



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

# **INFORMATION PRIVACY POLICY**

## **ANNEXURE B –**

# **PERSONAL INFORMATION HELD**

December 2015

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## 1. Introduction

This Annexure to the Information Privacy Policy (the Policy) sets out the specific types of personal information held by, or on behalf of, the Chief Minister, Treasury and Economic Development Directorate (CMTEDD), and associated entities, and the purposes for which such information is gathered, held, or used.

The information described in the Annexure includes, but is not limited to, records on paper or electronic files and registries and electronic databases or management systems.

The information described is secured, restricted, retained and destroyed in accordance with the [Territory Records Act 2002](#) and the nature of the records and their continuing value to the ACT Government and community and any statutory limits that apply to common law claims in the Courts of the Australian Capital Territory or other Australian jurisdictions.

This information is not disclosed to outside persons or organisations, unless permitted or required by law.

### Purpose

This Policy Annexure B is made in accordance with the [Information Privacy Act 2014](#), and specifically Territory Privacy Principle 1.3 – providing a clear and current policy about CMTEDD’s management of personal information.

### Structure

This Annexure details:

1. the kinds of personal information that the Directorate collects and holds;
2. how the Directorate collects and holds personal information; and
3. the purposes for which the Directorate collects, holds, uses and discloses personal information.

The administrative units covered by this Annexure, in accordance with the CMTEDD Privacy Policy, are listed in the Policy Annexure A.

General information that applies to various areas across these administrative units included in the first portion of the Annexure and more specific information reported for individual areas follows.

Please note that ‘addresses’ covers physical, postal and/or electronic.

The attachments to this Annexure provide contact details and redirection to the privacy policies of the ACT Gambling and Racing Commission, ACT Long Service Leave Authority, the Cultural Facilities Corporation, and the Independent Competition and Regulatory Commission.

## **Application**

This Annexure does not include personal health information as that information is covered by the [Health Records \(Privacy and Access\) Act 1997](#).

## **Requesting Personal Information**

Individuals can obtain information regarding access to, or correction of, their personal information by contacting the Privacy Contact Officer via email to [CMTEDDCorporate@act.gov.au](mailto:CMTEDDCorporate@act.gov.au) or through Access Canberra on 13 22 81.

Please contact one of the below contacts if you would like further advice on the management of personal information in CMTEDD.

Executive Director, Corporate, Ms Sue Hall

Phone (02) 6207 0569

Email [sue.hall@act.gov.au](mailto:sue.hall@act.gov.au)

Director, Corporate Management, Ms Kirsten Thompson

Phone (02) 6207 8207

Email [kirsten.thompson@act.gov.au](mailto:kirsten.thompson@act.gov.au)

Manager, Governance, Mr Chris Cole

Phone (02) 6207 5883

Email [chris.cole@act.gov.au](mailto:chris.cole@act.gov.au)

## **2. Ministerial correspondence**

Personal information is held in branches across the Directorate relating to correspondents who write to the Chief Minister, Treasurer and the Ministers to which the Directorate reports for the following portfolio responsibilities: Economic Development, Urban Renewal, Tourism and Events, Racing and Gaming, the Arts, Sport and Recreation, and Workplace Safety and Industrial Relations.

These records relate to an unknown number of individuals and the content may include names, addresses, telephone numbers, gender, subject of correspondence and sensitivities surrounding the matter of concern to the correspondent.

The personal information on these records relates to the nature of the concern and is provided voluntarily to the Territory by the correspondent.

Staff who have access to this information are those who are involved in preparing and clearing appropriate responses. This information may be held in the TRIM/Objective records management systems and on Directorate registry and electronic files held by relevant branches within CMTEDD.

### **3. General correspondence**

Personal information is held when necessary to enable responses to general information requests to the Territory, and various items of correspondence received by CMTEDD. These records relate to an unknown number of individuals and are held by relevant branches within CMTEDD.

These records relate to an unknown number of individuals and the content may include names, addresses, telephone numbers, gender, subject of correspondence and sensitivities surrounding the matter of concern to the correspondent. Each person provides the personal information in these records voluntarily to the Territory.

CMTEDD staff have access to these records in accordance with their duties and functions.

### **4. Freedom of Information**

The purpose of these records is to administer the requirements for access to official documents and internal reviews under the [Freedom of Information Act 1989](#).

Content may include names, email addresses, telephone numbers, gender, and personal information provided by the applicant as background to their request.

General freedom of information (FOI) records are secured by staff of Corporate Management, CMTEDD. Access is limited to the FOI coordinator, relevant Managers and staff processing FOI requests. Personal information in these records may be disclosed if required for the purpose of conducting internal reviews, and appeals to the ACT Civil and Administrative Tribunal or Ombudsman.

### **5. Quality Assurance and Internal Audit records**

Through the Quality Assurance and Internal Audit process, personal information is held by the Directorate and may be accessed and copied.

Personal information captured as part of the Quality Assurance process is held by the Audit and Risk team in Corporate Management. Access is strictly controlled and is limited to a 'need to know' basis.

Internal Auditors are sourced from external companies and are required to sign a deed of confidentiality and conflict of interest statement that expresses how confidential information can be used and disclosed, prior to commencing the audit.

### **6. Corruption, fraud and other investigations**

The Executive Director, Corporate, is the Senior Executive Responsible for Business Integrity Risk (SERBIR). The SERBIR coordinates investigations into allegations of fraud and abuse of public office that, may also take the form of a Public Interest Disclosure (PID), in the Directorate.

Personal information is stored for personnel matters that arise through the provision of Human Resources advice and supporting workplace culture initiatives. An individual file is held for each matter/investigation and these records contain the details of disclosures and the investigation outcomes.

Files on fraud investigations are held by the Director-General's Office or the SERBIR's Office and may be accessed by the Audit and Risk Unit in Corporate Management where necessary.

The staff who may have access to these personnel records on a 'need to know' basis are the relevant manager and supervisor, and senior human resource staff in Corporate HR, Shared Services HR Employee Relations, and Workforce Capability and Governance Division (when performing occasional personnel and grievance reviews for either the Commissioner for Public Administration or the Director-General, CMTEDD).

PIDs are managed by nominated Disclosure Officers and the Commissioner for Public Administration.

The Disclosure Officers receive, investigate and/or refer on to other entities, PIDs in accordance with the Act. Given the confidential nature of the information, only the Disclosure Officers and/or relevant staff access files or information held on registers.

The Commissioner for Public Administration, also receives, investigates and/or refers on to other entities, the Ombudsman, or Chief Police Officer, PIDs in accordance with the Act and as appropriate.

Appointed staff in the Workforce Capability and Governance Division maintain an electronic PID tracking system for capturing, managing and reporting information relating to PIDs received and investigated across the ACT Public Sector. The registers contain the names of people who have submitted a PID within a calendar year. Given the confidential nature of the information, only the Commissioner for Public Administration and/or relevant staff within the Division access files or information held on registers.

### **Access Canberra investigations**

#### ***Parking operations complaints***

The purpose of these records is to enable and document investigations into complaints relating to parking operations, including faulty parking machines.

Content may include names, addresses, phone numbers, vehicle and licence details and details of parking infringements.

Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records. Some information may be disclosed to the Magistrates Court when referring infringement notices.

### ***Environment protection management***

The purpose of these records is to maintain and document the progress of investigations into complaints made by the public about alleged environmental offences.

Content may include names, contact information, and nature of complaint.

Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records. This information may be disclosed to Australian Federal Police and other Government entities when required by Territory, State or Commonwealth Law.

### ***Environmental investigations records and briefs of evidence for offences***

The purpose of these records is to enable and document investigations of possible breaches of Environment Acts.

Content may include: names, addresses, date of birth, vehicle and boat registrations, occupations, gender, associations with other people, criminal convictions, and criminal intelligence.

Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records in addition to Investigators Licensing and Compliance, Territory and Municipal Services Directorate (TAMSD), the Director of Public Prosecutions and authorised officers of the office for prosecution action.

This information may be disclosed to Australian Federal Police and other Government entities when required by Territory, State or Commonwealth Law.

### ***Workplace visit and employer records***

The purpose of these records is to enable and document employer investigations and visits to workplaces and other premises through the application of legislation around Work Safety, Dangerous Substances and Labour Regulation. Visits may occur as a result of inspections (targeted or random), investigations (incident, complaint or breach), requests for information and advice, or audits.

Content may include names, addresses, phone numbers, details of visit, notices issued, and photographs. Personal information may also be captured in brief investigation reports, statements and any other relevant information gathered in relation to an investigation.

Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records.

This information may be disclosed to TAMSD, ACT Government Solicitor's Office and ACT Director of Public Prosecutions.



### ***Consumer complaints***

The purpose of these records is to enable and document investigations into consumer complaints under legislation.

