**** Privacy Complaint Form

You can use this form to lodge a privacy complaint with the Office of the Australian Information Commissioner (OAIC).

The OAIC can investigate privacy complaints from individuals about Australian Government agencies, ACT public sector agencies, and private sector organisations covered by the Privacy Act 1988 (Cth) (Privacy Act).

Additionally, you can use this form to make a complaint under a privacy code, complaints relating to spent convictions, tax file numbers, data-matching activities, health identifiers, student identifiers, anti-money laundering law and personal property securities law.

A complaint under any of these laws must be submitted in writing, either via this form, an email, by fax or in a letter. Please refer to [Contact us](https://www.oaic.gov.au/about-the-OAIC/contact-us) for our contact details.

**Please note** that we do not investigate complaints about state, territory or local government agencies. See [State and territory privacy legislation](https://www.oaic.gov.au/privacy/privacy-legislation/state-and-territory-privacy-legislation/state-and-territory-privacy-legislation) for further information.

**Your personal information**

We will handle your personal information in accordance with the Australian Privacy Principles.

If the OAIC makes inquiries into or investigates your complaint, we will usually disclose the information you give us, including a copy of your complaint, to the entity you have complained about (the respondent).

We may also disclose your information to others who have information relevant to your complaint, if necessary.

Please confirm that we may need to disclose your personal information:

|  |  |
| --- | --- |
|  | I understand that the OAIC may need to disclose my personal information. |

### What will we do with your information?

We will use the information you have provided to assess your complaint, conduct the investigation and conciliate. If the OAIC makes inquiries into or investigates your complaint, we will usually disclose the information you give us, including a copy of your complaint, to the entity you have complained about (the respondent). We may also disclose your information to others who have information relevant to your complaint, if necessary. If we think we may need to disclose your information to an overseas entity to handle your complaint, we will discuss this with you first. In case of a challenge to a decision by the OAIC, we may need to disclose some information to a review body, for example a court or tribunal.

### What information will we collect?

We may need to collect further information from you in order to investigate your complaint. If you do not provide this information to the OAIC, it may affect how we handle your complaint. In some circumstances, it may mean we decide not to investigate your complaint further. We will usually collect information about you from the respondent. We may also collect information about you from others if they have information relevant to your complaint.

### Accessing your information

If you would like to access to the information about you that the OAIC holds, please [contact us](https://www.oaic.gov.au/about-the-OAIC/contact-us).

More information is available at [Access our information](https://www.oaic.gov.au/about-the-OAIC/access-our-information) on our website.

If you have any questions about the personal information we collect and how we will handle your information, please [contact us](https://www.oaic.gov.au/about-the-OAIC/contact-us) or see our [privacy policy](https://www.oaic.gov.au/about-the-OAIC/our-corporate-information/plans-policies-and-procedures/privacy-policy).

Privacy complaints may be subject to the *Freedom of Information Act 1982*.

Please send the completed form to us by:

|  |  |
| --- | --- |
| **Post** | **Fax** |
| Director of Privacy Case ManagementOffice of the Australian Information CommissionerGPO Box 5288Sydney NSW 2001 | +61 2 6123 5145 |

**Have you complained to the respondent?**

I have complained to the agency or organisation about my privacy issue and given them 30 days to respond.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Yes |  |  | No |

If Yes:

|  |  |
| --- | --- |
| Date of your complaint: |  |

It is only in exceptional circumstances that the OAIC will investigate complaints where you have not complained to the respondent. If no, please explain why it is not appropriate for you to complain to the respondent. The OAIC may still decline to investigate your complaint until you have complained to the respondent.

**About you – the complainant**

|  |  |  |
| --- | --- | --- |
| First name |  | Last name |
|  |  |  |

Preferred contact method(you must provide at least one contact method)

|  |  |  |
| --- | --- | --- |
| Phone |  | Email  |
|  |  |  |

|  |
| --- |
| Address line 1 |
|  |

|  |
| --- |
| Address line 2 |
|  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Suburb/City |  | State |  | Postcode |
|  |  |  |  |  |

**Previous dealings**

If you have lodged a complaint or enquiry with the OAIC before, please provide your previous reference number (for example, CP75/00001 or EN94/00002)

|  |
| --- |
|  |

**Representative**

Do you have someone that you would like to represent you in your complaint?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Yes |  |  | No |

If No, go to the **Respondent** heading below.

If yes:

What is your representative’s relationship with you? (eg. lawyer)

|  |
| --- |
|  |

|  |  |  |
| --- | --- | --- |
| Representative’s first name |  | Representative’s last name |
|  |  |  |
| Representative’s organisation (if applicable)  |
|  |

Representative’s preferred contact method(you must provide at least one contact method)

|  |  |  |
| --- | --- | --- |
| Phone |  | Email  |
|  |  |  |

|  |
| --- |
| Address line 1 |
|  |

|  |
| --- |
| Address line 2 |
|  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Suburb/City |  | State |  | Postcode |
|  |  |  |  |  |

**The respondent – who you are complaining about**

|  |
| --- |
| Organisation/agency name |
|  |

|  |  |  |
| --- | --- | --- |
| Contact phone number |  | Email address |
|  |  |  |

|  |
| --- |
| Address line 1 |
|  |

|  |
| --- |
| Address line 2 |
|  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Suburb/City |  | State |  | Postcode |
|  |  |  |  |  |

|  |
| --- |
| Name of individual(s) involved (if known) |
|  |

**Have you taken this complaint to another dispute resolution body?**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Yes |  |  | No |

If No, go to the **Your Complaint** heading below

If Yes:

|  |
| --- |
| Name of the dispute resolution body you have taken this complaint to: |
|  |

In some circumstances, the OAIC may not investigate a complaint if another body is already dealing with your complaint. Please give details of your complaint and attach copies of relevant documents at the end of this form.

|  |  |
| --- | --- |
| Date of your complaint: |  |

Is the dispute resolution body dealing with your complaint?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Yes |  |  | No |

Please provide a brief description of your complaint to the other dispute resolution body and explain why it is or is not dealing with your complaint.

|  |
| --- |
|  |

**Your complaint**

Please describe how you think your privacy has been interfered with.

It will assist us if you can explain:

* What happened
* When it happened (including dates)
* What personal information of yours was affected
* Who did it (include names of individuals involved if known)
* How and when you found out about it.

The clearer your explanation is the more easily we will be able to assist you. Please feel free to attach additional information.

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**Resolution**

What action would you like the respondent to take to resolve your complaint?

The OAIC generally tries to resolve complaints through conciliation between you and the respondent.

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**Supporting information**

You may attach relevant information that supports the complaint. For **all** complaints, please attach any correspondence with the respondent about the privacy complaint.

**For complaints about credit information files**

If your complaint is about an incorrect credit information file, please attach a copy of your complete credit file. We will be unlikely to progress the complaint without it.

If you do not have a copy of your complete credit file, we will need to obtain a copy on your behalf.

Do you give permission for OAIC staff to obtain a copy of your credit information file from either Veda Advantage Information Services and Solutions**,** Dun & Bradstreet or the Tasmanian Collection Service?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Yes |  |  | No |

**Please sign and date this form**

|  |  |  |
| --- | --- | --- |
| **Signature** |  | **Date** |
|  |  |  |