



## Complete Privacy Policy

### About this Policy

The purpose of this privacy policy is to:

- Clearly communicate the personal information handling practices of the Organ and Tissue Authority (OTA)
- Enhance the transparency of the OTA operations; and
- Give individuals a better and more complete understanding of the sort of personal information that the OTA holds, and the way we handle that information.

If you simply want an overview of our personal information handling practices, you can read our [Condensed Privacy Policy](#).

### Outline of this policy

‘Part A – Personal Information Handling Practices’ explains our general information handling practices across the agency including information about how we collect use, disclose and store your personal information.

‘Part B – Files’ offers further detail by explaining our personal information handling practices in relation to specific functions or activities such as complaint handling and policy advice. Here you can find out what sort of records we keep and why.

‘Part C – Online’ explains our personal information handling practices when you visit our website.

## Part A – Our Personal Information Handling Practices

### Our obligations under the Privacy Act 1988 (Cth)

This privacy policy sets out how we comply with our obligations under the Privacy Act 1988 <http://www.comlaw.gov.au/Details/C2013C00482>. As an Australian Government agency, we are bound by the Australian Privacy Principles <http://www.oaic.gov.au/privacy/privacy-resources/privacy-fact-sheets/other/privacy-fact-sheet-17-australian-privacy-principles> (APPs) in the Privacy Act which regulate how agencies may collect, use, disclose and store personal information and how individuals may access and correct personal information held about them. In this privacy policy, ‘personal information’ has the same meaning as defined by section 6 of the Privacy Act:

*Personal information* means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

## **Collection**

It is our usual practice to collect personal information directly from the individual or their authorised representative. Sometimes we collect personal information from a third party or publicly available source, but only if:

- the individual consented to such collection or would reasonably expect us to collect their personal information in this way; or
- if it is necessary for a specific purpose such as the investigation of a complaint.

In limited circumstances we may receive personal information about third parties from individuals who contact us and supply us with the personal information of others in the documents they provide to us.

We only collect personal information for purposes which are directly related to our functions or activities under the *Australian Organ and Tissue Donation and Transplantation Authority Act 2008* <http://www.comlaw.gov.au/Details/C2008A00122> (AOTDTA Act) or the *Freedom of Information Act 1982* <http://www.comlaw.gov.au/Details/C2014C00041> (FOI Act) and only when it is necessary for or directly related to such purposes. We also collect personal information related to employment services, human resource management and other corporate functions. These purposes are listed below.

### ***Enquiries:***

When an individual contacts us asking for information or advice about the OTA and its functions or about organ and tissue donation.

### ***Policy Advice:***

When we have contact with officers in Australian Government, State and Territory agencies, private sector organisations and health organisations for the purpose of policy development, analysis or advice or when we research policy issues.

### ***Community awareness and education:***

When people ask to be on a mailing list or email list for information about OTA functions and activities or publications.

When we record who we had contact with in relation to media or other community awareness events.

When we conduct events or deliver training.

### ***Administrative activities***

When we process freedom of information applications.

When we manage the personnel and corporate service functions of the OTA.

We also collect personal information (including contact details) as part of our normal communication processes directly related to those purposes, including:

- when an individual emails staff members
- when an individual telephones us
- when an individual hands us their business card.

### ***Use and disclosure***

We only use personal information for the purposes for which it was given to us, or for purposes which are directly related to one of our functions or activities and we do not give it to other government agencies, organisations or anyone else unless one of the following applies:

- the individual has consented
- the individual would reasonably expect, or has been told, that information of that kind is usually passed to those individuals, bodies or agencies
- it is otherwise required or authorised by law
- it will prevent or lessen a serious or imminent threat to somebody's life or health
- it is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue.

### ***Data quality***

We take steps to ensure that the personal information we collect is accurate, up to date and complete. These steps include maintaining and updating personal information when we are advised by individuals that their personal information has changed and at other times, as necessary.