Content may include names, addresses, phone numbers, gender, marital status and personal information that may be captured in financial documents.

Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records. Some information may be disclosed to businesses subject to the approval of the complainant.

## **7. Security**

### **Security passes**

The purpose of these records is to assist with the issue of agency security passes and the management of security incident reports.

Content includes name, work location and identifying photos.

### **Closed Circuit Television (CCTV)**

CMTEDD uses CCTV systems to monitor and record activity in a range of publicly accessible locations throughout the Directorate's locations such as the Nara Centre, Dame Pattie Menzies House, Manuka Oval, GIO Stadium Canberra, Civic Driver Licence Service, Dickson Motor Vehicle Inspection station and vehicle test station, and Access Canberra shopfronts in Tuggeranong, Woden, Dickson, Belconnen, and Gungahlin.

The purpose of this monitoring is to provide a safe and secure environment for CMTEDD staff and visitors. CCTV is used as a deterrence, investigation tool (such as for crimes or incidents), emergency response management tool, audit and cash management tool and to safeguard staff.

The images recorded may include identifiable images of people visiting the Directorate's locations. Information contained on corresponding files may include names, addresses, occupations, and the outcome of any review/investigation conducted. The records may also include details of witnesses to matters on CCTV recordings.

In accordance with the ACT Government Code of Practice for CCTV, signage is clearly displayed at all entry points and in prominent positions in waiting areas. Signage is also displayed in back office areas where CCTV coverage occurs.

The CCTV recorders are located within a secure area in each of the premises.

The staff who may have access to security records on a 'need to know' basis are the relevant managers and supervisors; security officers, advisers and executives; concierge; corporate services officers; SERBIR; and CCTV officers. Footage is only reviewed upon request and with the appropriate authorisation.

Information may be disclosed to the police and those delegated to action requests or investigate complaints.

Where the information is used to produce statistics, it is not disclosed in a manner whereby individuals could be identified, except where a specific need is established.

### **Security vetting**

The purpose of these records is to record the personal details of employees who undergo Security Vetting.

The personal information contained in these records is confidential and relates to employees who are classified as in a Designated Security Assessment Position<sup>1</sup> or a Position of Trust<sup>2</sup>. Content may include names, addresses, date of birth, gender, position, classification, employment, memberships, social media, financial and passport details and information on family members.

All Personnel Security files that were held by Shared Services prior to the implementation of the 2014 Protective Security Policy Framework have been sent to the Territory Records Office for archiving.

CMTEDD Personnel Security Files for these clearances are held by the Australian Government Security Vetting Agency (AGSVA).

Access to these files is restricted to staff within Shared Services (for those that they process for the Directorate), Security & Emergency Management Branch in the Justice and Community Safety Directorate, relevant Agency Security Advisors, and the AGSVA on a 'need to know' basis only, given the confidential nature of the information.

Records may be transferred to another directorate upon receipt of written request from the employee and transferring directorate.

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<sup>1</sup> A position in an ACT Government directorate where the Director-General determines the duties are likely to involve access to national security information classified as SECRET or TOP SECRET (as defined as designated position in the [Crimes Act 1914 \(Cwlth\)](#) spent convictions scheme exclusions). This may include all clearance holders at the Negative Vetting Level 1 or above. (ACT Government *Protective Security Operational Procedures Manual 2014*)

<sup>2</sup> A position whose duties require a higher level of assurance than normal agency employment screening provides and to which additional screening is specified. (ACT Government *Protective Security Operational Procedures Manual 2014*)

## 8. Human Resources

### Personnel Information

The purpose of these records is to facilitate human resource management by maintaining employee information required under the [Public Sector Management Act 1994](#) and the [ACT Public Service Salary Packaging Policy and Procedures](#) and the administration of ACT taxation laws as identified by the [Taxation Administration Act 1999](#).

These records reflect the employment history, payroll, recruitment and administrative information relating to current and former permanent, contract and temporary staff members and employees of CMTEDD, ACT Government directorates and Territory Owned Corporations and Authorities, and appointees to Government Boards and Committees.

Content may include:

1. name
2. address
3. date of birth
4. telephone numbers
5. nationality
6. gender
7. accident/incident reports
8. dietary requirements
9. disabilities
10. workforce diversity data
11. photographs
12. family information
13. occupational information
14. employment history
15. educational qualifications
16. trade, skill and aptitude test records
17. contracts and conditions of employment
18. police checks
19. Australian Government Staff number
20. completed questionnaires and personnel survey forms
21. performance appraisals
22. security assessment and clearance details
23. recommendations for honours and awards
24. details of pay and allowances
25. salary packaging details including reportable fringe benefit amounts, lease agreements, vehicle insurance details and vehicle registration numbers
26. payroll and pay related records, including banking details
27. superannuation fund membership details
28. taxation arrangements
29. union membership
30. records relating to attendance, overtime and leave

31. travel documentation
32. study assistance applications
33. probation reports
34. complaints and grievances
35. records relating to personal welfare matters
36. records relating to counselling and disciplinary matters, including investigation and outcome, legal records, records of criminal convictions, and any other staff and establishment records as appropriate
37. records relating to cessation of service, including forfeiture of office, and redundancy
38. records relating to appointments to Boards and Committees, including relevant skills base, remuneration and per diem rates in relation to services, and personal declarations of interest statements.

Shared Services HR manages personnel files and access is limited to staff on a 'need to know' basis. Some personnel records are kept in secure storage by CMTEDD Corporate HR to assist them in supporting the management of employees across the Directorate.

Such records may include:

1. work station assessment reports
2. applications for health and wellbeing related expense reimbursement
3. dietary requirements
4. records relating to early intervention activities
5. training records
6. redeployment actions
7. completed questionnaires and personnel survey forms
8. pay related records.

Copies of some personnel records are kept in secure storage by CMTEDD managers in all branches within the Directorate to assist them in effectively managing their respective business units. Such records may include:

1. performance appraisals
2. training records
3. paper-based leave forms and supporting evidence
4. flex sheets
5. pay reports
6. applications for screen-based eye test reimbursement
7. dietary requirements
8. accident/incident reports
9. staff birthday lists.

The following staff may have access to personnel records on a 'need to know' basis: executive and senior human resource/personnel management staff within CMTEDD; supervisors and members of selection committees (if appropriate) and others associated with supporting a selection committee in its work (may include external providers); the

individual to whom the record refers; Shared Services Finance for Salary Packaging processing; and, as appropriate, security officers and case managers.

Some information held in personnel records may be disclosed, only as appropriate, to: Comcare, ComSuper, medical service providers, superannuation administrators, the Australian Taxation Office, Australian Federal Police, the receiving agency following movement or re-engagement of an employee, or under subpoena to courts and tribunals.

### **Recruitment**

The purpose of these records is to store information about the advertisement, recruitment and appointment of employees to positions within the ACT Public Service and Territory Owned Corporations and Authorities.

The records may include any one or more of the following:

1. position vacancy files
2. details relating to relocation of staff and removals of personal effects
3. records relating to character checks and security clearances
4. name
5. address
6. date of birth
7. gender
8. contact details
9. work experience
10. academic achievements/qualifications
11. employment history and referee details
12. individual and comparative assessments of applicants against job criteria
13. referee reports and the report of the selection committee including recommendations about applicant suitability.

Authorised staff in Shared Services Recruitment and relevant staff in directorates have restricted access to this information. External service providers (such as scribes) may have access to this information on a 'need to know' basis. Applicants have access to those records that relate to their personal information.

The information contained in these records is provided on a voluntary basis by applicants and referees and is stored in hardcopy format on file and electronically in CMTEDD Human Resource Management System databases.

### **Performance appraisals**

Under the ACTPS Performance Framework, the Directorate conducts regular performance and development discussions for staff. Biannual appraisals are conducted following a planning session between management and staff.

The appraisals are structured to allow for an ongoing discussion between staff and management to clarify expectations, gauge current progress, discuss areas for improvement, and recognise strengths and achievements.

Access to these records is limited to the employee and their supervisor and relevant Strategic Human Resources on a 'need to know' basis. Information contained in these records is not disclosed to other individuals or agencies. Employees hold their own copy of the performance appraisal and may at any time ask to see the copy held by their supervisor.

### **Human Resource and Payroll Management Systems**

Some personnel records are stored in the ACT Public Service Human Resource Systems (Chris21 and Aurion) to enable automated processing of pay and contract requirements for ACT Public Service staff and de-identified statistical data for whole of government and directorate level reporting. The chris21 software coverage includes ACT Government directorates and agencies. Aurion is used to record data and pay industrial staff employed by ACTION.

Historical pay and leave records for the period between 1992 and 2005 are stored in an electronic data warehouse that forms part of human resource management systems.

