



**Government
of South Australia**

Privacy Committee of South Australia 2016-17 Annual Report

Privacy Committee of South Australia

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To:
The Hon John Rau

Deputy Premier
Attorney-General
Minister for Justice Reform
Minster for Planning
Minister for Industrial Relations
Minister for Child Protection Reform
Minister for the Public Sector
Minister for Consumer and Business Services
Minister for the City of Adelaide

This annual report is presented to Parliament to meet the reporting requirements of clause 4A of the *Proclamation establishing the Privacy Committee of South Australia* and meets the requirements of Premier and Cabinet Circular *PC013 Annual Reporting*.

This report is verified to be accurate for the purposes of annual reporting to the Parliament of South Australia.

Submitted on behalf of the Privacy Committee of South Australia by:

Simon Froude

Presiding Member, Privacy Committee of South Australia


Signature _____ Date 29 / 9 / 17

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Section A: Reporting required under the *Public Sector Act 2009*, the *Public Sector Regulations 2010* and the *Public Finance and Audit Act 1987*

Committee purpose and objectives

The Privacy Committee of South Australia was established by the *Proclamation establishing the Privacy Committee of South Australia* (the Proclamation) in the Government Gazette on 6 July 1989. The functions of the Privacy Committee, as described in the Proclamation, are:

- to advise the Minister as to the need for, or desirability of, legislation or administrative action to protect individual privacy and for that purpose to keep itself informed as to developments in relation to the protection of individual privacy in other jurisdictions.
- to make recommendations to the Government or to any person or body as to the measures that should be taken by the Government or that person or body to improve its protection of individual privacy.
- to make publicly available, information as to methods of protecting individual privacy and measures that can be taken to improve existing protection.
- to keep itself informed as to the extent to which the Administrative Scheme of Information Privacy Principles is being implemented.
- to refer written complaints concerning violations of individual privacy received by it (other than complaints from employees of the Crown, or agencies or instrumentalities of the Crown, in relation to their employment) to the appropriate authority.
- such other functions as are determined by the Minister.

The Privacy Committee may, under clause 4 of the Proclamation, 'exempt a person or body from one or more of the Information Privacy Principles on such conditions as the Privacy Committee thinks fit'.

Legislation (Cabinet Instruction) administered by the Committee

South Australia's *Information Privacy Principles Instruction* (IPPI) was introduced in July 1989 by means of *Cabinet Administrative Instruction 1/89*, issued as *Premier & Cabinet Circular No. 12*. The IPPI includes a set of ten Information Privacy Principles (IPPs) that regulate the way South Australian public sector agencies collect, use, store and disclose personal information.

Organisation of the Committee

Clause 1(2) of the Proclamation of the Privacy Committee establishes the membership of the Committee. It requires that the Committee consists of six members, all of whom are to be appointed by the Minister. Of the six members:

- three are nominated by the Minister (one of whom must not be a public sector employee and one must have expertise in information and records management);
- one is to be nominated by the Attorney-General;
- one is to be nominated by the Minister responsible for the administration of the *Health Care Act 2008*; and
- one is to be nominated by the Commissioner for Public Employment.

At the conclusion of the reporting year, the membership of the Committee was as follows:

Presiding Member

- Mr Simon Froude, Director, State Records of South Australia, Attorney-General's Department – appointed to 11 January 2019.

Members, in alphabetical order

- Ms Kathy Ahwan, Principal Consultant, Policy and Legislation Unit, Department of Health and Ageing – appointed to 11 January 2019.
- Ms Deslie Billich, non-public sector employee – appointed to 30 September 2018.
- Ms Lucinda Byers, Special Counsel, Office of the Chief Executive, Attorney-General's Department – appointed to 30 March 2019.
- Mr Nathan Morelli, Manager ICT Assurance, Department for Education and Child Development – appointed to 29 January 2019.
- Ms Krystyna Slowinski, Senior Internal Auditor, Department for Communities and Social Inclusion – appointed to 2 June 2018.

Change of membership

During the reporting year, Ms Trish Simpson's term on the Privacy Committee ended and she did not seek reappointment.

