

# National Redress Scheme

For people who have experienced institutional child sexual abuse

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## Privacy Policy for the National Redress Scheme

### About this Policy

The National Redress Scheme (**Scheme**) is administered by the Department of Social Services (**we, us, our, department**) on behalf of the Australian Government. In some aspects of the Scheme, the department is assisted by Services Australia, an executive agency in the Social Services portfolio.

This Privacy Policy applies specifically to our handling of personal information in connection with the Scheme. It outlines the kinds of personal information we collect, why we collect it, and how we handle it to administer the [National Redress Scheme for Institutional Child Sexual Abuse Act 2018](#) (**National Redress legislation**).

In this Privacy Policy:

- **personal information** is information or an opinion about an identified individual, or an individual who is reasonably identifiable. It includes information about you such as your name and contact information.
- **sensitive information** is a subset of personal information. It includes information such as your racial or ethnic origin, political opinions, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, criminal record, and health information.

You should read this Privacy Policy if you interact with us in connection with the Scheme or are considering doing so. This includes if you:

- have applied for redress under the National Redress legislation or are considering applying for redress (in this Privacy Policy you are referred to as an **applicant** once you have applied for redress)
- are a nominee for an applicant (**nominee**)
- are a representative of, or interact with us on behalf of, an applicant
- are a representative of an institution that is participating, or considering participating, in the Scheme (**institution**).

Some personal information collected for the purposes of the Scheme may also be protected information under National Redress legislation. We handle protected information in accordance with National Redress legislation.

### How we collect personal information

We collect personal information (including some sensitive information) in different ways including:

- through paper forms and documents that have been provided to us in connection with the Scheme
- from online portals (e.g. the online application on our Scheme website, through a myGov account)
- from relevant institutions
- from Redress Support Services providers in connection with the Scheme

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- through correspondence with you, or your nominee if you have one (e.g. letters, emails or SMS messages)
- other interactions either with you, or your nominee if you have one, whether face-to-face or over the telephone
- from third parties, including other government agencies. For example, if you wish to apply for redress while in gaol or if you have a serious criminal conviction, we may obtain further information from the relevant State or Territory Attorney(s)-General before we make a decision under the National Redress legislation about your application.

## What we collect

Depending on your interaction with us, we may collect different kinds of personal information about you. This can include:

- **personal information about you** such as your name, address, gender; date of birth; other contact information (e.g. your email and phone number); Centrelink Customer Reference Number (CRN) or Department of Veterans' Affairs (DVA) file number; whether you identify as Indigenous; or your bank account details.
- **personal information about your circumstances** such as any power of attorney, guardianship, or financial management order; nominee details; cultural and linguistic background and language preferences; relevant disabilities; or citizenship and residency information.
- **personal information specific to your application for redress** such as:
  - a description of the abuse and impact of the abuse on your life (e.g. relationship with family, health and welfare, education, employment, finances)
  - your attendance at a Commonwealth, State, Territory or non-government institution(s)
  - your childhood living arrangements (e.g. foster care, orphanage, youth detention, relative or kinship care, boarding school, etc.)
  - whether you were a Defence Force employee at the time of the abuse
  - information about your alleged abuser
  - any documents to support your application (e.g., police reports, witness statements, testimonies or signed statements, photographs, doctor's certificate)
  - whether you have received any prior payments in relation to the abuse disclosed in your application
  - whether you have accessed any redress support services to assist with your application
  - any criminal convictions that resulted in a single conviction with imprisonment for a period of 5 years or more
  - any information about other people who knew about the abuse.

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- **personal information about your interactions with us and your use of our online services** such as information about:
  - online forms or applications that you fill in
  - payments or services that have been provided to you in relation to the Scheme
  - feedback or complaints
  - your telephone or face-to-face conversations with Scheme and Australian Government agency staff.
- **information collected through our Scheme website.** When you visit our Scheme website, the website server logs the following information:
  - the type of browser and operating system you are using
  - the address of the referring site (for example, the Google search page)
  - your IP address (a number which is unique to the modem, router or gateway that connects you to the internet)
  - the date, time and address of each page you visit on the website
  - how long you visited the website for, and
  - the date, time and address of each document you download from our website.

