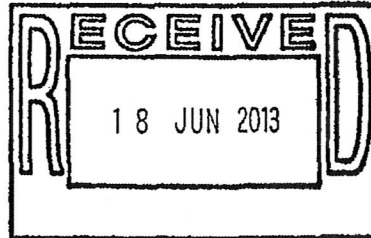




ABN: 26 331 428 522



Mr Timothy Pilgrim  
Privacy Commissioner  
GPO Box 2999  
Canberra ACT 2601

ABS House  
45 Benjamin Way  
Belconnen ACT 2617  
Locked Bag 10  
Belconnen ACT 2616

Telephone: (02) 6252 5000  
Facsimile: (02) 6251 6009

Dear Commissioner

I am writing to report a breach of the *Privacy Act 1988* as part of one of our household surveys.

Details about an occupant in a household were incorrectly included in the information provided to another household as part of the pre-filling of demographic information in an internet-based form. If correct procedures had been followed then the risk of this breach occurring would have been negligible. The household recorded in the comments section of the internet-based form that the person identified was not an occupant of the household and subsequently this was corrected.

The information released was the name, date of birth, country of birth and year of first arrival in Australia. The address of the individual was not released. While this incident involved a single person's information to a single household, it is a breach of both the *Privacy Act 1988* and the *Census and Statistics Act 1905* and as such is considered serious by the ABS. We have introduced a number of procedural and systemic changes to mitigate the risk of this incident occurring again.

We have contacted the individual whose information was released and apologised for the breach of [redacted] privacy, and assured [redacted] that we have made changes to avoid it happening again. The ABS considers that there is a low risk that the information revealed could be used to harm the respondent.

Yours sincerely,

[redacted signature]

Director  
Audit, Policy and Parliamentary Liaison  
Office of the Statistician and External Engagement  
Australian Bureau of Statistics  
14 June 2013



PO BOX 10  
BELCONNEN ACT 2616

Mail Room Received  
19 JUN 2013  
AUSTRALIAN BUREAU OF STATISTICS  
Attorney-General's Department

POSTAGE  
PAID  
AUSTRALIA

MR TIMOTHY PILGRIM  
PRIVACY COMMISSIONER  
GPO Box 2999  
CANBERRA ACT 2601



[www.abs.gov.au](http://www.abs.gov.au)  
ABN: 26 331 428 522

**CENTRAL OFFICE**

ABS House  
45 Benjamin Way  
Belconnen ACT 2617

Locked Bag 10  
Belconnen ACT 2616

Telephone: (02) 6252 5000  
Facsimile: (02) 6251 6009

Mr Timothy Pilgrim  
Australian Privacy Commissioner  
GPO Box 5218  
Sydney NSW 2001

15<sup>th</sup> August 2014

Dear Mr Pilgrim,

**RE: Notification of Privacy Breach**

The Australian Bureau of Statistics (ABS) is highly conscious of, and committed to, protecting the privacy and trust of the Australian Community. As such, I regretfully write to inform you of two breaches of the *Privacy Act 1988*.

The ABS outsources its print and mail-out functions for a large number of surveys, in accordance with ABS legislation. The ABS has identified that privacy breaches have occurred in the print and dispatch process of two of our print contractors.

The breaches involved the dispatch of letters to businesses in the Land Management Practices Survey (LaMPS) and the Quarterly Business Indicator Survey (QBIS). The cause of the breach was that multiple letters, each addressed to different businesses, were dispatched in a single envelop. The businesses who received the letters in error alerted the ABS to this issue.

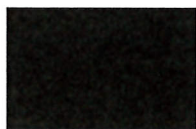
The information disclosed in error includes the name of a contact person in a surveyed business, the business name and address, a unique business identifier for ABS reporting purposes and a password to enable the contact person to log into an ABS online interface to respond to the survey on behalf of the business.

The ABS has since identified the print contractors involved, who are now conducting internal investigations into how the breaches occurred. Investigation reports will be provided to the ABS and include measures that the print contractors will implement to mitigate future risks of disclosure. If the ABS is not satisfied with the proposed protections, it may consider terminating the use of the print contractor's services.

The ABS is contacting the effected persons whose contact information was incorrectly disclosed to advise them of this breach and provide a new password for responding to the ABS survey.

Should you have any queries or concerns regarding this matter or the investigations taking place please contact me on 02 6252 5343 or [privacy@abs.gov.au](mailto:privacy@abs.gov.au).