Ms Simpson, Solicitor, Crown Solicitor's Office, Attorney-General's Department, was appointed to the Committee on 23 February 2015. Ms Simpson was appointed for her expertise in public and commercial law, particularly in the area of privacy.

Mr James Morphett tendered his resignation from the Privacy Committee effective from 1 December 2016.

Mr Morphett, Principal Advisor, Assurance and Outreach, Office for Digital Government was appointed to the Committee on 1 July 2016. Mr Morphett was appointed for his expertise in information technology, particularly in the area of information security.

Other agencies related to this agency (within the Minister's area/s of responsibility)

State Records of South Australia provides executive support to the Privacy Committee including research and policy support, administrative support, meeting coordination, web hosting, and an enquiry and advice service to both agencies and the public.

Section B: Reporting required under any other act or regulation

Clause 4A(2) of the Proclamation provides that the Committee's Annual Report '*must include details of any exemption granted under clause 4 during the year to which the report relates*'.

Exemption – DECD (Out-of-Home Care Data)

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following revised exemption from the IPPs is granted.

This revised exemption applies to the Department for Education and Child Development (DECD). It is an exemption from compliance with Principle 10 allowing DECD to disclose personal information to the Commonwealth Department of Human Services (DHS). The personal information to be disclosed is of children and young people, born between 1 July 1990 and 30 June 1995, who have experienced an out-of-home care placement and specifically includes:

Linkage variables:

- Encrypted identifier
- First name
- Middle name
- Last name
- Date of birth
- Sex

Analysis variables:

- Encrypted identifier
- Date of first entry (age at first entry can be calculated using date of birth)
- Date of last exit (age at last exit can be calculated using date of birth)
- Total days in care (all placements)
- Total number of care episodes ever
- Total number of placements ever
- Whether had a foster care placement ever (Y/N)
- Whether had a relative/kinship care placement ever (Y/N)
- Whether had a residential care placement ever (Y/N)
- Whether had any other type of care placement ever (Y/N)
- Placement type at last exit (foster care, relative/kinship care, residential care, other)

- Whether the young person has aged out of care (age \geq 15) with two or more continuous years in care prior to exit (Y/N)

The information to be disclosed is for the purpose of allowing South Australia to participate in the Out-Of-Home-Care Data Project (the Project) being conducted by DHS which will provide analysis on the longer-term outcomes for young people leaving out-of-home care and lead to better informed decisions around service planning and delivery.

All other Principles continue to apply.

Conditions

This exemption is granted on the condition that information disclosed to DHS is used solely for the purpose of the Project and in line with the Memorandum of Understanding between DECD and DHS.

DECD is responsible for the secure transfer of personal information in line with the IPPs.

Security

The security of the personal information should be managed in line with the Government's Protective Security Management Framework (Premier and Cabinet Circular 30) and Information Security Management Framework, and the agency's security management systems and practices.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption is granted from 17 August 2016 to 16 November 2016. An extension may be negotiated with the Privacy Committee if required.

Exemption – SAPOL (Vulnerable witness research)

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following exemption from the IPPs is granted.

This exemption applies to the South Australian Police (SAPOL). It is an exemption from compliance with IPPs 8 and 10 allowing SAPOL to disclose personal information to researchers based in the Attorney-General's Department from Deakin University's Centre for Investigative Interviewing.

The personal information to be disclosed is of all persons who were the subject of a police incident report and who were aged 14 years or under at the time of the reported offence, or were aged over 14 years at the time of a reported offence, but have a disability which impacts upon communication.

The following personal information will be collected from SAPOL:

Victim information:

- victim year of birth
- victim ethnicity or country of birth
- victim Indigenous status (based on Standard Indigenous Question)
- whether the victim has a disability affecting communication
- age of victim at time of report
- police incident report number
- police incident report date
- offences listed on the incident report
- major charge
- if the victim was interviewed
- date the victim was interviewed
- if the victim disclosed in the interview
- if the victim particularised their account
- if the victim disclosed to someone prior to the report and if so – relationship to victim
- relationship to the suspect
- charges filed or not
- date of closure of the case
- date of when charges were laid
- any custodial issues with victim's parents
- any medical or forensic evidence
- offence date
- victim's personal identification number (PIN).

