



# Defence Youth Safety Fact Sheet

## Privacy

### What is privacy?

Privacy is the right to have control over how your personal information is collected, stored, managed and used. Everyone has the right to privacy.

### Why do I need to know about privacy?

All Defence and ADF Cadets Adults must adhere to the *Privacy Act 1988* (the Privacy Act) when handling anyone's personal information but particularly that of a young person.

Neither Defence personnel nor ADF Cadets Adults are authorised to disclose personal, sensitive or health information to parents, responsible third parties or Government oversight bodies as a matter of course.

There are however certain circumstances where certain information may be disclosed to optimize youth safety incident management as it relates to advancing the safety and wellbeing of the child and children more widely. Further guidance is provided in the [YOUTHPOLMAN Part 1](#), and the [Supplement to the Defence Decision Makers Guide](#) for the disclosure of certain personal information in relation to Youth Safety incidents.

### How is privacy protected?

Privacy is protected by a number of laws. Generally, personal information held by the Commonwealth is regulated by the Privacy Act. Defence is bound by the Privacy Act.

### Collection of personal information

Personal information is information or an opinion about an individual. An individual's identity needs to be apparent or reasonably perceivable by only those who truly need to know.

Collection of personal information **must**:

- fulfil a lawful purpose;
- be relevant; and
- be accurate.

It **must not**:

- be excessive; or
- be intrusive to an unreasonable extent on the individual's personal affairs.





For example: Defence People Group may collect data around Workplace Health & Safety training completion rates to determine compliance. This collection of personal information fulfils a lawful purpose and is both relevant and accurate. However, they must not collect information around sexual orientation as part of this, as it is excessive information that is intrusive to the individual's personal affairs.

## **What are the Privacy Principles?**

The Privacy Principles set out how organisations must handle, use and manage personal information under the Privacy Act. The Principles provide guidance around:

- the requirements for open and transparent management of personal information;
- an individual having the option of operating anonymously or using a pseudonym where practicable;
- the collection of requested personal information and receipt of voluntary personal information, including giving notice about collection;
- how personal information can be used and disclosed (including overseas);
- maintaining the quality of personal information;
- keeping personal information secure; and
- the right for individuals to access and correct their personal information.

## **Is all personal information treated the same way?**

No. Sensitive information, such as religious beliefs and ethnic origin, and health information are types of personal information that require an extra layer of protection.

## **When can personal information be shared?**

Personal information can only be shared in accordance with the Privacy Act which limits sharing to occasions when:

- sharing is authorised or required by another law;
- the information is not sensitive information and disclosure is for the primary purpose for which it was collected;
- sharing is under exemption (for example for law enforcement or research); and
- the individual has consented.

## **Where do I find more information about privacy?**

[Office of the Australian Information Commissioner](#)

[YOUTHPOLMAN Part 1](#)

[Defence Decision Makers Guide](#) and the [Supplement to the Defence Decision Makers Guide](#)

