Australian Government | Infrastructure Australia

Privacy Policy

1. Overview

This privacy policy sets out how Infrastructure Australia complies with the Australian Privacy Principles (APPs) in the Privacy Act 1988 (Privacy Act).

We collect, hold, use and disclose personal information to carry out functions and activities under the Infrastructure Australia Act 2008 (Infrastructure Australia Act). These functions and activities include:

- Conducting audits to determine the adequacy, capacity and condition of nationally significant infrastructure;
- Developing Infrastructure Priority Lists that prioritise Australia's infrastructure needs;
- Evaluating proposals for investment in or enhancement to nationally significant infrastructure from governments and other stakeholders;
- Developing infrastructure plans;
- Providing advice on infrastructure matters;
- Undertaking and commissioning research;
- Responding to freedom of information (FOI) applications for access to information, third party consultations and FOI reviews;
- consulting with States, Territories, local governments and other stakeholders on matters concerning nationally significant infrastructure;
- maintaining mailing lists and registers, such as organisations that have an interest in infrastructure;
- reporting in respect of various statutory compliance obligations; and
- communicating with the public, stakeholders and the media including through websites and social media.

This policy contains information about how we collect, use, disclose and store personal information, including sensitive information, and how individuals may access and correct personal information that we may hold.

We take privacy seriously and will only collect, use and disclose your personal information in accordance with the Privacy Act and other applicable laws.

The Privacy Act applies to information about individuals, not to information about entities such as businesses, firms or trusts. If we do not receive personal information about you, the Privacy Act will not apply. Detailed information on the Privacy Act and APPs can be found on the website of the Office of the Australian Information Commissioner (www.oaic.gov.au).

2. Who should read this privacy policy?

You should read this policy if you are:

- an individual whose personal information may be given to or held by us including through mailing lists;
- a person who has sent correspondence (including submissions, proposals, business cases or applications) to us or made verbal submissions to us or attended conferences or events in which we are involved;
- a contractor, consultant, supplier or vendor of goods or services to us or someone who has tendered to provide goods or services to us;
- a person seeking employment with us;
- a person who is or was employed by us;
- a person who is appointed to, or is being considered for appointment, to a statutory position within Infrastructure Australia;
- a person who has made enquiries or complaints to us; and
- a person who has made Freedom of Information (**FOI**) requests.

Guidance on Infrastructure Australia's information handling practices

At all times we try to only collect the information we need for the particular function or activity we are carrying out. This is set out in more detail below.

3. What is personal information?

'Personal information' is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not (section 6 Privacy Act).

4. What kinds of personal information does Infrastructure Australia collect and hold?

We collect and hold a broad range of personal information in records relating to:

- employment services and personnel management;
- the performance of legislative and administrative functions;
- the performance of policy advice functions, including when we consult with and seek advice from other government agencies, private sector organisations, stakeholder groups or individuals and when we research policy issues;
- the performance of project advisory functions being the assessment of initiative and project proposals and business cases, including when we consult with other government agencies, private sector organisations, stakeholder groups or individuals;
- the preparation and publication of infrastructure audits, the Infrastructure Priority Lists and Infrastructure Plans;
- public awareness, including when people ask to be on an email or mailing list so that we can send them information about our activities and publications;
- the management of contracts;
- correspondence with members of the public, other government departments and agencies, State, Territory and local governments and other stakeholders;
- inter-government liaison;
- complaints (including privacy complaints) made;

- requests made to us under the Freedom of Information Act 1982 (**FOI Act**); and
- the provision of legal advice received by us from external lawyers.

In performing our functions, we may collect and hold the following kinds of personal information, which will vary depending on the context of the collection:

- your name, address and contact details (phone and facsimile numbers and email address);
- photographs, video recordings and audio recordings of you where you are an employee of Infrastructure Australia or from attendance at public events;
- the personal business affiliates, associations and relationships in respect of entities we are dealing with (such as directors, consultants and advisers to entities we are dealing with);
- information about your personal circumstances (for example, marital status, age, gender, occupation, accommodation and relevant information about your partner or children);
- financial information such as your bank account or credit card information (where we receive or make payments to you)
- information about your identity (for example, date of birth, country of birth, passport details, visa details, driver license, birth certificate);
- information about your background (for example, educational qualifications, the languages you speak);
- information about your work history (for example, work history, referee comments, remuneration); and
- government identifiers (for example, Tax File Numbers).