Clearance:

- number of police incident reports involving study group that were cleared, by method of clearance (e.g. apprehension report/caution, victim requests no further action, unfounded, other).

Witnesses:

- if there were any witnesses
- witness relationship to the victim
- age of witnesses.

Suspect information:

- police apprehension report number
- police apprehension report date
- suspect year of birth
- suspect ethnicity or country of birth
- suspect Indigenous status (based on Standard Indigenous Question)
- whether the suspect has a disability affecting communication
- offences listed on the apprehension report related to relevant police incident report
- if the suspect was interviewed
- date of suspect interview
- if the suspect confessed/partially admitted or denied the offence.

The information to be disclosed is for the purpose of the evaluation of the effectiveness of a specialist training program for interviewers of vulnerable witnesses being conducted by the Centre for Investigative Interviewing at Deakin University (the research project).

All other Principles continue to apply.

Conditions

This exemption is granted on the following conditions:

- the personal information will be collected onsite under police supervision and only de-identified information will be removed from the site
- the personal information is only to be accessed by the agreed researcher from the Centre for Investigative Interviewing at Deakin University based at the Attorney-General's Department
- the personal information is used solely for the purpose of the research project
- SAPOL ensures that the outcome of the research project would not result in the disclosure of personal information to a third party in a form that would identify an individual or from which an individual would be reasonably identifiable
- SAPOL remains responsible for the secure transfer of personal information in line with the IPPs
- SAPOL provides the Privacy Committee with a progress report after 12 months following the approval of this exemption.

Security

The security of the personal information should be managed in line with the Government's Protective Security Management Framework (Premier and Cabinet Circular 30) and Information Security Management Framework, and the agency's security management systems and practices.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption is granted from 26 October 2016 to 26 October 2018. An extension may be negotiated with the Privacy Committee if required.

Exemption – DCSI, SA Health (Homelessness to Home data set)

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following exemption from the IPPs is granted.

This exemption applies to Housing SA, a business unit within the Department for Communities and Social Inclusion (DCSI), and SA Health.

For DCSI it is an exemption from compliance with Principle 10, allowing DCSI to disclose personal information to SA Health employees in the Data Linkage Unit within SA NT DataLink.

For SA Health it is an exemption from compliance with Principles 8 and 10, allowing SA Health to use personal information for a purpose that was not the purpose of the collection of that information and to disclose it to SA NT DataLink.

The personal information to be disclosed is from the DCSI Housing SA Homelessness to Home (H2H) data set, for the period 1 July 2011 to 30 June 2016 including any migration data prior to 1 July 2011, and then to be provided annually. The personal information is limited to:

- H2H customer number;
- Housing SA customer number;
- given names;
- surname;
- date of birth;
- sex;
- Aboriginality and/or Torres Strait Islander indicator;
- country of birth;
- full address details, including past addresses where available;
- system date; and
- any of the above information provided for other family members and included in these records.

The information to be disclosed is for the purpose of developing more effective service delivery, supporting appropriate accommodation services, and improved health and wellbeing for those who are homeless.

All other Principles continue to apply.

Conditions

The information is only to be used for the creation of master linkage keys in the further development of the master linkage file as part of the Data Linkage System. The exemption is provided on the condition that the personal information is only to be accessed by officers of SA Health within the Data Linkage Unit.

Clients with a locked or sensitive status will be excluded from the data extract until that status has been lifted.

DCSI remains responsible for the secure transfer of personal information in line with the IPPs.

This exemption is conditional on SA NT DataLink having a current Joint Venture Consortium Agreement in place.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption is granted from 17 August 2016 to 16 August 2019. An extension may be negotiated with the Privacy Committee if required.

Exemption – SAPOL – Compulsory Third Party Regulator

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following exemption from the IPPs is granted.