## Why we collect information and how we use it

We collect and use personal information (including sensitive information) to enable us to undertake our functions and activities under the National Redress legislation, and administer the Scheme. This includes:

- **processing applications for redress.** We collect and use personal information to process applications for redress, including to:
  - determine eligibility for access to counselling and psychological services
  - determine eligibility for a direct personal response from participating institution(s)
  - determine eligibility for redress payment
  - obtain information about, and to verify, information provided in applications
  - make decisions about applications by persons with serious criminal convictions, or in gaol
  - confirm and protect your identity
  - communicate with you, and
  - interact with your nominee, if you have one.
- **facilitating and delivering redress payments and services.** We collect and use personal information to:

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- on-board institutions, and manage institutions' participation in the Scheme
- arrange for provision of counselling and psychological services
- arrange for the provision of a direct personal response
- make redress payments.

We may also use personal information we collect to:

- consider and undertake child safe reporting if required
- investigate fraud (including internal fraud)
- manage complaints and feedback
- manage and respond to requests for information (including requests made under freedom of information legislation)
- seek legal advice if required
- conduct statistical reporting and research, including to de-identify personal information so that any statistical reporting or research outcomes do not identify you or any other individuals
- undertake statistical analysis and systems administration using information collected from our Scheme website. No attempt is made to identify users or their browsing activities, except where a law enforcement agency is undertaking an investigation and has legal authority to identify users and/or their browsing activities.

We may engage contractors to assist us undertake any of the above functions and activities. We ensure that all contractors are subject to the same legal requirements as our staff, including strict confidentiality, privacy and security obligations.

We are also assisted by Services Australia to administer the Scheme, including to assess and process your application for redress. Your information may be used by Services Australia, or given to other parties where you have agreed, or where the law allows or requires it. You can find out more about the way Services Australia will manage your personal information online: [Privacy Policy - Services Australia](#)

## Who we disclose your information to

We may need to disclose your personal information to others. We will protect your information by taking all reasonable steps to ensure that any disclosure is done in accordance with the [Privacy Act 1988 \(Cth\)](#) and with [Office of the Australian Information Commissioner guidance](#).

Your personal information is also protected under the National Redress legislation. Any unauthorised collection, recording, use or disclosure of protected information by any person is a criminal offence.

We may disclose your personal information (including sensitive information) to:

- ***enable us to undertake our functions and activities under the National Redress legislation*** which includes disclosure to:
  - an independent decision maker appointed under the National Redress legislation to consider an application
  - another Australian Government or State and Territory agency relevant to an application for redress such as:

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- the Australian Criminal Intelligence Commission, to undertake police/criminal checks
  - Services Australia and/or the Department of Veterans Affairs, to undertake proof of identity checks and confirmation of the Centrelink CRN or DVA number
  - the relevant Attorney(s)-General (Commonwealth and/or state and territory), and their relevant government agencies in connection with decisions about applications by persons with serious criminal convictions, or in gaol
  - departments of corrections or other facility for the purpose of locating and contacting you
  - Australian embassies and consulates if you make an application for redress from outside of Australia, to facilitate the application process
  - contracted service providers of support and/or counselling and psychological care services
  - Services Australia, where this is reasonably necessary to facilitate provision of its assistance to us
  - your nominee, if you have one
  - the relevant participating institution(s) (see further below)
  - other relevant authorities or third parties.
- ***undertake our other fraud and compliance and administrative functions***, which may involve disclosure to:
    - Australian Federal Police and State and Territory Police for investigation, prosecution and child protection purposes
    - Australian National Audit Office
    - Australian Taxation Office
    - Commonwealth Director of Public Prosecutions
    - Commonwealth Ombudsman
    - Department of Home Affairs
    - Office of the Australian Information Commissioner
    - Minister/s and Minister's office/s
    - contracted service providers, who are subject to strict confidentiality, privacy and security obligations
    - our legal advisers
    - other parties where the release is authorised by law.

We de-identify personal information whenever this is reasonably practicable, unless disclosure of your identity is required by law, or it is otherwise authorised by the *Privacy Act 1988* (Cth).

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## **Disclosures to participating institution(s)**

If you are an applicant, we will share limited information about you with the participating institution(s) named in your application. We will only share the impact of the abuse (Part 3 of the application, and anywhere else it is described) if you have indicated that you choose to share that information with the participating institution.