Our privacy procedures contain more detailed information about the types of personal information that we hold and our information handling practices.
You may interact with us anonymously or via a pseudonym (see Complaints section below).

5. How we collect personal information

We collect personal information through a variety of different methods including:

- paper-based forms;
- electronic forms (including online forms);
- face to face meetings;
- the exchange of business cards;
- telephone communications;
- email communications;
- communications by letter;
- communications by facsimile;
- Infrastructure Australia websites; and
- Infrastructure Australia social media websites and accounts.

It is usual practice for us or an organisation acting on behalf of us (for example, a contracted service provider) to collect personal information directly from you or someone that you have authorised to provide information to us.

Under the Privacy Act, we are required to take contractual measures to ensure contracted service providers (including sub-contractors) comply with the same privacy requirements applicable to us. Personal information about you may also be collected indirectly through other Commonwealth departments or agencies, State, Territory or local government bodies, or other organisations and stakeholders. Sometimes we may collect personal information about you from a third party or a publicly available source, but only if you have consented to that collection or would reasonably expect us to collect your personal information in this way.

From time to time, personal information is provided to us without being requested by us. When we receive that information, we will handle it in accordance with our obligations under the Privacy Act as set out in APP 4.

Collection of personal information from our website

Our website is managed by the Department of Infrastructure, Regional Development and Cities. Generally, we only collect personal information from our website where a person chooses to provide that information.

If you visit our website to read or download the information, we record a range of technical information which does not reveal your identity. This information includes your IP or server address, your general locality and the date and time of your visit to the website. This information is used for statistical and development purposes.

No attempt is made to identify you through your browsing other than in exceptional circumstances, such as an investigation into the improper use of the website.

Some functionality of the Infrastructure Australia website is not run by Infrastructure Australia and third parties may capture and store your personal information outside Australia. These third parties include (but are not limited to) Facebook, Twitter and Google and may not be subject to the Privacy Act. Infrastructure Australia is not responsible for the privacy practices of these third parties and encourages you to examine each website's privacy policies and make your own decisions regarding their reliability.

The Infrastructure Australia website contains links to other websites. Infrastructure Australia is not responsible for the content and privacy practices of other websites and encourages you to examine each website's privacy practices and make your own decisions regarding the reliability of material and information found.

Forms

Sometimes, we collect personal information that individuals choose to give us via online forms or by email, for example when individuals use forms on the site to:

- provide information;
- make submissions;
- submit a project for assessment; and
- register interest.

The information you provide is retained on the public web server and will not be used for purposes other than that for which it was provided.

We will only record your e-mail address if you send us a message. It will only be used for the purpose for which it was provided and will not be added to a mailing list unless that is the purpose of your message.

Http logs

When individuals only browse the website, Infrastructure Australia does not collect their personal information.

When an individual looks at Infrastructure Australia's website, Infrastructure Australia collects data in its Http logs. These logs are used internally to better develop the site and allow Infrastructure Australia to report on site activity. They are not used for any other purpose. When you visit Infrastructure Australia's websites, Infrastructure Australia makes a record of the individual's visit and logs (in server logs) the following information for statistical purposes:

- the individual's server address;
- the individual's top level domain name (for example .com, .gov, .org, .au, etc);
- the date and time of visit to the site; and
- the pages the individual accessed and documents downloaded.

We do not identify users or their browsing activities except, in the event of an investigation, where a law enforcement agency may exercise a warrant to inspect the internet service provider's server logs.

Cookies

A cookie is a small file that is sent to your web browser from a web server and stored on your computer's hard drive.

No personal information is maintained by the cookie which might identify an individual should they visit Infrastructure Australia's website at a later date.

6. Data quality

We hold personal and sensitive information in paper-based files, electronic records, emails and databases.
We will take reasonable steps to maintain and update personal information in our possession or control, or when we are advised by individuals that their personal information has changed.

7. Data security

We will take all reasonable steps to ensure that all personal information in our possession or control is protected against loss, unauthorised access, misuse, disclosure or modification.

Access to personal information held is restricted to authorised persons who are our employees or contractors to us.

Electronic and paper records containing personal information are protected in accordance with the Australian Government security policies; for example, we use password protection for electronic files, secure paper files in locked cabinets and compactuses and may use other physical access restrictions (for example, for personnel files). Storage of personal information (and the disposal of information when no longer required) is managed in accordance with the Australian Government records management regime, including the Archives Act 1983 (Archives Act), Records Authorities and General Disposal Authorities.