Yours Sincerely,



ABS Privacy Officer  
Australian Bureau of Statistics



[www.abs.gov.au](http://www.abs.gov.au)  
ABN: 26 331 428 522

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ABS House  
45 Benjamin Way  
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Telephone: (02) 6252 5000  
Facsimile: (02) 6251 6009

Mr Timothy Pilgrim  
Australian Privacy Commissioner  
GPO Box 5218  
Sydney NSW 2001

26<sup>th</sup> August 2014

Dear Mr Pilgrim,

**RE: Notification of Privacy Breach**

The Australian Bureau of Statistics (ABS) is highly conscious of, and committed to, protecting the privacy and trust of the Australian Community. As such, I regretfully write to inform you of a breach of the *Privacy Act 1988*.

The ABS attempted to contact a survey participant using a phone number stored on an internal database. The purpose of the call was to inform the participant that their survey response was overdue.

When ABS staff called on the number in the database, a staff member at a state hospital answered. After it was established that the survey participant was another staff member, the ABS officer left a message with the hospital staff member for the participant to call the ABS back. The message identified the particular employee, the business they are providing information on behalf of, and the survey.

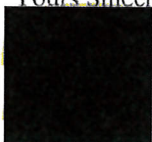
The survey participant returned this call and complained that this was not their correct contact number, and, as a result, by leaving the message with their colleague the ABS had disclosed the participant's affiliation with an agricultural business which they believed was a breach of their privacy.

The ABS is investigating the procedures for ABS staff to follow when leaving messages. Furthermore, ABS staff have queried the database where the contact number was stored and are in the process of determining how the existing contact number was incorrectly applied to the participant's records.

The ABS has contacted the affected survey participant to advise them of this breach and the actions being undertaken by the ABS.

Should you have any queries or concerns regarding this matter or the investigation taking place please contact me on [REDACTED] or [privacy@abs.gov.au](mailto:privacy@abs.gov.au).

Yours Sincerely,



ABS Privacy Officer  
Australian Bureau of Statistics



[www.abs.gov.au](http://www.abs.gov.au)

ABN: 26 331 428 522

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Mr Timothy Pilgrim  
Australian Privacy Commissioner  
GPO Box 5218  
Sydney NSW 2001

26<sup>th</sup> August 2014

Dear Mr Pilgrim,

**RE: Notification of Privacy Breach**

The Australian Bureau of Statistics (ABS) is highly conscious of, and committed to, protecting the privacy and trust of the Australian Community. As such, I regretfully write to inform you of two breaches of the *Privacy Act 1988*.

The ABS' Survey of Motor Vehicle Use (SMVU) uses an online web form for survey participants to provide their information in a paperless and secure environment. This system also enables the ABS to pre-populate the web form with some basic information the provider had reported in prior SMVUs, thereby easing the reporting burden faced by ABS survey participants.

In the case of the SMVU, records are based on a specific vehicle rather than a specific person, so the survey participant changes when ownership of that vehicle changes. The ABS has identified two cases where, due to a manual error in standard ABS processes, the name and address of the previous vehicle owners were disclosed to the new vehicle owners when the latter accessed their web forms.

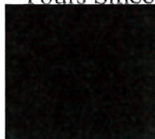
In one case the ABS was able to restrict the new owner's access to the web form and control the risk of disclosure, however, the other breach was not detected until the new owner had successfully submitted their information for the latest survey period.

The ABS has counselled the staff that made the procedural error leading to these breaches. The ABS has also clarified the procedures for staff in order to mitigate the risk of this breach repeating in the future.

The ABS is contacting the affected persons whose personal information was incorrectly disclosed to advise them of this breach.

Should you have any queries or concerns regarding this matter, the investigation which took place or the steps the ABS has taken in response to the investigation, please contact me on [REDACTED] or [privacy@abs.gov.au](mailto:privacy@abs.gov.au).

Yours Sincerely,



ABS Privacy Officer  
Australian Bureau of Statistics

**From:** [REDACTED]  
**Sent:** Tuesday, 11 November 2014 4:05 PM  
**To:** [REDACTED]  
**Subject:** Privacy Breach Notification - Disclosure of emails in bulk email [DLM=For-Official-Use-Only]

Hi [REDACTED]

As discussed, I have become aware of a privacy breach that occurred yesterday as a result of an ABS officer sending out a bulk email to ABS data users. The personal information disclosed in the breach was the email addresses only.  
The ABS officer sent the email by using the 'To' field rather than the 'BCC'. The email itself contained no personal information about the recipients (I have provided a copy it below for your information). There were approximately 86 recipients affected by this bulk email. I am currently investigating and will send through a detailed notification shortly. Should you have any queries in the mean time please feel free to contact me.