### ***Data security***

We take steps to protect the personal information we hold against misuse, loss, interference and unauthorised access, modification or disclosure. These steps include password protection for accessing our electronic IT system, securing paper files in locked cabinets and physical access restrictions.

When no longer required, personal information is destroyed in a secure manner or deleted according to the OTA's Records Disposal Authority (<http://www.naa.gov.au/naaresources/ra/2012-00176080.pdf>)

### ***Access and Correction***

If an individual requests access to the personal information we hold about them, or requests that we change that personal information, we will allow access or make the changes unless we consider that there is a sound reason under the Privacy Act, FOI Act or other relevant law to withhold the information or not make changes.

If we do not agree to provide access to personal information or to amend or annotate the information we hold about them, the individual may seek a review of our decision or may appeal our decision under the FOI Act.

If we do not agree to make requested changes to personal information the individual may make a statement about the requested changes and we will attach this to the record.

Individuals can obtain further information about how to request access or changes to the information we hold about them by contacting us (see below).

## **How to contact us**

For further information contact us through our website (<http://www.donatelife.gov.au/organ-and-tissue-authority-ota>) or

### Street address

Level 6, 221 London Circuit  
Canberra ACT 2600

### Postal address

PO Box 295 Civic Square  
ACT 2608

### Office hours

8:30am - 5:00pm weekdays

Phone (02) 6198 9800

Fax (02) 6198 9801

### General Enquiries

For general enquiries, please email [enquiries@donatelife.gov.au](mailto:enquiries@donatelife.gov.au)

## **Part B – Files: how we handle specific types of files that contain personal information**

### **Purpose**

#### **Enquiries**

We collect personal information to enable us to respond to enquiries about organ and tissue donation.

#### **Collection**

We collect personal information directly from you or your authorised representative.

#### **Use and disclosure**

We only use personal information to follow up on enquiries or, with your permission, refer you to another person or organisation that may be better able to address your enquiry. We may give personal information to regulators or enforcement bodies for a lawful purpose (such as a complaint about our personal information handling practices that is being investigated by the Office of the Australian Information Commissioner).

#### **Data quality**

We maintain and update the personal information we hold as necessary or when we are advised by individuals that their personal information has changed.

## **Data security**

The personal information collected is held in electronic databases. Some personal information is also held in paper files. The following staff members have access to the electronic databases and paper files on a need to know basis:

Chief Executive Officer

Human Resources staff

Communications staff

Policy and Data staff

Information Communication and Technology staff

When no longer required, personal information in paper files is destroyed, in a secure manner, in accordance with the OTA's Records Disposal Authority (<http://www.naa.gov.au/naaresources/ra/2012-00176080.pdf>)

Personal information stored in our electronic databases, when no longer required, is deleted in a secure manner.

## **Access and correction**

For information about how to access or correct personal information held in enquiries files see "Access and Correction" in Part A of this document.

## **Purpose**

### **Policy Advice**

We collect personal information to enable us to develop policy advice that may relate to:

- the formulation of protocols, standards or codes of practice; and
- the development, conduct or evaluation of training programs.

## **Collection**

We collect personal information directly from you or your authorised representative. In the case of deceased donors, we collect information from their next of kin and/or friends or authorised representatives.

## **Use and disclosure**

We only use this personal information to develop policy advice.

We may give personal information to regulators or enforcement bodies for a lawful purpose (such as a complaint about our personal information handling practices that is being investigated by the Office of the Australian Information Commissioner).

## **Data quality**

We maintain and update the personal information we hold as necessary or when we are advised by individuals that their personal information has changed.

## **Data security**

The personal information collected is held in electronic databases. Some personal information is also held in paper files. The following staff members have access to the electronic databases and paper files on a need to know basis:

Chief Executive Officer

Communications staff

Policy and Data staff

Information Communication and Technology staff

When no longer required, personal information in paper files is destroyed, in a secure manner, in accordance with the OTA's Records Disposal Authority (<http://www.naa.gov.au/naaresources/ra/2012-00176080.pdf>)

Personal information stored in our electronic databases, when no longer required, is deleted in a secure manner. The databases maintain audit trails whenever information is accessed, included, amended or deleted on the database.

