Complaints

The Privacy Commissioner, in the Office of the Australian Information Commissioner, is responsible for ensuring compliance with the Privacy Act and dealing with complaints relating to privacy matters.

If you have a complaint about the way the AIHW may have handled your personal information, you may contact:

• the AIHW Privacy Contact Officer via the contact numbers on the last page of this brochure
• the Office of the Australian Information Commissioner: 1300 363 992 or www.oaic.gov.au

Related topics
Privacy is related to, but is not the same as, confidentiality, secrecy and freedom of information. For information on these topics, see:


Further information

For further information on privacy at the AIHW, see:

• the full text of the Privacy Act 1988 in the Commonwealth law database, ComLaw: www.comlaw.gov.au
• Privacy at the AIHW brochure available on the AIHW website, which provides detailed advice on AIHW privacy and confidentiality related to data and statistics.

or contact the AIHW’s Privacy Contact Officer.

Privacy Contact Officer
Information Governance Unit
Australian Institute of Health and Welfare
GPO Box 570
Canberra ACT 2601.
or
privacy@aihw.gov.au
The Australian Institute of Health and Welfare (AIHW) is a major national agency set up by the Australian Government under the *Australian Institute of Health and Welfare Act 1987* (the AIHW Act) to provide reliable, regular and relevant information and statistics on Australia’s health and welfare. To do this, the AIHW:

- collects information from across Australia
- provides the government and the public with information
- ensures that some information (for example, information which may identify individual people or organisations) is protected.

The AIHW has an excellent track record in both providing information and protecting privacy.

### What is privacy?

The dictionary defines privacy as ‘a state in which one is not observed or disturbed by other people, or the state of being free from public attention’. It may include, for example, the right to enjoy private property without interference from others.

The type of privacy that the AIHW must maintain relates specifically to ‘personal information’ under the *Privacy Act 1988* (the Privacy Act) and ‘information about a person’ under the AIHW Act.

### Privacy Act

As an Australian Government agency, the AIHW must comply with the Privacy Act and its Information Privacy Principles.

The Privacy Act protects people’s personal information, which it defines as:

‘…information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.’

In everyday terms, personal information is information held in any form (for example, in a computer, on paper or on the internet) that identifies you, or could identify you. This includes, for example, information about:

- your name, age and/or gender
- your home and/or work address
- your medical, health or financial information
- pictures or videos of you.

Information does not need to contain your name to be personal information. A combination of information, such as your date of birth and postcode, may be enough for others to identify you. Where this is the case, it is still protected by law as personal information.

The Office of the Australian Information Commissioner (OAIC) monitors compliance with the Privacy Act and issues guidelines relating to privacy matters.

The AIHW takes its privacy obligations seriously and ensures that it complies with both the Privacy Act and all relevant guidelines issued by the OAIC.

### AIHW Act

In addition to complying with the strict rules for personal information in the Privacy Act, the AIHW has further obligations under the AIHW Act.

Under section 29 of the AIHW Act, it is a criminal offence for AIHW staff, or anyone collaborating in any way with the AIHW, to disclose ‘information concerning a person’ except in very limited circumstances which are listed in the Act.

‘Information concerning a person’ is very similar to ‘personal information’ in the Privacy Act, except that it is even broader: the AIHW Act includes bodies corporate and people who have died in the definition of ‘person’, whereas the Privacy Act does not.

### How we protect privacy

The AIHW must ensure that it complies with its obligations under both Acts. To ensure that we do, we:

- have an Ethics Committee that makes sure our research activities that use personal information are ethically acceptable
- require our staff to sign confidentiality undertakings which require them to treat personal information carefully and confidentially
- limit access to personal information to only those staff members who need to use that information for their work
- have strong physical and computer security mechanisms in place to ensure personal information is protected.