Kind Regards,

[REDACTED]  
*Assistant Director - Policy & Legislation*  
Audit, Policy and Parliamentary Liaison | Office of the Statistician and External Engagement |  
Australian Bureau of Statistics

[REDACTED] (W) [www.abs.gov.au](http://www.abs.gov.au)

The [ABS Privacy Policy](#) outlines how the ABS handles any personal information that you provide to us.

Dear ABS data user,

On 28 Oct 2014 the Australia Bureau of Statistics (ABS) released results from two recent studies on statistically integrating data with the 2011 Census of Population and Housing. Below is a link to the publications and summary of each.

**4392.0 - [Characteristics of people using mental health services and prescription medication, 2011](#)**

*The Mental Health Services-Census Data Integration Project links 2011 Census of Population and Housing data with Medicare Benefits Schedule (MBS) and Pharmaceutical Benefits Scheme (PBS) administrative data (provided by the Department of Health and the Department of Human Services). The project was initiated by the National Mental Health Commission (NMHC) with the aim of informing the National Review of Mental Health Services to assess the efficiency and effectiveness of programmes and services in supporting individuals experiencing mental ill health and their families and other support people to lead a contributing life and to engage productively in the community.*

This information can be used to answer questions about people who are accessing subsidised mental health related services and medication. For example it can provide insight into the relationship between health-related services, medication use, and key socio-economic information such as education, employment and housing.

The data is available for free download from the ABS website and includes two data cubes on the selected characteristics of persons accessing MBS and PBS subsidised mental health-related services and prescription medication.

**4269.0.55.001 - [Research Paper: Assessing the Effect of Geographic Information on Data Linkage Quality Using Vocational Education and Training in Schools Data, 2014](#)**

The paper compares the quality of linking two Vocation Education Training (VET) in Schools datasets (Curriculum and Assessment Authority data, National Centre for Vocational Education Research data (Qld records only)) containing different levels of geography, with the 2011 Census of Population and Housing. The study uses an improved linkage methodology that bases linkage on geographic information and weights the linked dataset to the input dataset.

Results from the study show that linking on small-area geography increased linkage rates compared to linking on large-area geography (SA2 and SLA), as there are more people in larger regions, and therefore linkage is less accurate. Deterministic data linking was used in the study where at least one geographic variable, sex, and date of birth were kept as a minimum in all combinations that were used to search for links.

In the future, improvements to the detail of geographical and other information on administrative data should be sought to deliver enhancements in data linkage.

Regards,

XXXXXXX

*Senior Project Officer*

State and Territory Statistical Services | Queensland Office | **Australian Bureau of Statistics**

(P) (07) 3222 XXX

(E) XXXXX (W) [www.abs.gov.au](http://www.abs.gov.au)

[The ABS Privacy Policy](#) outlines how the ABS will handle any personal information that you provide to us.

If you no longer wish to receive emails relating to recent ABS releases please respond by email with 'Unsubscribe emails' in the subject field.

**From:** [REDACTED]  
**Sent:** Friday, 14 November 2014 3:10 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Privacy Breach Notification - Bulk Email #2 [DLM=For-Official-Use-Only]

Hi [REDACTED]

As discussed, I have become aware of a privacy breach that occurred yesterday as a result of an ABS officer sending out a bulk email to ABS data users. The personal information disclosed in the breach was the email addresses only.  
The ABS officer sent the email by using the 'To' field rather than the 'BCC'. The email itself contained no personal information about the recipients (I have provided a copy it below for your information). There were approximately 399 recipients affected by this bulk email. I am currently investigating and will send through a detailed notification shortly. Should you have any queries in the mean time please feel free to contact me.

Kind Regards,

[REDACTED]  
*Assistant Director - Policy & Legislation*  
Audit, Policy and Parliamentary Liaison | Office of the Statistician and External Engagement |  
Australian Bureau of Statistics  
(P) (02) 6252 5343  
( [REDACTED] ) (W) [www.abs.gov.au](http://www.abs.gov.au)

The [ABS Privacy Policy](#) outlines how the ABS handles any personal information that you provide to us.

**Sent:** Friday, 14 November 2014 11:55 AM  
**Subject:** Release of Microdata: Australian Health Survey, Nutrition and Physical Activity 2011-12 Expanded on RADL

Dear Contact Officers and users  
The Microdata: Australian Health Survey, Nutrition and Physical Activity, 2011-12 Expanded on RADL has now been released.

The Expanded CURF provides data on detailed dietary intake, demographic information, physical activity, sedentary behaviour, selected health conditions, health risk factors and nutrition. Biomedical data is also included for respondents who agreed to participate. Further information on the survey can be found at [Microdata: Australian Health Survey, Nutrition and Physical Activity, 2011-12](#). A detailed list of data items is available on the downloads tab.