This exemption applies to the South Australian Police (SAPOL). It is an exemption from compliance with Principles 2 and 10 allowing SAPOL to disclose personal information to the Office of the Compulsory Third Party Insurance (CTPI) Regulator. The information specifically includes:

- on-line access to information in Vehicle Collision Reports and Major Crash Information Summary Forms relating to bodily injury
- appropriate access to other information in or related to Vehicle Collision Reports and major Crash Information Summary Forms providing there is evidence of the record subject's consent
- the information may contain blood alcohol content results providing the result is over 0.05 and is for the driver of a vehicle involved in a collision resulting in bodily injury
- access to vehicles contained within SAPOL's Major Crash Compound
- information obtainable from Police Investigators attached to the SAPOL Major Crash Investigators section.

The information to be disclosed is for the purpose of assisting the Office of the CTPI Regulator to perform its functions under the *Compulsory Third Party Insurance Regulation Act 2016*.

All other Principles continue to apply.

Conditions

This exemption is granted on the condition that information disclosed to the Office of the CTPI Regulator is used solely for the purpose of the functions of the CTPI Regulator and in line with the Memorandum of Administrative Arrangements between SAPOL and the CTPI Regulator.

SAPOL is responsible for the secure transfer of personal information in line with the IPPs.

Security

The security of the personal information should be managed in line with the Government's Protective Security Management Framework (Premier and Cabinet Circular 30) and Information Security Management Framework, and the agency's security management systems and practices.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption is granted from 12 October 2016 to 11 October 2019. An extension may be negotiated with the Privacy Committee if required.

Exemption – DPTI - Compulsory Third Party Regulator

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following exemption from the IPPs is granted.

This exemption applies to the Department of Planning and Transport and Infrastructure (DPTI). It is an exemption from compliance with Principles 2 and 10 allowing DPTI to disclose personal information to the Office of the Compulsory Third Party Insurance (CTPI) Regulator.

Specifically the personal information to be disclosed consists of personal policy records of persons who register motor vehicles and other relevant documents completed by persons who register motor vehicles.

The information to be disclosed is for the purpose of assisting the Office of the CTPI Regulator to perform its functions under the *Compulsory Third Party Insurance Regulation Act 2016*.

All other Principles continue to apply.

Conditions

This exemption is granted on the condition that information disclosed to the Office of the CTPI Regulator is used solely for the purpose of the functions of the CTPI Regulator and in line with the Memorandum of Administrative Arrangements between DPTI and the CTPI Regulator.

DPTI is responsible for the secure transfer of personal information in line with the IPPs.

Security

The security of the personal information should be managed in line with the Government's Protective Security Management Framework (Premier and Cabinet Circular 30) and Information Security Management Framework, and the agency's security management systems and practices.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption is granted from 12 October 2016 to 11 October 2019. An extension may be negotiated with the Privacy Committee if required.

Exemption – SA Health - Compulsory Third Party Regulator

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following exemption from the IPPs is granted.

This exemption applies to the Department of Health and Ageing (SA Health). It is an exemption from compliance with Principles 2 and 10 allowing SA Health to disclose personal information to the Office of the Compulsory Third Party Insurance (CTPI) Regulator.

The personal information to be disclosed is of persons treated by SA Health hospitals who have been injured in motor vehicle accidents and specifically includes:

- name of injured person;
- date and description of services provided to the injured person;
- fees associated with services provided to the injured person;
- details of the motor vehicle accident involving the injured person collected via a Vehicle Accident Information Form.

The information to be disclosed is for the purpose of assisting the Office of the CTPI Regulator to perform its functions under the *Compulsory Third Party Insurance Regulation Act 2016*.

All other Principles continue to apply.

Conditions

This exemption is granted on the condition that information disclosed to the Office of the CTPI Regulator is used solely for the purpose of the functions of the CTPI Regulator and in line with the Memorandum of Administrative Arrangements between the SA Health and the CTPI Regulator.

SA Health is responsible for the secure transfer of personal information in line with the IPPs.