This information is restricted to selected staff based on their responsibilities but may be disclosed to Commonwealth Departments (Australian Taxation Office, Child Support Agency) financial institutions and superannuation funds as necessary.

### **Integrated Customer Service (ICS) Enquiries Database – Human Resources Enquiries and Instructions**

The purpose of these records is to enable ACT Public Service employees to submit enquiries or instructions directly related to Human Resources.

To record and maintain accuracy of records, CMTEDD manages a purpose-built database using the RightNow Software application.

Content may include names, email addresses, phone numbers, AGS number, directorate, and personal financial and employment information.

The system coverage includes ACT Government directorates and Territory Owned Corporations and Authorities.

Access to this information is restricted to authorised staff in the Human Resources Information and Reporting Team in Shared Services.

### ***Employee Driver License Details***

The purpose of these records is to verify the eligibility of employees to book and drive ACT Government vehicles.

The license details (such as licence number and expiry date) are stored primarily in the online vehicle booking system and are viewed only by Accommodation and Corporate Manager, Assistant Accommodation and Corporate Manager and the Senior Manager, Government Fleet Services.

### **Executive records**

These records relate to ACT Government executives and are provided by each executive as required by their executive contract. The purpose of these records is to maintain information on Directors-General and executives across the ACT Public Service who hold, or who have held, both short-term and long-term contracts since the inception of executive contracts in December 1995.

The records are kept in secure storage in Corporate Management, Shared Services and Public Sector Management Group.

Access to these records is confined to the Director-General, Executive Director of Corporate, Shared Services and relevant staff of Public Sector Management, the Auditor-General's Office and Government Solicitor's Office if necessary.

Hard copy records contain background material on the establishment of executive positions; recruitment of executives and contracts; and associated performance agreements of Directors-General and some executives.

In December 2013, the actioning of all transactional elements of the executive contract process was transitioned to Shared Services.

Shared Services maintains an electronic Executive Contract Management System that contains the following information on past and present executive contract holders:

1. name
2. AGS number
3. date of birth
4. title
5. employing directorate
6. position details
7. job size
8. remuneration
9. contract dates
10. Assembly tabling and gazettal dates
11. Performance Agreement and Declaration of Private Interests completion dates
12. conflict of interest declarations
13. business addresses.

### **Return of private interests**

These records relate to ACT Government executives and are provided by each executive as required by their executive contract. The records are kept in secure storage in the Executive Contract Management Team, Shared Services HR. Access is confined to the relevant staff of SSHR and the Auditor-General's Office and Government Solicitor's Office if necessary.

### **Statutory Office Holders**

The purpose of these records is to maintain both paper and electronic information on full-time statutory office holders engaged under ACT laws. Hard copy records may contain copies of instruments of appointment as well as material relating to terms and conditions of employment, and any acting arrangements.

The statutory office holder database may hold personal details such as: name and details of the office held, remuneration, delegated powers, and agency contact details.

### **Medical Referees (Statutory Appointments)**

Medical referees are statutory appointees under the provisions of the [Workers Compensation Act 1951](#). Personal information held relates to people who have provided details as required. Content may include names, addresses, employer and contact details, and curricula vitae. Relevant staff within the Workplace Safety and Industrial Relations Division may access this information.

## **9. Work Safety and Compensation**

### **Workers' compensation records – ACT Public Sector employees**

The Workplace Safety and Industrial Relations (WSIR) Division maintains details of all workers' compensation claims made by ACT Public Sector workers.

These records are used to assist in managing the ACT Government workers' compensation scheme and claims made there under; developing whole of government policy; and providing data analysis and advice to Government, directorates/agencies and the Commissioner for Public Administration.

In particular, on behalf of the Commissioner for Public Administration, the Division uses these records to: oversee and manage an injured worker's claim; assess and assist an injured worker's return to work; lead targeted intervention strategies; manage engagement with rehabilitation service providers; assess, develop and implement service provider performance models; and instruct third-party actuarial service providers on matters related to the devolution of the ACT Government's workers' compensation premium across its individual directorates and relevant, declared entities and discuss related advice.

The personal information in these records relates to past and present workers who suffer a work related illness or injury.



Content may include:

1. personal details of the worker claiming workers' compensation benefits
2. details of the accident/incident said to give rise, or contribute, to the injury/illness
3. injury/illness and rehabilitation details
4. details of workers' compensation claims lodged and benefits paid.

Only relevant staff within the WSIR Division access files, on a 'need to know' basis, given the confidential and/or personal nature of the information.

### **Rehabilitation case files**

The purpose of these files is to provide appropriate management of rehabilitation based matters (compensation and non-compensable).

Content may include:

1. personal details of claimant (e.g. contact details, date of birth and occupation)
2. rehabilitation related paperwork and reports.

All rehabilitation based records and information is treated as private and confidential.

These records are accessed only by authorised individuals (e.g. Workplace Injury Performance and Injury Management and Safety team officers and case managers).

### **Compensation files**

The Directorate records information on compensation rehabilitation and redeployment pay action for individuals, as required under the [Safety, Rehabilitation and Compensation Act 1988](#) and the [Public Sector Management Act 1994](#), to enable the management of the Directorate's compensation claims.

The personal information on these records relates to ACT Public Sector employees who suffer an illness or injury that relates to their work or may affect their work.

Content may include: names, addresses; home, mobile and work phone numbers; fax numbers; date of birth; gender; occupations, duties and work location; work performance reports; date of the incident and details relating to the incident; nature of injury; rehabilitation program; redeployment details; salary and attendance records; witness statements; name, address and phone number of witnesses; nature of claim; insurance details; rehabilitation details; correspondence, file notes of conversations with claimant, rehabilitation providers and relevant individuals and/or organisations; claim related appointments; whether any civil or criminal charges have been laid against any of the parties to a claim; and privileged information between CMTEDD, the Australian Government Solicitor and its representative.

Access to these records is restricted to executive and senior personnel management staff and the individual to whom the record relates and, in managing claims: authorised individuals (e.g. officers and/or case managers of Workplace Injury Performance and Injury Management and Safety teams).

All compensation based records and information is treated as private and confidential.

### **Common Law Compensation Files**

The purpose of these records is to record details of common law action taken against the Commonwealth Government by employees after injury or illness. The records relates to a number of individuals who sustained an injury or illness before the introduction of Comcare in 1988, and are claiming common law damages.

Selected data has been transferred to a computer database to enable analysis of claims data. Normal access to the database is only by authorised officers, and care is taken not to divulge any of this information to officers or persons who have no right of access.

Staff of the Workplace Injury Performance Team, have access to this personal information on a 'need to know' basis.

### **Accident/incident records**

The purpose of these records is to report and investigate all ACT Government workplace accidents/incidents and ensure that corrective and preventative actions are taken in regard to reported workplace accidents.

Content may include the personal details of person involved in the accident/incident (e.g. contact details and date of birth), details of the accident/incident, and details of the injury/illness.

Records relating to accidents and injuries are treated as private and confidential. Authorised staff such as directorate-based work health and safety officers and officers of the CMTEDD Workplace Injury Performance team and/or case managers of Injury Management and Safety teams may access this information on a 'need to know' basis.

### **First aid records**

CMTEDD keeps first aid records to assist with injury management and to assist with statistical analysis for workplace health and safety risk management. Content may include names and injury and treatment details.

These records are kept in secure storage by staff of the Corporate Services Unit. Access is limited to the Corporate Services officers and, where applicable, relevant first aid officers.

## 10. Traffic enforcement

The purpose of these records is to enforce the provisions of ACT transportation legislation. Content may include names, addresses, telephone numbers, digital images of vehicles, and details of traffic infringements.

The following have access to this information: ACT Government Road User Services staff, Access Canberra, Transport Regulation, Traffic Camera Office and Australian Federal Police.

## 11. Registers

The purpose of these records is to meet legislative requirements of maintaining registers for architects<sup>3</sup>, motor vehicle industry repairers<sup>4</sup>, land titles, deeds, business names<sup>5</sup>, instruments, incorporated associations, marriages (including overseas marriages), births, adoptions, parentage information, ministers of religion, deaths (including deaths abroad), contaminated sites, rental bonds, same sex relationships, civil partnership notaries and civil union celebrants, justices of the peace, plant registration and plant design registration, credit providers and finance brokers<sup>6</sup>, approved rehabilitation providers, water resources, consultant records, investigation records and briefs of evidence for offences, prosecutions, appeals and coronial matters, taxi licences, bus and taxi service operator and taxi network provider accreditation, School Transport Program, hire car service operator accreditation and licences, applicants for public vehicle driver licences, ACT driver licences, vehicle registration, statutory declarations for drivers or sale of vehicles and parking permit applications.