Applications for the Expanded CURF can be made via [MiCRO](#), the ABS microdata application management system.

The [Microdata Entry Page](#) on the ABS website also contains valuable information on microdata, including instructions on [How to apply for Microdata](#). For more information on existing and future microdata releases view the [Expected and available Microdata](#).



If you have any questions relating to microdata products, please do not hesitate to contact us at [microdata.access@abs.gov.au](mailto:microdata.access@abs.gov.au).

Regards

XXXXXX

Please send all correspondence to [microdata.access@abs.gov.au](mailto:microdata.access@abs.gov.au)

Microdata Access Strategies

Customer Services Branch | ABS 2017 Program Delivery Division | **Australian Bureau of Statistics**

**(T) +61 2 6252 7714**

**(E)** [microdata.access@abs.gov.au](mailto:microdata.access@abs.gov.au) **(W)** [Microdata Entry Page](#)

The [ABS privacy policy](#) outlines how the ABS will handle any personal information that you provide to us



[www.abs.gov.au](http://www.abs.gov.au)  
ABN: 26 331 428 522

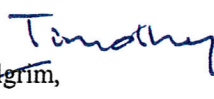
**CENTRAL OFFICE**

ABS House  
45 Benjamin Way  
Belconnen ACT 2617

Locked Bag 10  
Belconnen ACT 2616

Telephone: (02) 6252 5000  
Facsimile: (02) 6251 6009

Mr Timothy Pilgrim  
Australian Privacy Commissioner  
GPO Box 5218  
Sydney NSW 2001

  
Dear Mr Pilgrim,

**RE: Notification of Privacy Breach**

The Australian Bureau of Statistics (ABS) is committed to protecting the privacy of the individuals whose data we collect and use. While the ABS always strives to ensure the confidentiality of the personal information we hold, as previously advised to your office on 2 December 2014, I regret to inform you of the disclosure of personal information in contravention of the Australian Privacy Principles and the resulting breach of the *Privacy Act 1988*.

The disclosure of personal information occurred on 19 November 2014 through an ABS re-despatch of paper survey forms for the September 2014 ABS' Building Activity Survey (BACS).

The ABS' Building Activity Survey (BACS) is a quarterly survey of building jobs which uses a sample of building jobs captured by the ABS' Building Approvals Survey (BAPS). The BACS surveys each selected building job in the sample until it is either completed or abandoned.

The BAPS is a census of all building approvals, from all relevant approval authorities (local councils, state government, private certifiers) across Australia. Builders are required to report on activity for each of their selected building jobs.

To ease the reporting burden faced by the builders, BACS form contains pre-populated information supplied by the provider in a previous BACS collection; and information from the BAPS collection.

The ABS was notified of the breach on 24 November 2014 when a BACS provider informed the ABS that their paper form had the correct reference number and label details, but the building job referenced within the form did not pertain to them.

As soon as the issue was identified, the ABS immediately investigated the matter to determine the source of the error.

The disclosure was caused by a mail merging software issue, which is used to link and merge the form details with the pre-populated information so that each form is personalised for every provider. When printed, the pages of the BACS form (post-mail merge) were misaligned. Correctly pre-populated information was provided on one side of each page, but incorrect pre-populated information was provided on the other side. This issue resulted in the disclosure of the following personal information:

- name of the building owner;
- builder's reference number;
- business name; and
- contact information.

This was a one-off error contained within a subset of the broader BACS collection. The ABS has determined that all other September 2014 BACS despatches contained the correct pre-populated information.


The ABS has established that 42 BACS forms that were re-despatched contained incorrect pre-populated information.

The ABS will contact the affected persons whose personal information was incorrectly disclosed and advise them of this breach.

Additionally, the ABS is reviewing the adequacy of our internal quality assurance process and checklist to ensure that there are no repeats of this disclosure.

I am confident that the factors that led to this breach have been contained, and that the ABS is implementing appropriate measures to ensure that the disclosure does not occur again. Attached to this letter is a comprehensive report on the disclosure, investigation and actions being taken by the ABS.

Should you have any queries or concerns regarding this matter, please contact:

  
ABS Privacy Officer

Phone: 

Email: 

Yours Sincerely,



David Kalisch  
Australian Statistician

7 January 2015

## **BACS Privacy Breach Report**

### **Background on the Building Activity Survey (BACS):**

The BACS contains pre-populated information from the previous month; and information collected in the Building Approvals Survey (BAPS).