Security

The security of the personal information should be managed in line with the Government's Protective Security Management Framework (Premier and Cabinet Circular 30) and Information Security Management Framework, and the agency's security management systems and practices.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption is granted from 12 October 2016 to 11 October 2019. An extension may be negotiated with the Privacy Committee if required.

Exemption – SAAS - Compulsory Third Party Regulator

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following exemption from the IPPs is granted.

This exemption applies to the South Australian Ambulance Service (SAAS). It is an exemption from compliance with Principles 2 and 10 allowing SAAS to disclose personal information to the Office of the Compulsory Third Party Insurance (CTPI) Regulator.

The personal information to be disclosed is of persons transported by the SAAS from the scene of motor vehicle accidents and specifically includes:

- name of injured person
- date of the service provision
- travel details
- details of the motor vehicle accident
- health services and other treatments provided to the injured person before and during the ambulance service.

The information to be disclosed is for the purpose of assisting the Office of the CTPI Regulator to perform its functions under the *Compulsory Third Party Insurance Regulation Act 2016*.

All other Principles continue to apply.

Conditions

This exemption is granted on the condition that information disclosed to the Office of the CTPI Regulator is used solely for the purpose of the functions of the CTPI Regulator and in line with the Memorandum of Administrative Arrangements between the SAAS and the CTPI Regulator.

SAAS is responsible for the secure transfer of personal information in line with the IPPs.

Security

The security of the personal information should be managed in line with the Government's Protective Security Management Framework (Premier and Cabinet Circular 30) and Information Security Management Framework, and the agency's security management systems and practices.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption is granted from 12 October 2016 to 11 October 2019. An extension may be negotiated with the Privacy Committee if required.

Exemption – Multi-Agency Protection Services project SAPOL, DCS, SA Health, DCSI, DECD, DCP

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following exemption from the IPPs is granted.

This exemption applies to the South Australia Police (SAPOL), Department for Correctional Services (DCS), SA Health, Department for Communities and Social Inclusion (DCSI) including the Office for Women, the Department for Education and Child Development (DECD) and the Department for Child Protection (DCP). It is an exemption from compliance with IPPs 2, 7, 8 and 10, allowing SAPOL, DCS, SA Health, DCSI, DECD and DCP to share information and intelligence as part of SAPOL's Multi-Agency Protection Services (MAPS) Project.

The exemption also allows the abovementioned agencies to share information and intelligence with the non-government organisation Women's Safety Services South Australia.

This exemption replaces the previous interim exemption expiring on 30 June 2017.

The personal information to be shared will include given and family name, address (including previous addresses), gender, age, date of birth, ethnicity and any other relevant personal information held by MAPS partner agencies. This includes personal information of victims and potential victims, offenders, associates and dependants. The personal information is collected and held by each agency through normal and accepted business processes.

The purpose of the collection, use and disclosure of the personal information is to allow the successful functioning of the MAPS Project in the protection of victims, or potential victims, of domestic violence and/or child protection matters through earlier identification of children and victims at risk.

All other Principles continue to apply.

Security of Personal Information

The security of the personal information should be managed in line with the Government's Protective Security Management Framework (Premier and Cabinet Circular 30) and Information Security Management Framework, and the agency's security management systems and practices. Participating agencies must specifically ensure that:

- steps taken to secure personal information are proportionate to its sensitivity and the risk of its loss or misuse;
- personal information is kept in a secure area within participating agencies;
- personal information is protected during transit; electronic information should be encrypted and password protected; and physical files should not be left unattended in an unsecure environment;
- personal information collected under the MAPS Project should not be on-disclosed or distributed further within participating agencies or the non-government organisation for any purposes other than facilitating any actions under the MAPS Project, or when delivering services to an individual as an existing client or where otherwise allowable under IPPs 8 and 10.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption applies from 2 December 2016 until 30 June 2017, or the end of the MAPS Project, whichever is earlier.

Exemption – DPTI Sanitary Drain Drawings

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following exemption from the IPPs is granted.

This exemption applies to the Department of Planning, Transport and Infrastructure and concerns the personal information contained in drawn representations of the underground on-site sanitary plumbing work within a specific property (the sanitary drain drawings).