The participating institution can only use information about you in very limited ways, including:

- to respond to our request for information;
- to provide you with a direct personal response;
- as part of an internal investigation or disciplinary proceeding (the participating institution may present your name and a description of the abuse to your alleged abuser and may contact you to ask if you want to participate in the investigation);
- to make a report to police, department of public prosecution or other relevant child protection authorities as permitted or required by law (e.g. where the institution believes a child may be at risk of abuse or harm, or your alleged abuser still works with children). If you have indicated that you do not want to be identified in a report made to authorities, we will advise the participating institution of this but there are some circumstances where a participating institution may be required by law to disclose a person's name to authorities to undertake an investigation;
- to provide to the police or department of public prosecutions to support them in enforcement of criminal law; and
- to facilitate an insurance claim.

## **Disclosure of information overseas**

If you make an application for redress from outside of Australia (i.e. while you are in another country) we may be required to interact with Australian embassies and consulates to facilitate the application process.

We will not disclose information outside Australia for any other reason, unless authorised by law.

## **Website analytics**

Our Scheme website uses Google Analytics, a web analytics service provided by Google Inc. (**Google**), which uses cookies to help analyse how users use the website. The information generated by the cookie about your use of our Scheme website will be transmitted to and stored by Google on servers in the United States. No identifying personal information about you is stored.

Google will use this information to evaluate the use of this website, compile reports on website activity operators, and provide other services relating to website activity and internet use. Google may transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. Please refer to Google's [privacy policy](#).

We use reports obtained from Google Analytics to help improve the efficiency and usability of the Scheme website.

## **How we store personal information**

We take reasonable steps to protect your personal information against misuse, interference and loss, and from unauthorised access, modification or disclosure.

We take the following steps to protect your personal information:

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- any paper records you provide us (e.g., paper application form and photocopied attachments) are stored securely and in accordance with Australian government security guidelines
- personal information you provide to us is only accessed by personnel on a 'need-to-know' basis and by personnel who have authorisation
- we monitor all access to our digital systems with access only permitted with authenticated credentials
- we ensure our buildings are secure
- we regularly update and audit our data storage and data security requirements
- access to your information from overseas is prohibited, as is storage of your information overseas.

We ensure that we destroy or archive personal information we hold when it is no longer required, in accordance with the *Archives Act 1983* (Cth).

## How to access and correct your personal information

### *Accessing your personal information*

You have the right to ask for access to the personal information that we hold about you. You can do this using our contact details below.

If you ask us for access to the information we must give you access, unless there is a law that allows us, or requires us, not to give you access.

If we refuse to give you access to your personal information we will let you know in writing and will provide reasons for our refusal.

### *Updating your personal information*

You have the right to ask that we correct personal information that we hold about you. You can do this using our contact details below.

If you ask us to correct your personal information we must take reasonable steps to correct your information if we consider that it is incorrect.

If we refuse to correct your personal information we will let you know in writing and will provide reasons for our refusal.

It is important to tell us if your personal information changes, or if your nominee's personal information changes, as this may affect our ability to administer the Scheme (for example, it may cause delays in contacting you or processing your application).

## How to make a complaint

### *How to complain to us*

If you think we may have breached your privacy rights, you may contact us using the contact details set out below.

We will respond to your complaint promptly if you provide your contact details. You do not need to provide your name, or can use a pseudonym (a 'fake name'), but we may not be able to fully investigate and resolve your complaint if you do not provide all relevant details.

We are committed to quick and fair resolution of any complaints, and will ensure your complaint is taken seriously. You will not be victimised or suffer negative treatment if you make a complaint.

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## **How to complain to the Office of the Australian Information Commissioner (OAIC)**

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

The [OAIC website](#) contains information on how to make a privacy complaint to the OAIC.

If you make a complaint directly to the OAIC, the OAIC may recommend you try to resolve the complaint directly with us in the first instance.

## **How to contact us**

If you wish to:

- ask questions about this Privacy Policy, or how your personal information is collected, held, used or disclosed
- obtain access to or seek correction of your personal information
- make a complaint about a breach of your privacy

please contact the DSS Feedback and Complaints Team using the following contact details:

- **email:** [complaints@dss.gov.au](mailto:complaints@dss.gov.au) ([links sends e-mail](#))
- **telephone:** 1800 634 035
- **post:** DSS Feedback, GPO Box 9820, Canberra ACT 2601.

## **Availability of this Privacy Policy**

If you wish to access this Privacy Policy in an alternative format (e.g. hard copy) please contact us using the contact details above. This Privacy Policy is available free of charge.

*[This Privacy Policy was last updated in June 2022]*