BAPS is a census of all building approvals, from all relevant approval authorities (local councils, state government, private certifiers) across Australia.

BACS is a quarterly longitudinal survey of building jobs, where a sample of BAPS jobs is taken each quarter, and each selected job is surveyed until it is either completed or abandoned. The sample from BAPS provides the quarterly sampling frame for BACS.

For the BAPS, the builders associated with each job are required to report on activity for each of their selected building jobs, as such, the builders are the reporting units and the building jobs are the selection units for BACS.

The BAPS sample for BACS not only provides the frame for the BACS it also provides information about the job (including the respondent's information) that is pre-populated onto the BACS form.

The following information is pre-populated on BACS forms as part of collection activities:

- a) Front of form information: This contains the contact information of the builder associated with the building job(s) contained within the BACS form, and consists of business name, contact name, and contact information (address etc.).
- b) Job details information: For each selected job, details of that job are provided in the form insert, and builders are asked to detail construction activity information against each individual job. The job details provided include permit number, approval value, owner's name, site details (i.e. address), type of building and type of work being done.
- c) Previous response information: For building jobs that have been in sample before (i.e. for more than 1 quarter), previous response information is provided which includes value of work done to end of previous quarter, estimated commencement and completion dates, floor area being created and so forth.

NOTE: (a) and (b) are sourced directly from the BAPS and pre-populated into the BACS; and (c) is sourced from providers in previous BACS quarters and pre-populated in the next BACS month.

Information for BAPS is provided by the builder, however, for the BACS it is not always a builder who is required to report on a building job, sometimes it is owners or other appropriately relevant entities.

The ABS still supports the mode of paper forms for those providers that opt out of reporting via a web forms or are required to be sent a form as part of the regular re-despatches sent subsequent to the main despatch. These re-despatches result from a number of reasons including where initial responses from providers indicate that someone else is best placed to respond on behalf of a selected job. The re-despatch process involves the provision of a file generated by the relevant subject matter area in the ABS which contains the provider reference number with pre-fill information which is overprinted by the ABS' Despatch and Collection Unit (DCU).

### **Privacy Breach: identification, investigation, affected individuals and actions.**

The re-despatched forms were sent out on 19 November 2014 and the DCU was made aware of the breach on 25 November 2014 after a respondent had contacted the ABS on 24 November 2014 regarding their paper form. The respondent noted that their paper form had the correct reference number and label details, but had a building job that was not their job.

The ABS undertook an immediate investigation into the matter. The initial mismatching was caused by the mail merging software and affected 43 units.

DCU personalised each form by developing the required form details and merging the files with pre-populated data via the mail merging software.

There are two possible ways of printing the merged image through the printers as a paper form. The first is directly through the mail merging software using 'duplex' printing which was the option used. The second is via a PDF image which then gets sent to the printer as a single file through a custom designed program which collates and folds depending on the specified no of pages in the booklet.

The standard practice for all forms printed through the mail merging software is via the PDF option but in this instance the duplex option was selected. The visible image of the merge file viewed by the operator correctly showed the four pages of the form as containing the correct unit's details. However when the pages were printed they were misaligned so that correct details were only printed on half of the pages (one side) and mismatched details on the other two pages (the other side).

The DCU successfully replicated the print run using the duplex option and determined that only 42 of the 43 units in the re-despatch had incorrect pre-populated information. A number of other despatches have been conducted without incident.

Given the nature of the pre-fill data for each record there is the potential to impact on two entities. The first is the owner of the building whose details have inadvertently been provided to another builder and the second is the data that has been provided by the council/other relevant body to the ABS which has been sent to the wrong builder. The builder for whom the job details belongs to is not identifiable by the other builder, as the builders name doesn't appear in the job detail pre-fill data, but their reference number does.

The DCU have replicated the process for creating the file to ascertain the extent of the breach and looked at how the initial re-despatch printing process was undertaken to identify how the breach occurred. The DCU are also assessing whether the relevant Quality Assurance (QA) processes were correctly followed, and will review the adequacy of the QA to ensure no repeat of this problem.

#### **Notifying the affected parties.**

The ABS is notifying the affected parties whose personal information has been disclosed. Modes of notification are by phone and by letter.

Initial attempts to contact individuals by phone were unsuccessful and as a result, all individuals are being notified via a letter. In some cases, the letter notification has been incorporated into the covering letter of a newly re-despatched BACS form.