These records are used for purposes such as determining responsibility/eligibility/suitability, recording registrations or evidence, determining parentage, recording or making public details (e.g. a list of consultants the Directorate may contact or the Justices of the Peace).

Content may include:

1. names/ name changes
2. addresses
3. phone numbers
4. relationship details/ marital status
5. date of birth/ age
6. occupations
7. gender/gender changes
8. genealogy information
9. ethnic origin

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<sup>3</sup> Names and registration numbers may be made publicly available.

<sup>4</sup> Prior to commencement of the *Fair Trading (Motor Vehicle Repair Industry) Act 2010* on 7 October 2010, this industry was regulated by the *Fair Trading (motor vehicle service and repair industry) Code of Practice 1999*.

<sup>5</sup> On the 28 May 2012, this function was transferred to the Commonwealth; however, existing records must be retained for a period of 12 years.

<sup>6</sup> From 1 July 2010, this function has been carried out by the Commonwealth Government; however the ACT still holds some records and data.

10. adoption
11. religious affiliations
12. cause of death
13. writs
14. court orders
15. references from third parties
16. identification
17. photo of applicant
18. curriculum vitae
19. criminal records/ convictions
20. job title/description
21. qualifications
22. expertise
23. education and employment history
24. interview records
25. schools attended
26. classes enrolled
27. investigation information (including evidence, details of incident/alleged offences, non-compliance/infringement notices)
28. copy of driver licence/ driver licence details
29. disciplinary action
30. bankruptcy orders
31. probates/ wills/ transfers by mortgagee
32. personal and business associations
33. police character checks
34. visa status checks
35. vehicle specifications
36. registration information
37. practicing certificate details
38. volume and purpose of water use
39. general correspondence (including Residential Tenancy Tribunal Orders).

Personal information may be captured in records relating to financial/business or insurance matters, authorisation to release accreditation details to accredited networks/operators (as appropriate), and statutory declarations.

Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records. For example, taxi network providers and bus operators who require particular information to carry out their responsibilities under the Road Transport legislation.

In certain circumstances, and only where appropriate, some relevant information may be provided to the Commissioner for Fair Trading, the Attorney-General, the Australian Federal Police, Centrelink, the Royal Australian Institute of Architects, the Architects Accreditation Council of Australia, ACT Architect Board members, interstate architect boards, Australian Bureau of Statistics, Australian Taxation Office, Australian Electoral Commission, Department of Social Services, ACT Revenue Office, legal firms/advisors, insurance companies, Justices of the Peace Association of the ACT and authorised members of other ACT, State and Federal Departments. This information is provided with the least personal information required for the purpose of disclosure, such as the provision of statistical data with no identifying information released.

## **12. Licenses, permits and registrations**

The purpose of these records is meet legislative requirements for determining eligibility/ suitability of applicants to hold licenses/permits for the following: Construction Induction Cards, high-risk work, dangerous substances, working with Vulnerable People registrations, business agents, stock and station agents, Trade Measurement Certifiers<sup>7</sup> (servicing firms and public weighbridges); and also, for the following , limited personal information may be released through required public registers: motor vehicle dealer, liquor, security industry, second-hand dealers, pawnbrokers, real estate agents, travel agents<sup>8</sup>, employment agents, X18+ film, brothel and escort agencies, fireworks<sup>9</sup>, hawkers, tobacco, charitable collections, outdoor cafes, road verge display of vehicles and transport of dangerous goods.

Content may include names (current and former), addresses (current and former) including those of single operators who operate from residence, phone numbers, date of birth, occupations, referee reports, criminal convictions, employment history, qualifications relating to the type of licence, details of close associates, Australian Security Information Office clearances, passport images of the applicant, police record checks, driver licence numbers, details of other relevant licences held (from other jurisdictions), previous dangerous goods incident history (criminal and other), vehicle details and driving history.

Personal information may be captured in documents relating to ACTPLA certificates, company/ financial matters, approved plans, lease clearance advice for the premise, professional development, and/or public liability insurance cover.

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<sup>7</sup> Prior to 1 July 2010, the purpose of these records was determining eligibility for a principal to hold a licence for trade measurement servicing under the *Trade Measurement Act 1991* (repealed). As of 1 July 2010 this function has been carried out by the Commonwealth Government but the ACT still holds some records/data.

<sup>8</sup> Prior to 1 July 2014 the purpose of these records was to determine eligibility for a licence as a travel agent in the ACT under the *Agents Act 2003*. This legislation was amended to remove the licensing requirements for travel agents, however records are maintained by Access Canberra.

<sup>9</sup> Prior to 24 August 200, licences were issued for a short term only, for the week leading up to and the actual day of the Queen's Birthday. The ACT has now abolished the ability to sell and use consumer fireworks.

Staff within Access Canberra, Health Protection Services, ACT Policing and Territory and Municipal Services Directorate who require the information to carry out their responsibilities under legislation have access to these records.

In certain circumstances, and only where appropriate and necessary, some information may be provided to the Commissioner for Fair Trading, the Attorney-General, the Australian Federal Police, legal counsel (if prosecution in progress), industry associations, training organisations, Travel Compensation Fund, Office of Film and Literature Classification (OFLC), ACT Director of Public Prosecutions, authorised members of other ACT, State and Federal Departments (such as where there is overlapping jurisdiction), and Crimtrac.

### **Vehicle registrations**

Access Canberra collects personal information for Road User Services and holds and secures that information in the rego.act database. Content may include names, contact details including former addresses, nationality (when applying with a foreign licence), concessions, vehicle and licence details, and identification.

## **13. Finance**

### **General**

This information is maintained for the purpose of managing the Directorate's financial activities and includes records on general accounts and accounts payable and receivable.

Content may include personal information about individuals/proprietors/clients/creditors such as (where relevant) their name; addresses; telephone numbers; gender; occupation; bank account details; credit card details; trading terms and conditions; salary information; establishing, operating and maintaining accounting systems; controls and procedures; financial planning; GST Declaration and other data associated with specific transactions; claims against the ACT Government; and transport information.

General storage of this material is the responsibility of Finance and Human Resource Services Shared Services, Strategic Finance, and is accessed by and staff within the Directorate on a 'need to know' basis and by external auditors.

### **Internet transactions (Smartforms)**

The purpose of this system is to provide secure electronic forms and payment services via the internet on behalf of the ACT Government Directorates and agencies that own the transactions. The Westpac secure internet credit card gateway, is integrated into the Smartforms system for those transactions requiring payment.

A range of personal information is collected dependent on the type of transaction being undertaken. Content may include names, addresses, and unique identifiers for that particular transaction (e.g. rates notice numbers).

The Smartforms system is designed so personal details contained in successfully completed transactions are not available to anyone other than the system administration personnel. Information is accessed for transaction confirmation purposes at the request of a customer, or the transaction owning area of the ACT Government.

The personal information contained in these records is disclosed to areas within the ACT Government that are required to action the customer's request or payment. Only Access Canberra system administration personnel and the responsible agency have access to the details provided by the customer.

Access Canberra staff do not retain or have access to a customer's credit card details. These details are retained only within the Westpac system and retained as per the requirements for electronic financial transactions. The Westpac system does not retain any of the customer's personal transaction details.

## **14. Procurement**

Files held may contain curricula vitae for people who are members of organisations responding to procurement activities for the provision of various products and services. Content may include names, addresses, occupation, prior employment, qualifications, gender, date of birth, and declarations of personal interest.

### **Prequalification, registration systems and tender documents**

The purpose of these records is to enable registration for prequalification and panels, and the selection of contractors through the receipt and analysis of proposals for the supply of goods, services and works.

Content may include names, addresses and personal details and in some instances, details of relevant staff such as curriculum vitae, qualifications, salary rates and employment history. The personal information on these records may or may not be incidental to the nature of the request, and is provided voluntarily to the Territory by each person.

The following personnel have access to these records: relevant management and staff of Procurement and Capital Works (in accordance with duties and functions), agency staff undertaking evaluation of tenders, and the Under Treasurer.

## **15. Grants**

The purpose of these records is to manage the ACT Arts Fund, the ACT Event Fund, and the Sport and Recreation Grants Programs' web-based online application system (SmartyGrants).

The Smartygrants database is used to keep/store information, such as contact details, regarding the applicants to the ACT Arts Fund (artists, organisations and groups), the ACT Event Fund (organisers of new and existing festivals/events) and sport and recreation organisations. The majority of this information is collected from annual and ongoing grant application processes.

Content may include individual, group and organisation contact names, addresses, financial information, application details. Applicants/organisations have their own online access password to apply and update details as required.

Selected agency staff have access to SmartyGrants according to their roles and delegated responsibility by the Director, artsACT (ACT Arts Fund); the Senior Manager, Events ACT (ACT Event Fund); or the Grants Officer or Manager, Client Services and Programs (Sport and Recreation).

