



Personal Injury  
Commission

## Privacy Policy Statement

The New South Wales privacy laws do not affect the exercise of the Personal Injury Commission's judicial function in relation to hearing or determining proceedings before it. Documents, records and other material relating to proceedings are dealt with, as required, by the [Personal Injury Commission Act 2020 \(PIC Act\)](#), enabling legislation and the [Personal Injury Commission Rules 2021](#). For example, decisions issued by the Commission are exempt from these privacy laws – see the Commission's [Decision publication policy](#).

The Commission must comply with New South Wales privacy laws only in relation to the general management and administration of its Registry and office resources. The [Privacy and Personal Information Protection Act 1998](#) (PPIP Act) and the [Health Records and Information Privacy Act 2002](#) (HRIP Act) are the privacy laws in New South Wales. These laws set out privacy standards known as Information Protection Principles and Health Privacy Principles. These Acts and standards regulate the way we, collect, use, store and disclose personal and health information.

### What personal and health information we collect

We collect the personal and health information we need to provide you with our services, such as your name, date of birth, contact details, payment information and compensation claim information collected. This information is required in order to fulfil our objectives and functions to manage and resolve disputes under Workers Compensation and Compulsory Third Party insurance schemes.

We also collect information for ancillary purposes, such as complaints handling, human resources, recruitment and business services.

### How we collect your personal and health information

We usually collect personal and health information directly from you or someone you authorise to act on your behalf. We also collect information from third parties, including other parties to disputes, through information produced under our powers to require information, and through information obtained as part of the dispute resolution process if authorised to do so by law.

Your personal and health information is usually collected through our online portal, our website, via email, over the phone or audio-visual link, via post or in person.

We may also collect information about you indirectly through:

- Commission members, mediators, merit reviewers, medical assessors, staff of the Commission;
- Third parties, such as the State Insurance Regulatory Authority (SIRA) or insurers,
- our agents or contractors, and
- others, in the event of an emergency.

If we collect your health information from someone other than you, we will take any steps reasonable in the circumstances to let you or your authorised representative know.

When we collect your personal and health information, or when we tell you we have collected your health information from someone else, we will let you know:

- that we're collecting it/have collected it;
- whether the provision of the information is mandatory or voluntary;
- what it will be used for;
- who it will be provided to, and
- your rights to access and correct the information.

### **Why we collect your personal and health information**

We may need to collect your personal and health information to:

- exercise our judicial and administrative functions;
- respond to requests for access to information we hold;
- conduct customer surveys;
- issue communications to you, and
- for business planning and service improvements.

### **Storage**

We keep your personal and health information on controlled electronic systems, and, in some circumstances, in hard copy. We have controlled measures in place to secure against unauthorised access to and disclosure of your personal and health information. We keep your personal and health information no longer than necessary and disposed of it in accordance with the law.

## **Access**

You can ask us to provide you with details of the personal and health information about you that we hold. The process for requesting this information is set out in our [Privacy Management Plan](#). Alternatively, you can make a request for access in writing at [privacy@pi.nsw.gov.au](mailto:privacy@pi.nsw.gov.au).

## **Accuracy**

You may request that the personal and health information we hold about you be corrected if it is inaccurate. You can make a request, for correction of that information, in writing at [privacy@pi.nsw.gov.au](mailto:privacy@pi.nsw.gov.au). If we decide not to correct the information, we will provide reasons why.

## **Use**

We use the personal and health information we hold to exercise our judicial and administrative functions under the PIC Act and our enabling legislation, associated regulations, rules and instruments.

## **Disclosure**

We may need to provide your personal and health information to organisations outside the Commission, for example:

- Commission members, mediators, medical specialists, merit reviewers, staff of the Commission;
- our agents or contractors;
- medical oversight bodies and allied health practitioners;
- third parties such as SIRA, and
- others in the event of an emergency.

We will not disclose personal and health information about a person's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual activities, unless required to do so under the law and/or such disclosure is necessary to prevent or lessen a serious or imminent threat to life or health.

## **What exemptions apply?**

Generally, we do not have to comply with certain Information Protection Principles and Health Privacy Principles where we are authorised by law (for example the legislation we administer) and/or this would prevent the Commission from undertaking its functions as provided under the PIC Act and the enabling legislation.

## Privacy complaints about the conduct of the PIC

If you are unhappy with the way we have dealt with your personal and health information, you can make a complaint – either directly to us or to the [NSW Privacy Commissioner](#).

Complaints to us should be made in writing, addressed to the Commission, specify a return address within Australia, and be lodged with the Commission within 6 months of the time when you first became aware of the conduct you are complaining about.

Further information about our handling of complaints is available in our [Privacy Management Plan](#). If you're not satisfied with the outcome of our review, you can apply to the [NSW Civil and Administrative Tribunal](#) for a further review of the conduct. The NSW Civil and Administrative Tribunal has the power to make any orders that it thinks necessary.

## Privacy complaints about other persons or bodies

Privacy complaints can also be directed to the [NSW Privacy Commissioner](#). The Commissioner does not have power to make orders or to award compensation but will conciliate complaints by assisting parties to reach a decision that all are happy with.

## Contact us

<b>Website</b>	<a href="http://www.pi.nsw.gov.au">www.pi.nsw.gov.au</a>
<b>Email</b>	<a href="mailto:privacy@pi.nsw.gov.au">privacy@pi.nsw.gov.au</a>
<b>Phone</b>	1800 742 679
<b>Post</b>	The Privacy Officer Personal Injury Commission PO Box 594, Darlinghurst NSW 1300
<b>Document exchange (DX)</b>	The Privacy Officer Personal Injury Commission DX 11524 Sydney Downtown
<b>In person</b>	Level 19 1 Oxford Street, Darlinghurst NSW 2010