Examples of the phone script and the letter are provided below:

#### **Example Phone Script:**

*Good morning/Good afternoon. My name is ..... I'm calling from the Australian Bureau of Statistics Provider Contact Unit/Despatch and Collection Unit.*

*You are currently selected in the quarterly Building Activity Collection. For the September Quarter there was a printing error in the preparation of a small number of paper forms that were being re-despatched for that survey. Your business was one of the small number that were impacted by this error. As a result, details relating to the building job were inadvertently provided to another survey provider. These details included the permit number, approval value, owners name, site details, type of building, type of work (there are other pre-fill details that apply to some units and not to others, such as completion value, value of work done, commencement date and floorspace - these will need to be identified for the specific units)*

*The ABS has located the cause of the error and has rectified it for all future collections to prevent further disclosure. On behalf of the ABS I would like to assure you that this error will not happen again. The ABS has advised the Privacy Commissioner of the issue.*

*The information sought from this collection is still required and we ask for your further cooperation in providing updated information on the building job you are working on. An ABS interviewer will call you at a convenient time to take the information over the phone in the coming days.*

*We sincerely apologise for any inconvenience this issue has caused and thank you for your continued participation in this important national survey.*

**Example Letter Notification:**

*Dear xxxx*

*Building Activity Collection, September Quarter 2014 - Reissued Survey Form*

*Please find enclosed a new survey form for the September Quarter 2014 Building Activity Collection. The form has been reissued due to a printing error with the previous form. I attempted to make contact with you via phone on the Wednesday, 3 November to provide further details about the error, but was unable to make contact. The ABS seeks your cooperation to complete the new form and return it in the reply paid envelope enclosed by datexxx. Alternatively ABS interviewers would be happy to assist you in completing the form over the phone by calling [REDACTED]*

*If you would like to discuss the detail of the printing error, please call ..... of the Despatch and Collection Unit on [REDACTED]*

*We apologise for any inconvenience this may cause and thank you for your cooperation and participation in this survey.*

**To:** [REDACTED]  
**cc:** [REDACTED]  
**Subject**  
: Fw: Suspected Privacy Incident

Hi [REDACTED]

I am following up on this matter on behalf of [REDACTED] who is now on leave.

The ABS has concluded its investigation of this complaint and has determined that this does not constitute a privacy breach.

The investigation found that ABS staff updated the address details of the provider's form, during which the name of the respondent's tax agent was unintentionally included. As a result, the name of the tax agent was disclosed to the provider (who is the agent's client). No other parties were effected.

As the personal information was disclosed to a client (with whom the information was already known), the ABS does not consider this a privacy concern.

Regardless, it is ABS policy not to include the names of agents or individuals in mail-out correspondence regarding a survey. This is, in part, to avoid a privacy breach where the correspondence is incorrectly addressed or is otherwise intercepted. The ABS is determining a strategy to review the contact details for all surveys and remove any individual's names.

Please let me know if you have any questions or concerns regarding this matter.

Regards,

[REDACTED]  
Policy, Legislation and Assurance section | Governance and Parliamentary Liaison branch |  
**Australian Bureau of Statistics**

(P) [REDACTED]  
(E) [REDACTED] (W) [www.abs.gov.au](http://www.abs.gov.au)

For information about how the ABS' handles personal information please see our [Privacy Policy](#).

From: [REDACTED]  
To: [REDACTED]  
Cc: [REDACTED]  
Date: 21/07/2015 11:26 AM  
Subject: RE: Suspected Privacy Incident [SEC=UNCLASSIFIED]

Thanks [REDACTED]

We will wait on further information from you concerning this issue.

In the meantime, feel free to give me a call if you wish to discuss the matter.

Regards

[REDACTED] Privacy Practice, Advice and Technology  
Regulation and Strategy Branch  
Office of the Australian Information Commissioner  
GPO Box 5218 Sydney NSW 2001 | [www.oaic.gov.au](http://www.oaic.gov.au)

P: [REDACTED]

**From:** [REDACTED]

**Sent:** Tuesday, 21 July 2015 10:51 AM

**To:** [REDACTED]

**Subject:** Suspected Privacy Incident

Hi [REDACTED]

I'm contacting you to advise that the ABS has received a privacy complaint from one of our survey respondents in the ABS Rural Environment & Agricultural Commodities Survey.

The respondents complaint is in relation to the use their tax accountants information for the dispatch of the survey. I am currently looking into the nature of the complaint and the use of the information. I will provide more information to you shortly and advise if this is or not a privacy concern. Should you have any questions please feel free to contact me.

Kind regards,

[REDACTED]  
Policy, Legislation, Cabinet & Parliamentary Liaison Team ♦ Audit Policy & Parliamentary Liaison Section

Governance & Parliamentary Liaison Branch ♦ Governance, People & Culture Division

phone: [REDACTED]

email: [REDACTED]

web: [www.abs.gov.au](http://www.abs.gov.au)

The [ABS Privacy Policy](#) outlines how the ABS handles any personal information that you provide to us.