Specifically the personal information consists of the name of persons who currently or previously owned a property, the address of that property, the name and contact details of the plumber who undertook plumbing work to install the sanitary drains on the property and the location of sanitary drains on the property.

The agency is granted an exemption from Principle 10 for the purpose of disclosing the sanitary drain drawings to the public.

All other Principles continue to apply.

Conditions

This exemption is granted on the condition that:

- where possible the name of the property owner and name and contact details of the plumber are deleted from the drawings prior to release to the public
- the agency in collaboration with the Department of State Development take all necessary steps to put in place a process whereby a person can apply to have the sanitary drain drawing of a property that he or she owns, or lives in, suppressed from access by the public.

Security

The security of the personal information should be managed in line with the Government's Protective Security Management Framework (Premier and Cabinet Circular 30) and Information Security Management Framework, and the agency's security management systems and practices.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption is granted from 1 March 2017 to 28 February 2018. An extension may be negotiated with the Privacy Committee if required.

Exemption – DSD Sanitary Drain Drawings

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following exemption from the IPPs is granted.

This exemption applies to the Department of State Development (DSD) and concerns the personal information contained in drawn representations of the underground on-site sanitary plumbing work within a specific property (the sanitary drain drawings).

Specifically the personal information consists of the name of persons who currently or previously owned a property, the address of that property, the name and contact details of

the plumber who undertook the plumbing work to install the sanitary drains on the property and the location of sanitary drains on the property.

The agency is granted an exemption from compliance with Principles 6 and 9 in relation to the drawings.

The agency is also granted an exemption from Principle 10 for the purpose of disclosing the drawings:

- to the public
- to the Department of Planning, Transport and Infrastructure (DPTI) for the purpose of creating on-line access to the drawings by the public.

All other Principles continue to apply.

Conditions

This exemption is granted on the condition that:

- the process of collecting the sanitary drain drawings is amended such that the name of the property owner and the name and contact details of the plumber is no longer required to be supplied
- where possible the name of the property owner and name and contact details of the plumber are deleted from the sanitary drain drawings prior to release to DPTI or the public
- the agency take the lead on establishing a process whereby a person can apply to have the sanitary drain drawing of a property that he or she owns, or lives in, suppressed from access by the public.

DSD is responsible for the secure transfer of personal information in line with the IPPs.

Security

The security of the personal information should be managed in line with the Government's Protective Security Management Framework (Premier and Cabinet Circular 30) and Information Security Management Framework, and the agency's security management systems and practices.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption is granted from 1 March 2017 to 28 February 2018. An extension may be negotiated with the Privacy Committee if required.

Exemption – Multi-Agency Protection Services project SAPOL, DCS, SA Health, DCSI, DECD, DCP

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following exemption from the IPPs is granted.

This exemption applies to the South Australia Police (SAPOL), Department for Correctional Services (DCS), SA Health, Department for Communities and Social Inclusion (DCSI) including the Office for Women, the Department for Education and Child Development (DECD) and the Department for Child Protection (DCP). It is an exemption from compliance with IPPs 2, 7, 8 and 10, allowing SAPOL, DCS, SA Health, DCSI, DECD and DCP to share information and intelligence as part of SAPOL's Multi-Agency Protection Services (MAPS) Project.

The exemption also allows the abovementioned agencies to share information and intelligence with the non-government organisation Women's Safety Services (South Australia).

The personal information to be shared will include: given and family name, address (including previous addresses), gender, age, date of birth, ethnicity and any other relevant personal information held by MAPS partner agencies. This includes personal information of victims and potential victims, offenders, associates and dependants. The personal information is collected and held by each agency through normal and accepted business processes.

The purpose of the collection, use and disclosure of the personal information is to allow the successful functioning of the MAPS Project in the protection of victims, or potential victims, of domestic violence and/or child protection matters through earlier identification of children and victims at risk.

All other Principles continue to apply.

