The parliamentary departments are committed to protecting the privacy of individuals and handling personal information in accordance with the Information Privacy Principles (IPPs) in the *Privacy and Data Protection Act 2014* (Vic) (**PDP Act**) and other relevant legislation.

In this policy, a reference to a parliamentary department or the parliamentary departments means, depending on the context, each of or all of the administrative departments of the Parliament of Victoria, 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 to enable the work of the Parliament of Victoria.

This privacy policy describes how the parliamentary departments handle the personal information, sensitive information and health information of individuals who interact with a parliamentary department. It may be updated from time to time.

2. SCOPE

This policy applies to all parliamentary officers, volunteers and third party contractors engaged by a parliamentary department on a temporary or ongoing basis.

It does not apply to:

- proceedings in the Legislative Council or Legislative Assembly, including petitions or e-petitions;¹
- members of Parliament or electorate officers; or
- the collection, holding, management, use, disclosure or transfer of information by a parliamentary committee in the course of carrying out its functions as a parliamentary committee.

3. POLICY STATEMENT

The parliamentary departments value the privacy of individuals and are committed to handling personal information in accordance with the IPPs, the PDP Act and other relevant legislation, including the Health Privacy Principles (HPPs) in the *Health Records Act 2001* (Vic) (**HR Act**), and the *Privacy Act 1988* (Cth) (together, **privacy legislation**).

4. DEFINITIONS

Parliamentary officer means a person employed under Part 3 of the *Parliamentary Administration Act 2004* (Vic) in any capacity and including Department Heads, other than the Parliamentary Budget Officer and those employed by the Parliamentary Budget Officer.

Personal information has the same meaning as 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 has the same meaning as 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

¹ The [Privacy Statement – Petitions](#) explains what information is collected and how it is handled when you start or sign a paper petition or e-petition.

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 has the same meaning as 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.

5. WHAT IS COLLECTED

The parliamentary departments collect personal information that is reasonably necessary to perform their statutory functions and other activities to deliver the support, infrastructure and professional services that enable the work of the Parliament of Victoria. Personal information collected may include an individual's name, gender, photograph, phone number, email address, home address and other contact details.

The parliamentary departments may also collect other kinds of personal information relating to the use of websites operated by the Parliament of Victoria (ie web addresses ending in parliament.vic.gov.au) (**Website**). This may include the IP address of and the date and time an individual visits the Website. More information about this is available in the [Privacy Collection Notice - Website](#).

The parliamentary departments do not usually collect sensitive information or health information. However, it may be collected in circumstances where the information is both directly relevant and necessary to the functions and activities of a parliamentary department or where an individual provides such information in the course of their dealings with a parliamentary department.

6. METHODS OF COLLECTION

Wherever possible, the parliamentary departments will collect personal information directly from individuals, including:

- when an individual accesses and uses the Website;
- when an individual accesses or visits Parliament House and the Parliamentary precincts;
- when an individual has a conversation with a parliamentary department via telephone or in person;
- when an individual provides feedback or makes a complaint, enquiry, request or report to a parliamentary department;
- when an individual signs up to receive updates or newsletters from a parliamentary department;
- when a parliamentary department receives solicited or unsolicited communications from an individual, including on social media;
- when a parliamentary department conducts community engagement, information or education activities; or
- when an individual otherwise deals with or accesses services or support from a parliamentary department.

The parliamentary departments will collect personal information from individuals only by lawful and fair means, and not in an unreasonably intrusive manner.

When personal information is collected directly from an individual for a particular purpose, the parliamentary departments will take reasonable steps to make that individual aware of the purpose of

collection and how their personal information will be handled. This may involve providing 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
- Privacy Collection Notice – Recruitment

Occasionally, personal information may be collected indirectly from third parties who act on an individual's behalf, or who work with a parliamentary department, including contractors. Personal information may also be collected indirectly by collecting information that is in the public domain. Reasonable steps will be undertaken to notify individuals if your personal information is collected indirectly.