Mr Timothy Pilgrim  
Australian Privacy Commissioner  
Office of the Australian Information Commissioner  
GPO Box 5218  
Sydney NSW 2001

Dear Mr Pilgrim

**Notification of Privacy Breach**

The Australian Bureau of Statistics (ABS) is committed to protecting the privacy of the individuals whose personal information we collect, use and disclose. While the ABS always strives to ensure the confidentiality of the personal information we hold, it is with regret that I inform you of the disclosure of personal information in contravention to the Australian Privacy Principles, and the resulting breach of the *Privacy Act 1988*.

The disclosure of personal information occurred on 7 September 2015 when an ABS Field Interviewer (Interviewer) lost a folder which contained a 'Call Summary Card' (CSC) for one survey participant (the Person) in the Household Income and Expenditure Survey (HIES). Upon realising that it had been lost the Interviewer returned to her previous locations in an attempt to recover the folder but was unsuccessful.

The CSC document contains the first name, address and phone number of the Person only. No other information was disclosed.

The ABS has completed its investigation of this matter and has determined that, despite a number of controls in place to instruct staff on how to protect the privacy of ABS survey participants, the disclosure occurred due to human error.

The ABS has counselled the Interviewer and notes that this disclosure is out of character with her record of adherence to ABS procedures for protecting personal information.

The ABS will notify the Person whose information was disclosed and provide information on the processes that the ABS has in place to prevent reoccurrence in the future.

I am confident this issue for the HIES is a one-off event that has been contained. The ABS believes that its current process of regularly reinforcing with staff the need to protect the confidentiality of survey participants continues to mitigate against disclosures of this nature adequately. Should you have any queries or concerns regarding this matter please contact:

[Redacted]  
[Redacted] Policy, Legislation and Assurance Section  
Governance & Parliamentary Liaison Branch  
Phone [Redacted]  
Email: [Redacted]

Regards

[Redacted]  
A/g Australian Statistician

9 October 2015



Mr Timothy Pilgrim  
Australian Privacy Commissioner  
Office of the Australian Information Commissioner  
GPO Box 5218  
Sydney NSW 2001

Dear Mr Pilgrim

**Notification of Privacy Breach**

The Australian Bureau of Statistics (ABS) is committed to protecting the privacy of the individuals whose personal information it collects, uses and discloses. While the ABS always strives to ensure the confidentiality of the personal information it holds, it is with regret that I inform you of the disclosure of personal information in contravention to the Australian Privacy Principles and the resulting breach of the *Privacy Act 1988*.

The disclosure of personal information occurred in October 2015 when the ABS was notified by participants of the ABS' Engineering and Construction Survey (ECS) of two instances where they had received an envelope from the ABS containing web letters pertaining to their company's participation in the ECS, but also contained additional letters addressed to other, unrelated companies.

Web letters enable survey participants to complete their form electronically by providing a password and logon identifier. The name and address of a contact officer for each respective business is also included.

Upon being notified of this incident, ABS staff members reset the passwords of the affected businesses to prevent access from unauthorised parties. The ABS has since confirmed that there was no unauthorised access to these businesses' accounts.

In total, the names and addresses of contact officers for 11 participants of the ECS were disclosed to two other participants in the ECS. No other personal information was disclosed.

The ABS has completed its investigation of this matter and has concluded that the breach was due to an error in the machinery used to insert letters into envelopes in preparation for mail-out. The ABS is currently in the process of procuring replacement equipment, which is expected to mitigate future instances of machine error.

As of 27 November 2015, the ABS had not detected, across all survey collections, any evidence that other participants may have been affected by this issue.

The ABS has notified those persons whose personal information was disclosed and provided information on how the ABS will prevent reoccurrence.

I am confident this issue for the ECS has been contained, has not affected other ABS survey collections or survey participants, and note that the acquisition of replacement equipment will mitigate against disclosures of this nature adequately.

Should you have any queries or concerns regarding this matter please contact:

[Redacted]  
Policy, Legislation and Assurance Section  
Governance & Parliamentary Liaison Branch  
Phone [Redacted]  
Email: [Redacted]

Regards

[Redacted]  
Chief Operating Officer  
Australian Bureau of Statistics

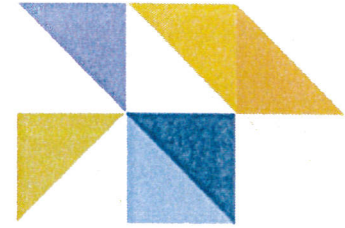
14 December 2015



Australian Statistician

ABS House  
45 Benjamin Way  
Belconnen ACT 2617

Locked Bag 10  
Belconnen ACT 2616  
Telephone: (02) 6252 6705



Mr Timothy Pilgrim  
Australian Privacy Commissioner  
Office of the Australian Information Commissioner  
GPO Box 5218  
Sydney NSW 2001

Dear Mr Pilgrim

A handwritten signature in blue ink that reads "Timothy".