The Innovation, Trade and Investment (ITI) branch delivers a range of programs to the business community. The information contained as part of these records is personal and/or business-related information provided voluntarily to the Territory to facilitate responses to requests, Board/Committee management, and/or facilitate assessment of applications relating to various programs and activities.

The content may include names, addresses, contact details, age/date of birth, gender, nationality, curriculum vitae, type of business and business financial details, application details, assessment details, deeds of grant, annual reports of organisations, organisation and individual program details and photographs. Additional details regarding ITI programs are identified at Item 19 below.

## **16. Communications**

### **General**

The Communications Division manages documents that may contain personal information, such as names, contact details, opinions, affiliations, and dietary and special needs requirements. These records may relate to community engagement policies, branding, provision of public affairs advice and planning, protocol advice, and hospitality and special events for the Chief Minister.

The Communications and Engagement Unit of the Division holds a distribution list of email addresses for local and national media contacts for the purpose of media release and alert dissemination. The use of contact details is ongoing and this information is regularly updated to ensure timely dissemination of important government information.

### **Community consultation, feedback and complaints**

The purpose of records held on community consultation and feedback is to document the comments received in relation to the various community engagement and stakeholder relations activities undertaken by the Directorate.

### ***Communication Division files***

The Communications Division is responsible for receiving complaints and feedback from the community regarding the various community engagement activities undertaken by the Directorate.



Community members are welcomed to register their interest in keeping informed on particular issues. Registers are maintained to enable the dissemination of information and may contain personal information such as names, email addresses, and phone numbers. The Time to Talk website contains, in a backend database, the email addresses of people who have registered to participate in discussions on the site. This information is contained within the Time to Talk site and is not accessible for any means other than maintaining an account on the site.

Records, held relating to these submissions, are managed by the Communications and Engagement Unit. Content may include the names and contact details of members of the public. Staff within the relevant directorate have access to this information on a 'need to know' basis.

### ***Customer feedback***

The Customer Relationship Management (CRM) System is the ACT Government's customer feedback system and knowledge base repository, ensuring customers comments are recorded, tracked and actioned in a timely and appropriate manner.

Content may include names, addresses, telephone numbers, vehicle registration details, licence number and other information relating to their particular feedback.

All information, which is provided through the CRM system, is voluntary and it is acknowledged that the type of information volunteered may contain details that are of a personal nature.

Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records. The electronic records received or recorded in the CRM system are hosted by Oracle Australia under ACT Government contract.

This information, including personal details contained in these records, is disclosed to areas within the ACT Government who are required to action or respond to the correspondence. Only identified employees, the contracted vendor and the responsible ACT Government business unit have access to the details provided by the customer.

There are a large number of registered users of the CRM system. Access to feedback records held by Access Canberra within the CRM system is restricted to staff who require the information to respond.

### **Communications secretariat services**

The contact details of the Community Council presidents, and/or treasurers, are kept by the Communications and Engagement Unit for the purposes of communicating engagement issues and executing deeds of agreement for government funding to community councils. The Communications and Engagement Unit provides secretariat support for the Canberra-Nara Sister City Committee and ACT Veterans Advisory Council, and holds contact information for members of these committees.

### **Access Canberra contact centres**

Contact centre records are created by way of payment receipts, transaction confirmations, requests to change addresses, service requests and concession confirmations for Centrelink.

The Municipal Services Team (Access Canberra) accesses and maintains the TAMSD general database.

The personal information on these records relates to information submitted by the customer. Content may include names, addresses, phone numbers, driver licence details, and personal information that may be captured in documents relating to transactions, complaints, requests, confirmations, Smartform transaction receipts, and other personal information captured for the various services provided.

Staff within Access Canberra who require the information to carry out their responsibilities have access to these records.

### **Honours and awards**

The Communications Division provides secretariat services to the Director-General for ACT and National Honours and Awards.

Personal information held in the Communications Division relates to:

1. honours and awards nomination and assessment information (in most cases, this information carries the additional caveat of 'Honours in Confidence')
2. patronage requests.

Content may include name, gender, address and personal background information. Relevant staff within the Communication Division have access to this personal information on a 'need to know' basis.

## **17. Centenary of Canberra**

Personal information held on files relating to the Centenary of Canberra may include information on:

1. stakeholders
2. volunteers
3. competition winners
4. applications from individuals born on 12 March
5. general correspondence and feedback
6. tender submissions
7. contracts
8. grants.

Content may include names, addresses, phone numbers, contract price, services provided, and curricula vitae. Authorised staff within the Communications and Corporate Divisions have access to this personal information.

## **18. artsACT**

### **Arts facilities**

artsACT manages 13 arts facilities and holds details in relation to the occupants and site managers of the facilities. Content may include names, addresses, phone numbers, positions held within the organisations and licence agreement. Only staff within artsACT have access to these records.

### **ACT Arts Fund records**

In addition to SmartyGrants (*see Grants*), artsACT maintains records of all grant and prize winner recipients. This information is collected annually and on an ongoing basis. Content may include individual, group and organisation contact names; financial information; application details; assessment details; deeds of grant; annual reports of organisations; and organisation and individual program details. Only artsACT staff have access to this information.

### **Public art records**

The purpose of these records is to keep information about the applicant during the commission or acquisition of a Public Artwork.

Content may include an applicant's contract (containing names, addresses and contact details), application forms, correspondence, intellectual property (including that which may be subject to copyright) and business-in-confidence protocols, artist designs, sketch plans, consultant designs, structural design certifications, civil engineering reports, site plans and copies of financial records.

## **19. Territory Records Office**

The Territory Records Office, through its ArchivesACT service, collects information from members of the public to assist them to have access to ACT government archives. This information includes name, address and other personal contact information. It may also include other personal information provided by the researcher which is necessary or useful to identify records that may be relevant to their research. This could include details such as date of birth and information about the individual's or others' past interaction with the ACT Government or other relevant entities.

## **20. Innovate Canberra**

Innovate Canberra holds records relating to a range of business support programs and services provided to the business community.

The information contained in these records is personal and/or business related and is provided voluntarily to the Territory to facilitate responses to requests, Board/Committee management, and/or facilitate assessment of applications relating to various programs and activities.

Content may include names, addresses, contact details, age/date of birth, type of business and business financial details, gender, nationality, photographs, attendance status, and curriculum vitae.

Innovate Canberra programs for which this information is, or has been, captured include: Innovation Connect Grants, Global Connect, Digital Canberra Challenge, *StudyCanberra*, STEM 4 Digital Business Internships, ACT Film Investment Fund, Canberra Create your future.

Content may include names, contact details, resume, passport and drivers licence details or photocopies, arrival date to Canberra, family details, occupation, audio and/or video recordings, written testimonials and dietary requirements. Permission has been received from participants for their image(s) to be reproduced, used, exhibited, displayed, broadcast and distributed as part of the *Canberra. Create your future* campaign, including any media now or later developed.

## **21. Territory venues**

Staff within the Directorate have access to this information on a 'need to know' basis.

### **Booking forms**

Customers requesting exclusive use of Stromlo Forest Park or function rooms at the Canberra Stadium or Exhibition Park in Canberra are required to book the facility via the website (for Stromlo) or complete the function booking forms that are provided electronically. All completed bookings must be either faxed or emailed to the bookings officers or event coordinators at the relevant venue.

Content may include names, addresses, phone numbers, signatures and other personal information captured in transactions (such as credit card details).

### **Photos at events**

It is deemed that, upon entry, a patron consents to the recording of their image or likeness (including audio and visual) at any territory venue. However, the photographer seeks written consent to use any specific photographs of patrons.

## **22. EventsACT**

### **Volunteers – events**

The purpose of these records is to provide a list of individuals who have been accepted as volunteers to assist with the smooth operation of events. Content may include names, addresses, contact details, personal information, emergency contacts and availability.

The Events Volunteer Coordinator, Operations Supervisor and their staff have access to these records.

## **Images, photography and video footage**

Patrons entering events may be video and/or audio recorded. It is deemed that a person, upon entry to an event, consents to EventsACT, or third parties appointed by EventsACT, video and/or audio recording.

EventsACT, or third parties appointed by EventsACT, can broadcast, publish, license and use any photographs, film, recordings or images without compensation. EventsACT, third parties and anyone acquiring from them a right to use the material are not liable to the subject for its use in any way.

## **23. VisitCanberra**

### **Volunteers – Canberra and Region Visitors Centre (CRVC)**

The purpose of these records is to provide a list of individuals who have been accepted as volunteers to assist visitors arriving in Canberra at three locations: CRVC, the airport and the Jolimont Centre.

