

Personal Information Protection Statement

Information Collected

The Commissioner for Children (the Commissioner) is an independent statutory officer appointed by the Governor pursuant to section 5 of the *Commissioner for Children and Young People Act 2016*.

Unless otherwise specified, the Commissioner must act independently, impartially and in the public interest when performing a function, or exercising a power, under the *Commissioner for Children and Young People Act 2016* or any other Act.

The functions and powers of the Commissioner are set out in Division 2 of Part 2 of the *Commissioner for Children and Young People Act 2016*. Division 3 of Part 2 of the Act deals with information management.

The *Commissioner for Children and Young People Act 2016* gives the Commissioner power to compel a person to provide information to the Commissioner, outlines the circumstances in which the Commissioner can share information, including personal information and also contains confidentiality requirements.

The Commissioner is a personal information custodian within the meaning of the *Personal Information Protection Act 2004*. Therefore, that Act applies to the Commissioner's collection, use and disclosure of personal information, except to the extent that it is inconsistent with the *Commissioner for Children and Young People Act 2016*.

The Commissioner will only collect personal information necessary for or in connection with the performance of the functions of the Commissioner or the exercise of the Commissioner's powers.

The type of personal information collected includes names, addresses and telephone numbers, together with any specific information about a person that may be required for the purpose of discharging the Commissioner's functions.

The Commissioner takes reasonable steps to ensure that the personal information held is accurate, complete and up to date. Where practicable, the Commissioner will check on the accuracy of your personal information before it is used.

Sensitive Information

Sensitive Information includes things like health information, criminal record, racial origin and sexual preferences. Generally, the Commissioner will only collect sensitive information with your consent, or if the collection of that information is required or permitted by law.



Access to and Correction of Information Collected

The *Personal Information Protection Act 2004* provides that you can request access to your personal information that is held by the Commissioner. Any such request should be in writing and addressed to the Commissioner. If you consider your personal information to be incorrect, incomplete, out of date or misleading, you can request that the information be amended.

If you are not satisfied with the handling or outcome of your request to access or correct your personal information, you can lodge a complaint with the Ombudsman. The Ombudsman's Office can be contacted on 1800 001 170 (free call in Tasmania) or 1300 766 725 (cost of local call anywhere in Australia), and by email at ombudsman@ombudsman.tas.gov.au

Use and Disclosure of Personal Information

The Commissioner's staff are only provided with or have access to personal information that is necessary for them to carry out their functions. All staff are bound by confidentiality requirements.

Personal information will only be disclosed to other organisations or individuals with your consent, or if it is required or authorised by law.

Some de-identified personal information collected by the Commissioner may be used in research, statistical analysis, state or national reporting, awareness programs, public statements or training, but not in a way to compromise the protection of personal information.

Personal information in written submissions on matters of public consultation may be disclosed in reports that are made public, unless the submission was submitted and/or accepted on a confidential basis.

Security of Personal Information

The Commissioner uses a number of procedural, physical, and technical safeguards, including access controls, secure methods of communication and back-up and recovery systems to protect information from misuse and loss, unauthorised access, modification and disclosure.

Generally, there is an intention that information is destroyed or permanently de-identified when it is no longer required, but this can only be done in accordance with processes approved by the State Archivist under the *Archives Act 1983*.

Contact Details

For further information contact the Commissioner's office on (03) 6166 1366 or by emailing childcomm@childcomm.tas.gov.au