We periodically conduct audits to ensure we adhere to our protective and computer security policies.

Accidental or unauthorised disclosure of personal information

We will take seriously any accidental or unauthorised disclosure of personal information. Complaints will be handled in accordance with Infrastructure Australia's complaints process (please refer below). If a breach of the APPs has been identified, we will advise you of our findings and proposed follow up action which may include, for example, an apology, targeted staff training, revised security or storage arrangements, or amendment of forms to prevent similar situations arising.

If you are not satisfied with our response, you have the option of making a complaint to the Privacy Commissioner (see below).

8. What is sensitive information?

'Sensitive information' is defined in section 6 of the Privacy Act as:

(a) information or an opinion about an individual's:

(i) racial or ethnic origin; or

(ii) political opinions; or

(iii) membership of a political association; or

(iv) religious beliefs or affiliations; or

(v) philosophical beliefs; or

(vi) membership of a professional or trade association; or

(vii) membership of a trade union; or

(viii) sexual orientation or practices; or

(ix) criminal record;

that is also personal information; or

(b) health information about an individual; or

(c) genetic information about an individual that is not otherwise health information; or

(d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or

(e) biometric templates.

9. What kinds of sensitive information do we collect?

On occasion, we may collect sensitive information about you including information about:

- your health (including information about your medical history and any disability or injury you may have);
- any criminal record you may have;
- your membership of a professional or trade association; and
- your racial or ethnic origin.

10. How we collect sensitive information

We may collect sensitive information about you if:

- you have consented and the information is reasonably necessary for, or directly related to, one of our functions or activities; or
- the collection is required or authorised by law.

11. Purposes for which personal information is collected, held, used and disclosed

Primary functions

We only collect personal information for purposes which are directly related to our functions or activities, and only when it is necessary for or directly related to such purposes. These functions and activities include:

- performing recruitment, employment and personnel management functions in relation to individuals seeking employment with us, our Board members and staff, contractors and secondees including obtaining security clearances;
- performing legislative and administrative functions;
- research and policy development;
- policy advocacy and engagement;
- conducting project assessments;
- complaints handling;
- program management;
- contract management;
- stakeholder engagement, government liaison and public awareness;
- responding to enquiries and correspondence from members of the public; and
- responding to requests under the FOI Act and the Archives Act.

We will not ask you for personal information we do not need.

We will use and disclose personal information for the primary purposes for which it is collected (for example, to deal with a submission or project proposal, to conduct research, to develop policy, to conduct infrastructure audits, to prepare and issue briefs, reports and advice, to respond to assistance sought, application or enquiry or to make referrals which the individual, applicant and or enquirer has consented to or is reasonably likely to expect us to make). We will take reasonable steps to provide you with information about the primary purpose of collection before or at the time the information is collected or as soon as practicable after collection in accordance with APP 5.

Sometimes we will pass on personal information to other staff, government departments, agencies, or organisations. We will only do so if the purpose of the disclosure is related to the purpose for which the information was collected. Some of our administrative functions including the provision of ICT services, some financial management and obtaining security clearances are managed by the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC), and security clearances are conducted by the Australian Government Security Vetting Agency (AGSVA). Internal and external audits are conducted by contractors and the ANAO. We may request police departments to conduct police checks where required for employment purposes. Staff travel arrangements are managed by external contractors. Dissemination of newsletters and other information may be conducted by external contractors. In those circumstances, personal information including sensitive information will be provided to those departments, agencies or contractors. We may also pass on personal information where it is required by law. In other circumstances, where possible, we will notify you at the time we collect the information, or shortly after, if we are likely to pass the information on to another body and, if relevant, the bodies to which the information is likely to be given, in accordance with APP 5.

We will only use your personal information for secondary purposes where we are able to do so under the Privacy Act.

Review of our decisions

We may disclose personal information to another review body if a complainant, applicant or respondent seeks an external review of our decisions such as to the Office of the Australian Information Commissioner (OAIC) or the Administrative Appeals Tribunal (AAT), or makes a complaint to the Commonwealth Ombudsman.

Publication of reports

Generally, before we publish decisions, project assessments or reports we will obtain permission for release of personal information. We will publish submissions made to us, unless we are requested not to do so.

Disclosure to the media

We only provide the media with personal information if you have consented, or where the information is already publicly available.