Content may include names, addresses, contact details, personal information, emergency contacts and availability. The listing is ongoing and regularly updated. The Volunteer Coordinator, Operations Supervisor and their staff have access to these records.

### **Consumer e-Newsletter list**

The purpose of this list is to provide contact details for people who have opted to receive promotional material on Canberra and events in Canberra. There are currently about 34,000 contact details that have been recorded.

Content may include names and email addresses. People have 'double-opted' to proceed with this list in line with privacy and spam legislation. The list is updated twice a month when the electronic newsletter is released.

The Marketing Manager and their staff have access to these records.

## **24. Bookings and reservations**

### **ACT Government administered resources**

The online Bookings and Reservation System supports various ACT Government business units in the coordination of public access to services with limited or restricted availability. The system requires that users register in order to book the use of identified ACT Government administered resources including camp grounds, library community rooms or access to the Molonglo River for water ski activities.

Content may include names, addresses, boat registration, groups or associations they represent and phone numbers.

Records are hosted by GOb bookings Systems Pty Ltd under ACT Government contract. The information, including personal details, contained in these records is disclosed to areas within the ACT Government who are required to action the customer's booking request. Only identified employees, the contracted vendor and the responsible ACT Government business unit have access to the details provided by the customer.

### **Canberra accommodation bookings**

Through VisitCanberra, accommodation bookings can be made by phone, over the counter at the CRVC or online at [visitcanberra.com](http://visitcanberra.com); these three methods all use the Bookeasy booking system.

Details of the public using Bookeasy are stored electronically by the owners of the Bookeasy system on behalf of the ACT Government. This encrypted information is password protected and only accessible to the reservation staff at CRVC and the Business Support Manager at VisitCanberra.

### **ACTPS and representative travel**

The Qantas Business Travel (QBT) online booking system, Amadeus e-Travel, is used by various ACT Government officials in making arrangements for official travel (domestic and international). The system requires the entry of traveller's personal information to create profiles that enable the arrangement of travel (primarily) with airlines. Travel is organised by travellers or Travel Arrangers as outlined in the CMTEDD Travel and Related Services Guidelines.

Content may include names, addresses, phone numbers, passport number, identification, employment information, family information and any adjoining personal travel.

Records may be held in relevant business units and are hosted by QBT the under ACT Government contract with Qantas Business Travel. The information, including personal details, contained in these records is disclosed to travel and accommodation staff/contracted vendor and areas within the ACT Government that are required to action the customer's booking request.

The online accommodation booking system through [Government.travel](http://Government.travel) (under the Lido Group) and arrangements made with Avis or Budget for car hire are also under whole of ACT Government contract and the above content and access information may also apply.

## **25. Sport and Recreation Services**

Staff within the Directorate have access to this information on a 'need to know' basis.

### **Athlete scholarship files**

The purpose of these records is to keep information about an athlete's scholarship in a central location.

Content may include athlete scholarship contracts (containing date of birth), names, addresses and contact details, application forms, correspondence, selection documents, and information relating to use of ACT Academy of Sport (ACTAS) services (sport psychology, nutrition, sport science, strength and conditioning, and athlete career and education). The personal information on these records relates to 150-200 athletes per year that are selected for an ACTAS scholarship. Only staff of the ACTAS have access to this personal information.

#### **Athlete information database**

The purpose of the database is to record and manage information about athletes that are receiving scholarships.

Content may include date of birth, gender, addresses and contact details, emergency contact details, scholarship period, testing information, strength and conditioning programs and certificates of completion for Australian Sport Anti-Doping Authority's *Pure Performance* online modules.

The personal information on these records relates to 150-200 athletes per year that are selected for an ACTAS scholarship. Only staff of the ACTAS have access to this personal information.

## **26. ACT Property Group**

#### **Venue hire**

Customers booking functions at ACT Property Group managed venue hire facilities including Albert Hall, Yarralumla Woolshed, Fitters' Workshop and Former Transport Depot are required to complete venue booking forms. Once the booking form is completed it is either emailed or faxed to the bookings coordinator at ACT Property Group.

Content may include names, addresses, phone numbers and credit card details. Only authorised personnel in the bookings section of ACT Property Group have access to the booking forms. The information is retained for the purpose of managing the venue hire facility and arrangements.

#### **Property tenancies**

ACT Property Group holds details in relation to people and organisations seeking to occupy government owned properties or those currently or previously occupying government owned or leased properties. This includes representatives of community and commercial organisations and private individuals occupying residential property.

The information is retained for the purposes of managing tenancies in government buildings.

Content may include names, addresses, phone numbers, date of birth, positions within companies and associations. In addition personal banking details including credit card details may be retained for the purposes of rental payments. Authorised staff of ACT Property Group in the Tenancies and Business Support sections have access to this information.

## **27. Waste, re-use, and contamination**

### **Controlled Waste Recording System Database**

The purpose of this system is to record details of controlled waste movements into and out of the ACT in accordance with the Movement of Controlled Waste National Environment Protection Measure. The system includes information on hazardous chemicals and waste movements, waste generators, waste treatment facilities, and waste transporters.

Content may include names, occupations, addresses, phone numbers and personal information captured in business documents.

Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records.

This information may be disclosed to Australian Federal Police and other Government entities when required by Territory, State or Commonwealth Law.

### **Waste disposal database**

The purpose of this database is to record details of approvals for disposal of waste classified under the ACT's Environmental Standards: Assessment and Classification of Liquid and Non-Liquid Waste guidelines to ACT licensed landfills. The database includes information on waste types, waste generators and waste treatment facilities.

Content may include names, addresses, phone numbers, occupations, and personal information captured in business documents.

Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records.

This information may be disclosed to Australian Federal Police and other Government entities when required by Territory, State or Commonwealth Law.

### **Beneficial re-use approvals database**

The purpose of this database is to record details of approvals for beneficial re-use of contaminated soil in the ACT. The database includes information on assessment of material, material generator, material types and amounts and re-use locations.

Content may include names, addresses, phone numbers, occupations, and personal information captured in business documents.



Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records.

This information may be disclosed to Australian Federal Police and other Government entities when required by Territory, State or Commonwealth Law.

### **Contaminated Sites Management System**

The purpose of the system is to record correspondence, management actions and status related to contaminated land (including groundwater) in the ACT.

There are four main sources of information: Contaminated sites register (under the *Environment Protection Act 1997*); Contaminated sites geographic information system (GIS); Contaminated sites management database; and files including paper records and maps.

Personal information, including names and contact details, may be captured in documents relating to the status and condition of the land that is the subject of known or potential contamination, expenses or losses which may have been incurred as a result of suspected or known contamination and citizen-in-confidence information.

Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records.

This information may be disclosed to lessees or occupiers (if it relates to their personal information) and to the Australian Federal Police and other ACT Government Directorates when required by other Territory, State or Commonwealth Law.

## **28. ACT Remuneration Tribunal secretariat**

The purpose of these records is to support the activities of the Tribunal and provide historical and research material on remuneration, allowances and other entitlements for persons appointed to offices under the Tribunal's jurisdiction.

The records relate to particular offices, and may include office holder/ Tribunal members' names, and details about their duties, responsibilities and workloads, and related comparative material. Only members of the Remuneration Tribunal and relevant Public Sector Management Group staff have access to these records.

## **29. Employment legislation and policy**

### **Advice**

Records are maintained to support the provision of advice to the ACT Government and directorates. The records facilitate the provision of accurate and consistent advice on similar issues.

Records containing personal information are maintained for officers applying for an assessment of their classification and salary under section 14(1) of the [Legislative Assembly \(Members' Staff\) Act 1989](#) upon their return to the ACT Public Service.

Records containing personal information are also maintained to facilitate machinery of government staffing transfers following new administrative arrangements.

Content may include names, addresses, classification, salary, employment history (curricula vitae) and nominated referees, AGS number, the content of grievances and/or disciplinary actions, and any investigation outcomes, recommendation of an assessment panel to the Commissioner for Public Administration, and any determinations in relation to an individual's classification and salary as an officer.

The information contained in these records for the assessment of an individual's classification and salary (as an ACTPS officer) is provided voluntarily to the Territory. Any information provided to assessment panels is returned to the Workforce Capability and Governance Division at the completion of the assessment process.

Given the confidential and/or personal nature of the information, access to these records is controlled and restricted by authorised Workforce Capability and Governance Division staff, and access is strictly controlled on a 'need to know' basis.

Under machinery of government provisions, personal information may be transferred between directorates.

### **Labour regulation**

The purpose of these records is to determine long service leave, and in a lesser capacity annual leave, entitlements of employees in the ACT private sector who are not covered by an award or agreement, or where the award or agreement makes reference to the relevant Territory legislation.

Content may include names, addresses, phone numbers, matters of concern, employers reports, records of conversation/minute, group certificates, worker interview notes and employment time and wage records. Staff within Access Canberra who require the information to carry out their responsibilities under legislation have access to these records.