Social media

The parliamentary departments use social media such as X (formerly Twitter), LinkedIn, YouTube, Facebook and Instagram to communicate with the public. Information posted on social media may be collected for the purpose of engaging with and understanding the views of the community. Whilst the parliamentary departments do not ordinarily collect personal information via social media, any personal information collected in this way will be handled in accordance with this privacy policy.

If an individual prefers not to communicate with a parliamentary department on social media, please make contact in another way.

7. HOW PERSONAL INFORMATION IS USED AND DISCLOSED

Ordinarily, the parliamentary departments will only use or disclose personal information for the primary purpose for which it was collected, being a purpose that relates to a parliamentary department's statutory functions or other activities delivering the support, infrastructure and professional services enabling the work of the Parliament of Victoria. The parliamentary departments may therefore use or disclose personal information:

- to provide individuals with services and support, including community engagement or education activities;
- to facilitate access, events or visits to Parliament House or the Parliamentary precincts;
- to investigate and respond to communications, including feedback, complaints, enquiries, requests or reports;
- to distribute information, educational resources, updates or newsletters;
- to undertake research and surveys;
- to produce reports;
- to manage projects, contracts and procurement;
- for safety and security purposes; and
- to grant individuals permission to access a workplace under the management and control of the Presiding Officers or a Department Head of a parliamentary department.

The parliamentary departments may otherwise use or disclose 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 consent.

8. WHO PERSONAL INFORMATION IS DISCLOSED TO

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 it was collected, or a reasonably expected related secondary purpose, or otherwise with 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 IPPs and, if relevant, the HPPs.

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.

9. DATA QUALITY, ACCESS AND CORRECTION

The parliamentary departments take reasonable steps to ensure that the personal information they hold is accurate, complete and up to date in accordance with relevant legal obligations, including under privacy legislation. This includes updating and maintaining personal information when individuals advise that their information is incorrect or has changed.

Individuals may request access to, or correction of, documents that contain their personal information which are in the possession of a parliamentary department. Individuals have a right to have their information corrected if their:

- 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.

To access or correct personal information, please contact the Privacy Officer at PrivacyOfficer@parliament.vic.gov.au.

10. DATA SECURITY

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

Personal information is stored and handled in accordance with the Victorian Protective Data Security Framework and standards and with 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.

The parliamentary departments 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 applicable record-keeping, retention and disposal requirements under the *Public Records Act 1973* (Vic).

11. COMPLAINTS

Individuals wishing to raise a concern or complaint about how their personal information has been handled can contact the Privacy Officer at 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.
- 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.

12. UNIQUE IDENTIFIERS

Each parliamentary department limits its use of unique identifiers assigned by other organisations to circumstances where it is required to do by law, for example, collecting tax file numbers of employees. A parliamentary department will otherwise only assign unique identifiers to an individual if it is necessary to keep track of its interactions with that individual, to perform data analytics or to enable the parliamentary department to carry out its functions or activities efficiently.

13. ANONYMITY

The parliamentary departments understand that from time to time individuals may not want to provide their personal information. If an individual contacts a parliamentary department directly, they do not have to identify themselves and they may interact anonymously where it is lawful and practicable for them to do so. However, sometimes it may not be possible for a parliamentary department to provide an individual with information, respond to feedback or a complaint, provide services or support, or perform its functions or activities unless they can be identified or contacted.

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.

14. DOES PERSONAL INFORMATION LEAVE VICTORIA?

The parliamentary departments use third party service providers which may store or process personal information outside Victoria, including overseas. In those circumstances, reasonable steps are taken 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, the parliamentary departments will only transfer personal information outside of Victoria where allowed by law, including with consent.

15. OTHER RELEVANT LAWS

The *Privacy Act 1988* (Cth) may apply to a parliamentary department and/or some of its third party service providers 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* (Vic) permits the Presiding Officers to receive public interest disclosures that relate to a member of Parliament. Public interest disclosures about parliamentary officers 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.

16. RELEVANT LEGISLATION, POLICIES AND OTHER DOCUMENTATION

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

Table 1 – Relevant legislation, policies and other documentation

17. FURTHER INFORMATION

Contact PrivacyOfficer@parliament.vic.gov.au