Disclosure to service providers

We use a number of service providers to whom we disclose personal information. These include providers that host our website servers, manage our IT and manage our human resources information. To protect the personal information we disclose, we:

- enter into a contract or MOU which requires the service provider to only use or disclose the information for the purposes of the contract or MOU; and
- include special privacy requirements in the contract or MOU.

Disclosure of sensitive information

We only disclose your sensitive information for the purposes for which you gave it to us or for directly related purposes you would reasonably expect or if you agree.

Disclosure of personal information overseas

We will not usually disclose personal information to overseas recipients. Where it is necessary for us to disclose personal information to overseas recipients, we will only do so where at least one of the exceptions under APP 8 apply.

12. How to seek access to and correction of personal information

You have a right under the Privacy Act to access personal information we hold about you.

You also have a right under the Privacy Act to request corrections to any personal information that we hold about you if you think the information is inaccurate, out-of-date, incomplete, irrelevant or misleading.

You can ask for access or correction by contacting us and we must respond within 30 days. If you ask, we must give you access to your personal information, and take reasonable steps to correct it if we consider it is incorrect, unless there is a law that allows or requires us not to.

We will ask you to verify your identity before we give you access to your information or correct it, and we will try to make the process as simple as possible.

If we refuse to give you access to, or correct, your personal information, we must notify you in writing setting out the reasons. If we make a correction and we have disclosed the incorrect information to others, you can ask us to tell them about the correction. We must do so unless there is a valid reason not to. If we refuse to correct your personal information, you can ask us to associate with it (for example, attach or link) a statement that you believe the information is incorrect and why.

You also have the right under the FOI Act to request access to documents that we hold and ask for information that we hold about you to be changed or annotated if it is incomplete, incorrect, out-of-date or misleading. For further information, see Freedom of information requests to Infrastructure Australia.

If you wish to:

- query how your personal information is collected, held, used or disclosed;
- ask questions about this Privacy Policy; or
- obtain access to or seek correction of your personal information.

please contact us using the following contact details:

By Email: IAPrivacy@infrastructure.gov.au

By Post: Privacy Officer
Infrastructure Australia
GPO Box 5417
Sydney NSW 2001

By Hand: Level 19,
60 Martin Place
Sydney NSW

13. Complaints

How to make a complaint to us

If you are concerned about our handling of your personal information, you may wish to raise your concern directly with the area of the office involved. This may allow for an informal and direct resolution of your complaint.

If you are not satisfied with this outcome, or prefer to make your complaint directly to Infrastructure Australia's Privacy Officer, you may send your complaint in writing to any of the following:

By Email: IAPrivacy@infrastructure.gov.au

By Post: Privacy Officer
Infrastructure Australia

GPO Box 5417
Sydney NSW 2001

By Hand: Level 19
60 Martin Place
Sydney NSW

To assist us to consider your complaint, please provide as much information as possible in describing how you think your privacy has been interfered with, including:

- what happened;
- when it happened (including dates);
- what personal information of yours was affected;
- who did it (include individual names if known); and
- how and when you found out about it.

If you wish, you may interact with us anonymously or via a pseudonym. However, please note that if you do wish to make a complaint or for us to otherwise investigate a breach of the Australian Privacy Principles, it may assist us if you provide your personal details. We will treat any details you give us in confidence and in accordance with our obligations under the Privacy Act and any other applicable legislation.

We are committed to the timely and fair resolution of complaints. Your complaint will be investigated and you will be advised of the outcome.

How to make a complaint to the federal Privacy Commissioner

You have the option of contacting the Privacy Commissioner if you wish to make a privacy complaint against us.

Telephone: 1300 363 992

Email: enquiries@oaic.gov.au

Post: The Privacy Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001

If you make a complaint directly to the Privacy Commissioner rather than to us, the Privacy Commissioner may recommend you try and resolve the complaint directly with us in the first instance.

14. Availability of this policy

If you wish to access this Policy in an alternative format (for example, hard copy) please contact Infrastructure Australia using the following contact details.

By Email: IAPrivacy@infrastructure.gov.au

By Post: Privacy Officer
Infrastructure Australia
GPO Box 5417
Sydney NSW 2001

By Hand: Level 19
60 Martin Place
Sydney NSW

This Policy will be made available free of charge.

15. Privacy Policy Updates

This Privacy Policy will be reviewed and updated as required.