## **Access and correction**

For information about how to access or correct personal information held in enquiries files see "Access and Correction" in Part A of this document.

## **Purpose**

### **Community awareness and education**

We collect personal information to enable us to support, encourage, conduct and evaluate educational, promotional and community awareness programs that are relevant to organ and tissue donation and transplantation matters.

### **Collection**

We collect personal information directly from you or your authorised representative. In the case of deceased donors, we collect information from their next of kin and/or friends or authorised representatives.

### **Use and disclosure**

We only use the personal information to facilitate media requests or develop and conduct promotional, educational and community awareness activities.

We may give personal information to regulators or enforcement bodies for a lawful purpose (such as a complaint about our personal information handling practices that is being investigated by the Office of the Australian Information Commissioner).

### **Data quality**

We maintain and update the personal information we hold as necessary or when we are advised by individuals that their personal information has changed.

## **Data security**

The personal information collected is held in electronic databases. Some personal information is also held in paper files. The following staff members have access to the electronic databases and paper files on a need to know basis:

Chief Executive Officer

Communications staff

Information Communication and Technology staff

When no longer required, personal information in paper files is destroyed, in a secure manner, in accordance with the OTA's Records Disposal Authority (<http://www.naa.gov.au/naaresources/ra/2012-00176080.pdf>)

Personal information stored in our electronic databases, when no longer required, is deleted in a secure manner. The databases maintain audit trails whenever information is accessed, included, amended or deleted on the database.

## **Access and correction**

For information about how to access or correct personal information held in enquiries files see "Access and Correction" in Part A of this document.

## **Purpose**

### **Administrative activities**

We collect personal information to enable us to:

- process freedom of information applications.
- manage the personnel and corporate service functions of the OTA.

We also collect personal information (including contact details) as part of our normal communication processes directly related to those purposes, including:

- when an individual emails staff members
- when an individual telephones us
- when an individual hands us their business card.

### ***Use and disclosure***

We only use personal information for the purposes for which it was given to us, or for purposes which are directly related to one of our functions or activities and we do not give it to other government agencies, organisations or anyone else unless one of the following applies:

- the individual has consented
- the individual would reasonably expect, or has been told, that information of that kind is usually passed to those individuals, bodies or agencies
- it is otherwise required or authorised by law
- it will prevent or lessen a serious or imminent threat to somebody's life or health

- it is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue.

### **Collection**

We collect personal information directly from you or your authorised representative. In the case of deceased donors, we collect information from their next of kin and/or friends or authorised representatives.

### **Use and disclosure**

We only use the personal information for the administrative activities described above.

We may give personal information to regulators or enforcement bodies for a lawful purpose (such as a complaint about our personal information handling practices that is being investigated by the Office of the Australian Information Commissioner).

### **Data quality**

We maintain and update the personal information we hold as necessary or when we are advised by individuals that their personal information has changed.

### **Data security**

The personal information collected is held in electronic databases. Some personal information is also held in paper files. The following staff members have access to the electronic databases and paper files on a need to know basis:

Chief Executive Officer

Human Resources staff

Communications staff

Policy and Data staff

Information Communication and Technology staff

When no longer required, personal information in paper files is destroyed, in a secure manner, in accordance with the OTA's Records Disposal Authority (<http://www.naa.gov.au/naaresources/ra/2012-00176080.pdf>)

Personal information stored in our electronic databases, when no longer required, is deleted in a secure manner. The databases maintain audit trails whenever information is accessed, included, amended or deleted on the database.

### **Access and correction**

For information about how to access or correct personal information held in enquiries files see "Access and Correction" in Part A of this document.

### **Purpose**

#### **The facilitation of organ and tissue donation**



We collect personal information to enable us to facilitate organ and tissue donation by maintaining a national database on organ and tissue donors that enables the real time offer, allocation and distribution of organs and tissue across Australia for potential and actual organ and tissue recipients.