Information relevant to payment entitlement disputes may be disclosed, as part of the mediation process, to employers and legal providers. Personal information may be disclosed to ACT Government Solicitor's Office and ACT Director of Public Prosecutions in seeking legal advice or in legal action. All personal information is otherwise confidential and is not released to other parties without the permission of the person concerned.

## **30. ACT Public Service (ACTPS) staffing data**

Staff data records are used to inform aggregated workforce reports and trend analysis. Aggregated workforce data is presented annually in the ACTPS State of the Service Report.

Producing the metrics in these reports typically requires access to the following staff data: Employee AGS number, gender, date of birth, position, business unit, employment category, identification as Aboriginal and Torres Strait Islander, identification as person with disability, identification of non-English speaking background, remuneration, and leave usage.

These records are used for the purposes of workforce analysis and reporting only. Access to staff records is limited to select senior staff within the Workforce Capability and Governance Division to enable the generation of workforce reports and inform workforce planning decisions. Reports include human resource metrics, typically at whole of service and directorate level (for example, staff numbers).

The records relate to approximately 20,000 existing ACTPS employees, as well as past employees, and this data is maintained via secure electronic media.

### **31. ACTPS Graduate Program**

The purpose of these records is to enable the recruitment of applicants into the annual ACTPS Graduate Program.

Content may include names, addresses, educational history, employment history, identification as a person with disability, identification as an Aboriginal and/or Torres Strait Islander person, identification of non-English speaking background, referees' names and contact details.

A limited number of staff within the Workforce Capability and Governance Division, and members of directorates who attend the Graduate Program Assessment Panel, have access to applications information.

### **32. Revenue Management**

The ACT Revenue Office provides advice on revenue and taxation policy; management of the Territory's taxation base (including the development of revenue and taxation legislation); compliance activities; debt management; administering the Territory's rates and land tax (including , remissions and rebates – such as for pensioners); administering the Home Loan Portfolio and the First Home Owner Grant Scheme in the ACT. The Revenue Office also incorporates the ACT Valuation Office which is responsible for providing professional valuation advice and services for rating and land tax and lease variation charges.

#### **ACT Revenue Office Legislation**

All information collected by the ACT Revenue Office is protected by secrecy provisions in Acts administered by the Office. This information is only used for the purposes of those Acts. In addition, personal information provided to the ACT Revenue Office is protected by the *Information Privacy Act 2014*. Information (including personal information) is not disclosed to any third party unless authorised by law, or with the consent of the person involved.

Part 9 of the *Taxation Administration Act 1999* (TAA) requires the ACT Revenue Office to respect the confidentiality of the information it obtains as a result of a tax law. ACT Tax Acts are defined as tax laws which include the *Taxation Administration Act 1999*, *Duties Act 1999*, *Emergencies Act 2004* schedule 1 (Ambulance levy), *Land Rent Act 2008*, *Land Tax Act 2004*, *Payroll Tax Act 2011*, *Rates Act 2004*, *Utilities Act 2000* part 3A (Energy industry levy), *Planning and Development Act 2007* Division 9.6.3 (Variation of nominal rent leases) and *Utilities (Network Facilities Tax) Act 2006*. As such, they are subject to the provisions of the TAA about the administration and enforcement of tax laws generally.

Section 95 of the TAA prohibits the ACT Revenue Office from making unauthorised records or disclosures of the information it obtains. Section 98 of the TAA prohibits secondary disclosure of information obtained from a tax officer in accordance with the TAA. Section 99 of the TAA restricts disclosures by a person who is, or has been a tax officer from divulging protected information to a court, unless the disclosure is necessary for the purpose of the administration, or execution of a tax law.

### **Permitted Disclosures**

Some of the information held by Revenue Management may be disclosed to persons who are either agents for the Revenue Commissioner or contracted by the Commissioner to provide services under the [Taxation Administration Act 1999](#) and the [First Home Owner Grant Act 2000](#).

Information may also be disclosed to select ACTPS staff working on taxation policy, as delegated by the Director-General, CMTEDD, under section 97(d)(x) of the *Taxation Administration Act 1999*.

As required, information may also be disclosed to the ACT Government Solicitor, the ACT Director of Public Prosecutions, and selected counsel, for the purposes of providing legal advice and assistance in responding to objections and appeals by taxpayers and instigating legal proceedings.

However, Section 96 and 97 of the TAA permit the ACT Revenue Office to disclose personal information in certain circumstances where the information disclosed:

- a. does not identify a particular taxpayer or details of their personal affairs;
- b. is in the public interest in relation to types of statistical information;
- c. is disclosed with the consent of the person concerned;
- d. relates to the administration of a tax law;
- e. is required by law; or
- f. is disclosed to an authorised government official: see Section 97 (d) of the TAA.

The TAA also authorises the ACT Revenue Office to share information with other jurisdictions for the purposes of investigating matters that relate to the administration, or enforcement of tax laws.

Given the nature of the First Home Owners Grant, the disclosure rules are slightly different; the *First Home Owner Grant Act 2000* (FHOG Act) authorises the ACT Revenue Office to conduct inspections.

Section 50 of the FHOG Act provides that a person commits an offence if the person does something that discloses protected information (i.e. information about an applicant for a First Home Owner Grant obtained while administering the FHOG Act) and is reckless about whether the information is protected information and about disclosing the information.

Section 50 does not apply if the information is disclosed:

- a. under the FHOG Act, or another Territory law;
- b. in the exercise of a function under the FHOG Act, or another Territory law;
- c. in relation to the administration or enforcement of a corresponding law, or a law of the Commonwealth, a State or another Territory for the assessment or imposition of a tax;
- d. with the consent of the person to whom the information relates or a person acting for that person;
- e. for the purpose of a legal proceeding; or
- f. as authorised by regulation.

### **Types of files held by the ACT Revenue Office**

The ACT Revenue Office holds diverse personal information of taxpayers and individuals applying for and receiving concessions in accordance with the provisions of the *Taxation Administration Act 1999* and *First Home Owner Grant Act 2000*. ACT Revenue Office staff have access to this personal information in accordance with their duties and functions. This information can be shared with a narrow set of organisations governed by the permitted disclosures under the legislation.

## **33. Finance and Budget**

Finance and Budget Division is responsible for advising the Government and agencies on the development of the Territory's Budget; financial issues relating to agencies and the Territory; and accounting policies and financial frameworks.

Contact details of individuals are kept by the Finance and Budget Division in relation to submissions made during the annual budget consultation process. The provision of contact details is optional but may include contact names, addresses and phone numbers. This information is retained to facilitate the budget consultation process (e.g. if additional information is required in relation to a particular submission) and for communicating information such as invitations to the Budget Day Community Briefing.

## **34. Expenditure Review**

Expenditure Review Division is responsible for expenditure review activities on specific services and functions as determined by the Government. It also undertakes broader across government reviews on discrete areas of activity or spending as requested.

Records are held on feedback on current and former expenditure reviews from community groups and organisations.

Content may include personal opinions and personal contact details (i.e. mobile phone numbers and addresses). Expenditure Review Division staff have access to this information in accordance with duties and functions.

### **35. Default Insurance Fund**

The Default Insurance Fund (DI Fund) combines the previous functions of the ACT Workers' Compensation Supplementation Fund and the Nominal Insurer.

The DI Fund provides access to benefits for injured workers where either their employer does not hold a compulsory workers' compensation policy (i.e. was uninsured at the time the worker suffered the injury), or where the employer's insurer cannot provide the indemnity required by the insurance policy or has been wound up.

Personal information held by the DI Fund is used to manage the rehabilitation, compensation and legal action for workers who were entitled to claim workers' compensation under the [Workers Compensation Act 1951](#). The records are also required to support payments made to and on behalf of the individuals.

Content may include names, addresses, date of birth, gender, occupation and duties, work location, performance reports; salary and attendance records; accident reports; witness statements; rehabilitation reports and programs; investigation reports; litigation details; and privileged information between the DI Fund and its legal advisors.

Access to this information is restricted to those personnel who are involved in the management of claims and are dealing with the collapse of the insurers. This includes the DI Fund Manager, staff, legal consultants, medical practitioners, rehabilitation providers, investigators, the Default Insurance Advisory Committee and independent actuarial and audit staff.

Where the information is used to produce statistics, it is not disclosed in a manner whereby individuals could be identified.

#### **ACT Compulsory Third Party Insurance Regulator**

The ACT Compulsory Third Party (CTP) Insurance Regulator maintains the Personal Injury Register, a database of CTP claims information under the [Road Transport \(Third Party Insurance\) Act 2008](#). The Personal Injury Register includes personal information about insurance claims.

