



Privacy policy

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Privacy and security measures protect against misuse, loss and unauthorised disclosure of personal information. This policy refers to the use and management of personal information collected by the Office of the Racing Integrity Commissioner (ORIC), which includes the Racing Integrity Commissioner (the Commissioner) and supporting staff.

Personal information held by ORIC is managed in accordance with the privacy principles contained in the *Privacy and Data Protection Act 2014* (Vic) and as required by other laws. ORIC is required by law to have a policy on its information handling practices.

Definitions

Personal information is recorded information about a living, identifiable or easily identifiable, individual (including work related information or images).

Sensitive information is information about a living individual's race or ethnicity, political opinions, religious or philosophical beliefs, sexual preferences or practices, criminal record, or membership details, such as trade union or professional, political or trade associations.

What does ORIC do?

Part IA of the *Racing Act 1958* (Vic) (Racing Act) establishes the Commissioner and sets out his functions, such as conducting audits, investigations and own motion inquiries, referring certain complaints to other bodies, making recommendations to the Minister or a controlling body and directing a Racing and Disciplinary Board (RAD Board) to hear and determine minor matters. From time to time, the Commissioner may also undertake related educational, awareness or research activities, such as training modules, road shows and surveys.

More detailed information about the Commissioner can be found in Part IA of the Racing Act, available at www.legislation.vic.gov.au

Why does ORIC collect information?

Broadly speaking, ORIC collects personal information as necessary for the Commissioner to perform his statutory functions and related activities, and for the administration of ORIC.

ORIC takes reasonable steps to explain why personal information is collected, what is done with it, whether any law requires it and the main consequences for an individual if it is not provided to ORIC.

Where ORIC has not collected personal information directly from an individual, ORIC will also, in appropriate circumstances, take reasonable steps to ensure that an individual is made aware that it holds information in respect to them. Examples where this may not be appropriate include where ORIC has collected information from a third party in the course of receiving a complaint or integrity related information.

When does ORIC not have to comply with privacy legislation?

ORIC may not have to comply with some or all of the privacy principles in some instances, such as when:

- the provisions of another Act (such as the Racing Act) are more specific about how information should be managed
- ORIC makes use of generally available publications, for example, websites, or publicly accessible directories.

What sort of information does ORIC collect?

ORIC collects personal information for statutory and administrative reasons. Typical collections include:

- solicited and unsolicited correspondence from the public
- applications, enquiries, submissions, feedback, surveys, complaints and integrity related information or information associated with investigations or inquiries
- information relating to staff, volunteers, visitors, committee members and statutory office holders
- research data.

The type of personal information ORIC collects depends on the nature of the contact with ORIC or the function being performed.

Where lawful and practicable, an individual may be anonymous (or use a pseudonym) when interacting with ORIC. No identifying details will be collected. However, to provide some services or to consider some complaints effectively, the collection of personal information by ORIC may be necessary.

In many cases, ORIC obtains personal information directly from the individual concerned. For example, ORIC may collect personal information from an individual:

- who makes a complaint, to investigate the complaint and to contact the complainant for more information
- who is, or is seeking to be, engaged by ORIC for a specific position or purpose, to evaluate the capability and capacity of the individual to meet requirements or contractual obligations and manage ongoing relationships, including job applicants, tenderers and contractors.
- who participates in an educational, awareness or research activity, such as ORIC surveys, for the purposes of providing better future services to the community.

ORIC, or a third party acting on ORIC's behalf, may also be provided with personal information about an individual or another person or organisation, such as a controlling body. For example, personal information may be provided to ORIC, or a third party on behalf of ORIC, for the purpose of receiving or investigating integrity related information and complaints or auditing the integrity processes and systems of a controlling body.

In certain limited circumstances, as permitted by privacy or other legislation, ORIC may collect sensitive information. An example is when sensitive information may be collected when it is contained in a complaint made to ORIC about integrity related issues within the Victorian Racing Industry (VRI).

What does ORIC do with information?

ORIC uses and provides personal information to other people or organisations for the purposes ORIC collected it.

Occasionally, ORIC may be authorised by law (sometimes privacy legislation, but often other laws) to use or provide personal information to others for other purposes. In other cases an individual's consent may be sought to use or provide personal information to others.

For example, under the Racing Act, the Commissioner may disclose 'integrity related information'¹ which he has collected or been given in the performance of his functions, to the State or Commonwealth integrity, law enforcement and other bodies listed in section 37E of the Racing Act.

ORIC may share personal information within ORIC, with the Department of Justice and Regulation and with third parties. The types of third parties that ORIC may disclose personal information includes service providers who assist ORIC to provide or deliver products, activities and services, such as organisations who provide archival, auditing, professional advisory, banking, mail house, delivery, recruitment, technology, research, utility and security services. ORIC may also disclose your personal information to third parties acting on your behalf, for example your solicitor or interpreter.

Some de-identified personal information collected by ORIC may be used in its publications, awareness programs, public statements and training, but never in a way that would compromise an individual's privacy. De-identified information may be shared with other bodies or persons within the VRI for awareness.

ORIC ensures any transfer of personal information outside Victoria is in accordance with legislation.

How does ORIC ensure that information is accurate and up-to-date?

ORIC takes reasonable steps to ensure that personal information held is accurate, complete and up-to-date.

Usually, ORIC relies on individuals to provide accurate and current information to ORIC in the first instance, and to notify when circumstances or details change.

How does ORIC store and protect information?

ORIC has security measures aimed at protecting personal information from misuse, loss, unauthorised access or disclosure. Examples of these measures include:

- storing and filing paper documents containing personal information in a secure, access controlled environment
- restriction of access to ORIC documents by authorised personnel only.

Stored information is archived in accordance with the *Public Records Act 1973*, which determines when it is appropriate to retain or dispose of it.

Does ORIC have a specific website privacy statement?

ORIC has a detailed Website Privacy Statement for website users available at <http://www.racingintegrity.vic.gov.au/footer/privacy/>

How can individuals access information held by ORIC?

It is ORIC's policy, that where appropriate, an individual may ask for access to their personal information, without having to make a formal request under the *Freedom of Information Act 1982* (FOI Act).

In some situations, such access outside the FOI Act will not be appropriate, and an individual will have to make a [formal FOI request](#). (For example, if a third party's privacy is involved).

Individuals can access information held about them by ORIC by:

- directly contacting ORIC
- under the FOI Act where appropriate

¹ A non-exhaustive definition of 'integrity related information' can be found in section 37E(2) of the Racing Act.

- other access regimes under other laws.

Contact ORIC for further information.

How does ORIC handle complaints about privacy?

ORIC undertakes to resolve privacy complaints in a timely, fair and reasoned way.

If you have an enquiry or complaint, please telephone (03) 8684 7776 or send a letter to the following address:

Privacy Officer
Office of the Racing Integrity Commissioner
PO Box 24034
Bourke Street
Melbourne VIC 3001
Tel: 03 8684 7776
Email: enquiries@racingintegrity.vic.gov.au