### ***Use and disclosure***

We only use personal information for the purposes for which it was given to us, or for purposes which are directly related to one of our functions or activities and we do not give it to other government agencies, organisations or anyone else unless one of the following applies:

- the individual has consented
- the individual would reasonably expect, or has been told, that information of that kind is usually passed to those individuals, bodies or agencies
- it is otherwise required or authorised by law
- it will prevent or lessen a serious or imminent threat to somebody's life or health
- it is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue.

### **Collection**

We collect personal information directly from you or your authorised representative. In the case of deceased donors, we collect information from their next of kin and/or friends or authorised representatives.

### **Use and disclosure**

We only use the personal information to facilitate organ and tissue donation across Australia and only disclose the personal information to clinical and administrative staff directly involved in the organ and tissue donation process. These staff, as well as the staff of the OTA are legally bound not to disclose the identity of organ and tissue donors and recipients.

We may give personal information to regulators or enforcement bodies for a lawful purpose (such as a complaint about our personal information handling practices that is being investigated by the Office of the Australian Information Commissioner).

### **Data quality**

We maintain and update the personal information we hold as necessary or when we are advised by individuals that their personal information has changed.

### **Data security**

The personal information collected is held in an electronic database, the electronic donor record (EDR). The following staff members have access to the EDR on a need to know basis:

Chief Executive Officer

Policy and Data staff

Information Communication and Technology staff

The information is stored in the EDR, in accordance with the OTA's Records Disposal Authority (<http://www.naa.gov.au/naaresources/ra/2012-00176080.pdf>)

The EDR maintains audit trails whenever information is accessed, included, amended or deleted on the database.

### **Access and correction**

For information about how to access or correct personal information held in enquiries files see “Access and Correction” in Part A of this document.

## **Part C – Information collected online via the OTA website**

### **Collection**

It is our usual practice to collect information about all visitors to our online resources. That information is very limited and only used to identify generic behavioural patterns.

We use Google Analytics on our website. Information and data collected through Google Analytics is stored by Google on servers in the United States of America, Belgium and Finland. You can opt out of the collection of information via Google Analytics by downloading the Google Analytics Opt-out add on (<https://tools.google.com/dlpage/gaoptout>)

When you visit our online resources, our metric tools may collect the following information about your visit for statistical purposes:

- Server address
- Top level domain name (for example .com, .gov, .au etc)
- The date and time of your visit to the site
- The pages you accessed and documents downloaded during your visit
- The previous site you visited
- If you’ve visited our site before
- The type of browser used

We record this data to maintain our server and improve our services. We do not use this information to personally identify anyone.

### **Cookies**

Our online platform uses sessions and cookies. The core functionality on the platform will be largely unaffected if you disable cookies in your browser but you may be unable to access some advanced functions

### **Use and disclosure**

We do not give personal information collected online to other agencies, organisations or anyone else without consent unless the individual would reasonably expect, or has been told, that information of that kind is passed on to those agencies, organisations or individuals or the disclosure is otherwise required or authorised by law.

### **Data quality**

We will delete or correct any personal information that we hold about you on request.

If you are on one of our automated emails lists, you may opt out of further contact from us by clicking the 'unsubscribe' link at the bottom of the email.

### **Data security**

We take all reasonable steps to manage data stored on our servers to ensure data security.

### **Access and correction**

For information about how to access or correct personal information collected on our website see 'Access and correction' in Part A.

### **How to contact us**

For further information contact us through our website (<http://www.donatelife.gov.au/organ-and-tissue-authority-ota>) or

#### Street address

Level 6, 221 London Circuit  
Canberra ACT 2600

#### Postal address

PO Box 295 Civic Square  
ACT 2608

#### Office hours

8:30am - 5:00pm weekdays

Phone (02) 6198 9800

Fax (02) 6198 9801

#### General Enquiries

For general enquiries, please email [enquiries@donatelife.gov.au](mailto:enquiries@donatelife.gov.au)