Content may include names, addresses, contact details, gender, date of birth, vehicle registration and any associated insurance claim details and details of the accident.

Insurers provide the data on a monthly basis. The information is used by the CTP regulator to monitor the performance of the Territory's Compulsory Third Party Insurance Scheme.

The Personal Injury Register is an electronic database and access is tightly controlled. The CTP Regulator maintains a list of all people with access to the register. Every person with access to the Register must sign a declaration of understanding, outlining the strict confidentiality requirements in the [Road Transport \(Third Party Insurance\) Act 2008](#).

### **Lifetime Care and Support Scheme**

The Lifetime Care and Support (LTCS) Scheme was established under the [Lifetime Care and Support \(Catastrophic Injuries\) Act 2014](#). The Scheme provides ongoing treatment and care to people who have been catastrophically injured as a result of a motor accident in the ACT, on or after 1 July 2014, on a no-fault basis.

The LTCS Commissioner keeps records relating to applications to the Scheme. The purpose of these records is to enable the Commissioner to assess whether the application meets the Scheme participant criteria under the Legislation. Some personal details are held in relation to these applications.

Content may include names, addresses, contact details, gender, date of birth, vehicle registration, as well as any associated insurance claim details, and details of the accident.

Additionally, information is kept to provide reasonable treatment and care to Scheme participants. This information may include treatment, rehabilitation and care related paperwork and reports.

All applicant and participant records and information are managed as private and confidential, and only accessed by authorised individuals and external people/ bodies permitted under the Scheme legislation.

## **36. Superannuation**

### **Personnel information – MLAs**

Personnel records are held for a number of current and past Members of the Legislative Assembly (MLAs) in relation to their defined benefit superannuation entitlements. Superannuation entitlements for Members of the Legislative Assembly (MLAs) are set out in the [Legislative Assembly \(Members' Superannuation\) Act 1991](#) (the Act). Asset Liability Management is responsible for the defined benefit provisions of the Act. These records reflect the employment history, payroll, and superannuation information.

Content may include names, addresses, date of birth, telephone numbers, gender, employment history, details of pay and allowances, superannuation fund membership details, and taxation arrangements.

Asset Liability Management manages this personnel information and access is limited to staff on a 'need to know' basis.

This information is stored to produce annual information statements for Members and report to the ATO on Member contributions.

## **Personnel information – current and former employees**

Files are held by Asset Liability Management on superannuation for the legal determination of any outstanding superannuation liability and if a liability is identified, to calculate and financially and legally settle these liabilities.

Content may include names, addresses, date of birth, telephone numbers, gender, employment history, details of pay and allowances, superannuation fund membership details, and taxation arrangements, and personal information captured in current and former employees' personnel and finance documents.

Access to this information is restricted to staff in accordance with duties and functions.

## **37. Insurance**

### **ACT Insurance Authority (ACTIA)**

The Australian Capital Territory Insurance Authority (ACTIA) is a statutory authority responsible to the ACT Treasurer and operates under the [Insurance Authority Act 2005](#). ACTIA provides insurance protection and risk management advice for the ACT Government, covering over \$22 billion worth of physical assets and its associated liability exposures. All ACT government directorates and statutory authorities, unless exempted by the Treasurer, are insured with ACTIA.

ACTIA keeps records relating to common law liability claims made against the ACT Government by members of the public; these may include claims for public and product liability, professional indemnity, medical negligence and directors' and officers' liability.

Personal information held by ACTIA is used to manage, defend and settle these claims, to review Government risk management policies and to support payments made to, and on behalf of, the individuals.

Content may include names, addresses, date of birth, gender, occupation and duties, work location, performance reports, salary and attendance records, accident reports, witness statements, rehabilitation reports and programs, investigation reports, litigation details, and privileged information between ACTIA and its legal advisors.

Access to this information is restricted to those personnel who are involved in the management of claims. This includes the ACTIA General Manager and staff, legal representatives, medical practitioners, rehabilitation providers, investigators, the Territory's broker, actuary, insurers and audit staff.

Some of ACTIA's insurers are based overseas and ACTIA must share with them personal information that is relevant to the resolution of a liability claim. Currently all of ACTIA's overseas insurers are based in the United Kingdom and are subject to the UK [Data Protection Act 1998](#). It is not practical for ACTIA to obtain consent to overseas disclosure for each individual affected.



Where the information is used to produce statistics, it is not disclosed in a manner whereby individuals could be identified.

**ACT approved insurers/exempt employees**

The purpose for gathering of information on ACT approved insurers and self-insuring exempt employers, plus organisations wishing to apply for approvals, is to maintain records, provide contact information to the general public, determine market share in order to apportion the costs of administration of the [Workers Compensation Act 1951](#) (which includes relevant costs incurred by the ACT Magistrates Court), and to contact insurers to obtain information required in relation to an investigation. Content may include names, job title/description, organisation, phone numbers, addresses and personal information captured in business/financial documents.

Relevant staff within Access Canberra, as well members of the Insurer Application and Review Panel who are senior members within ACT Government, have access to these records to carry out their responsibilities under legislation. The personal information contained in these records may be disclosed to legal advisors when Access Canberra is seeking counsel.

## Attachment

### Part A: ACT Gambling and Racing Commission

Individuals may obtain information regarding access to their personal information by contacting the Gambling and Racing Commission on (02) 6207 0359, emailing [grc@act.gov.au](mailto:grc@act.gov.au) or writing to P.O. Box 214, Civic Square ACT 2608.

The ACT Gambling and Racing Commission (the Commission) is an independent statutory authority established under the [Gambling and Racing Control Act 1999](#) to control, supervise and regulate gambling and racing activities in the Territory.

The Gambling and Racing Commission's Privacy Statement is available [here](#).

### Part B: ACT Long Service Leave Authority

Individuals may obtain information regarding access to their personal information by contacting the ACT Long Service Leave Authority's Privacy Officer on (02) 6247 3900, by writing to Privacy Officer, Long Service Leave Authority, P.O. Box 234 Civic Square ACT 2608 or by emailing one of the following addresses: [construction@actleave.act.gov.au](mailto:construction@actleave.act.gov.au); [cleaning@actleave.act.gov.au](mailto:cleaning@actleave.act.gov.au); [community@actleave.act.gov.au](mailto:community@actleave.act.gov.au); [security@actleave.act.gov.au](mailto:security@actleave.act.gov.au).

The Long Service Leave Authority (the Authority) was established to administer the [Long Service Leave \(Portable Schemes\) Act 2009](#) (the Act). The Act covers the provision of portable long service leave benefit schemes for specified workers in the ACT engaged in the Building and Construction, Contract Cleaning, Community Sector and Security Industries.

The primary objectives of the Authority are to ensure that:

- eligible employers and their employees are registered with the Authority;
- long service leave payments to employees and contractors and reimbursements to employers are paid in accordance with the Act;
- employers' contribution levies are collected efficiently and effectively; and
- long service leave funds are prudently invested, to ensure a modest long term surplus of assets over liabilities in mature schemes.

The ACT Long Service Leave Authority's Privacy Statement is available on their [website](#).

### Part C: Cultural Facilities Corporation

Individuals may obtain information regarding access to their personal information by telephoning the Corporate Reporting Officer on (02) 6207 3968, emailing [cmag@act.gov.au](mailto:cmag@act.gov.au), or by writing to Cultural Facilities Corporation, P.O. Box 939 CIVIC SQUARE ACT 2608.

The Cultural Facilities Corporation is a statutory authority established under the [Cultural Facilities Corporation Act 1997](#), to manage the following significant cultural venues in Canberra:

- The Canberra Theatre Centre
- Canberra Museum and Gallery
- ACT Historic Places including Lanyon, Calthorpes' House, The Nolan Gallery Collection and Mugga-Mugga

ACT Museums and Galleries is responsible for the management of Canberra Museum and Gallery, and ACT Historic Places.

The Cultural Facilities Corporation Privacy Statement is [here](#) and the Canberra Theatre Centre Privacy Statement is [here](#).

## **Part D: Independent Competition and Regulatory Commission (ICRC)**

Individuals may obtain information regarding access to their personal information by contacting the Independent Competition and Regulatory Commission's Privacy Officer on (02) 6205 0799, by writing to Privacy Officer, Independent Competition and Regulatory Commission, PO Box 161, Civic Square 2608 or by emailing: [icrc@act.gov.au](mailto:icrc@act.gov.au).

The Independent Competition and Regulatory Commission (the Commission) has responsibility for a range of regulatory matters under the [Independent Competition and Regulatory Commission Act 1997](#), the [Utilities Act 2000](#), and the [Electricity Feed-in \(Renewable Energy Premium\) Act 2008](#).

The ICRC's Privacy Statement is available on their [website](#).