Security of Personal Information

The security of the personal information should be managed in line with the Government's Protective Security Management Framework (Premier and Cabinet Circular 30) and Information Security Management Framework, and the agency's security management systems and practices. Participating agencies must specifically ensure that:

- steps taken to secure personal information are proportionate to its sensitivity and the risk of its loss or misuse;
- personal information is kept in a secure area within participating agencies;
- personal information is protected during transit; electronic information should be encrypted and password protected; and physical files should not be left unattended in an unsecure environment;
- personal information collected under the MAPS Project should not be on-disclosed or distributed further within participating agencies or the non-government organisation for any purposes other than facilitating any actions under the MAPS Project, or when delivering services to an individual as an existing client or where otherwise allowable under IPPs 8 and 10.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption applies from 1 July 2017 until 30 June 2018, or the end of the MAPS Project, whichever is earlier.

Exemption – Offender Management Plan Program SAPOL, DCS, DCSI, SA Health, AGD, DSD, TAFE SA

Clause 4 of the Proclamation establishing the Privacy Committee of South Australia (Committee) provides that the Committee may exempt any person or body from one or more of the Information Privacy Principles (IPPs) on such conditions as the Committee sees fit. The following exemption from the IPPs is granted.

This exemption applies to the South Australia Police (SAPOL), Department for Correctional Services (DCS), Department for Communities and Social Inclusion (DCSI), SA Health, Attorney-General's Department (AGD), Department of State Development (DSD), and TAFE SA. It is an exemption from compliance with IPPs 2, 8 and 10, allowing SAPOL, DCS, DCSI, AGD, DSD and TAFE SA to share case file information of serious offenders as part of the Offender Management Plan Program (OMP Program). It is an exemption from compliance with IPPs 2 and 8 allowing SA Health to share case file information of serious offenders as part of the OMP Program.

The personal information to be shared is case file information and other personal information relevant to offenders included in the OMP Program. This includes the personal information of family members and associates, where it has been identified that those individuals contribute significantly to the offending lifestyle of the nominated offender. The information is collected and held by each agency through its mandated service provision.

The purpose of the collection, use and disclosure of the personal information is to allow the successful functioning of the OMP Program in providing coordinated case management of selected serious offenders to reduce recidivism and promote community safety. This exemption also provides for the disclosure of relevant personal information to third party service providers necessary for the provision of targeted services to individual offenders under the OMP Program.

All other Principles continue to apply.

Conditions

This exemption is conditional on the following:

- personal information shared through the OMP Program is only used for the purposes of coordinated case management of selected serious offenders; and
- individual offenders are informed of their inclusion in the OMP Program; and
- the Guidelines for the OMP Program are amended to include clear pathways for complaints relating to the use of personal information; both internally and externally; and

- a system for monitoring and recording breaches of personal information privacy is implemented; and
- consent is sought from family members and associates, where it has been identified that those individuals contribute significantly to the offending lifestyle of the nominated offender, for their personal information to be shared as part of the OMP Program. Only in circumstances where consent is not granted, or if it is given and then later revoked, does this exemption apply.

Security of Personal Information

The security of the personal information should be managed in line with the Government's Protective Security Management Framework (Premier and Cabinet Circular 30) and Information Security Management Framework, and the agency's security management systems and practices. Participating agencies must specifically ensure that:

- steps taken to secure personal information are proportionate to its sensitivity and the risk of its loss or misuse;
- personal information is kept in a secure area within participating agencies;
- personal information is protected during transit;
- electronic information should be encrypted and password protected and physical files should not be left unattended in an unsecure environment; and
- access to personal information is on a strictly need-to-know basis. Personal information collected under the OMP Program should not be on-disclosed or distributed further within participating agencies for any purposes other than facilitating any actions under a participating offender's case management plan, delivering services to the offender as an existing client or where otherwise allowable under IPPs 8 and 10.

Destruction or retention of personal information

Destruction or retention of the personal information must be undertaken in accordance with a disposal authority under the *State Records Act 1997*.

Expiry

This exemption applies from 1 July 2017 to 30 June 2018.

Section C: Reporting of public complaints as requested by the Ombudsman

Reporting requested by the Ombudsman of public complaints is included in the Annual Report of the Attorney-General's Department.