**Investigation Report – Personal information included with business information**

The Australian Bureau of Statistics (ABS) is committed to protecting the privacy of the individuals whose personal information it collects, uses and discloses. While the ABS always strives to ensure the confidentiality of the personal information it holds, it is with regret that I inform you of the disclosure of personal information in contravention to the Australian Privacy Principles and the resulting breach of the *Privacy Act 1988*.

The disclosure of personal information was detected on 6 January 2016, when the Queensland Government Statistician's Office (QGSO) reviewed information (list) released by the ABS in accordance with Clause 6 of the *Statistics Determination 1983*. The list was provided to QGSO as an encrypted file on CDROM.

The QGSO detected that personal information (contact names) was unintentionally included for 5,147 of the 5,245 businesses on the list in breach of the *Privacy Act 1988*. In addition, the release of contact names is not permitted under Clause 6 of the *Statistics Determination 1983*.

The list was accessed by two QGSO employees, who had signed an undertaking, a legally binding agreement, prior to accessing the list. Among other things, the employees undertook not to release the list or any part of the list, directly or indirectly, to another person outside of QGSO (other than a contractor who may require access to the list for the purposes of providing services to QGSO). QGSO has not released the information.

Upon notification that the list contained personal information, ABS advised the QGSO to quarantine and destroy the file. This action was promptly undertaken by QGSO. The ABS verbally notified your office of this breach on 14 January 2016.




The breach is considered by ABS to be minor as the personal information was disclosed to only two employees of the QGSO, who had signed undertakings, and the information was promptly destroyed when the personal information was detected. As the ABS is satisfied that the information is no longer held by QGSO and that its officers are bound by a lawful undertaking to not on-disclose any information they had received, the ABS is confident that the breach has been controlled and has not advised the individuals affected.

Following investigation by the ABS, it was concluded the breach was the result of human error. The team that compiled the list was provided with specifications which did **not** include personal information. Unfortunately, the list that was produced was not consistent with the specifications, and personal information was included. Normally this oversight would have been detected during the clearance process, however, the presentation of the list made it unclear personal information had been included.

The ABS has counselled the staff members involved in the oversight and reminded them of their responsibilities to adhere to appropriate procedures and legislative requirements.

It is anticipated that similar lists (not including personal information) will continue to be released in the future. The ABS will introduce additional rigour into its approval and release processes to prevent reoccurrence of this breach.

Should you have any queries or concerns regarding this matter please contact:

  
Policy, Legislation and Assurance Section  
Governance and Parliamentary Liaison Branch  
Phone:   
Email: 

Regards



David W. Kalisch  
Australian Statistician

4 February 2016



## Australian Statistician

ABS House  
45 Benjamin Way  
Belconnen ACT 2617

Locked Bag 10  
Belconnen ACT 2616  
Telephone: (02) 6252 6705



Mr Timothy Pilgrim  
Australian Privacy Commissioner  
Office of the Australian Information Commissioner  
GPO Box 5218  
Sydney NSW 2001

Dear Mr Pilgrim

### Investigation Report – disclosure of email addresses

The Australian Bureau of Statistics (ABS) is committed to protecting the privacy of the individuals whose personal information it collects, uses and discloses. While the ABS always strives to ensure the confidentiality of the personal information it holds, it is with regret that I inform you of the disclosure of personal information in contravention to the Australian Privacy Principles and the resulting breach of the *Privacy Act 1988*.

On 29 January 2016 an email was sent to 160 stakeholders consulted in their professional capacity on the 'sex and gender variables standard'. The email was sent with the email addresses included in the 'to' field rather than the 'bcc' field, in breach of the *Privacy Act 1988*. The breach was brought to the attention of the ABS on 8 February 2016. In investigating the matter an identical incident involving an email to the same stakeholder group was also identified.

The ABS immediately notified the recipients of the email and requested that both emails be deleted to prevent further on-disclosure or unauthorised use of personal information. Your office was notified of this incident on 12 February 2016.


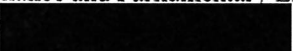

A further incident of email addresses incorrectly being included in the 'to' field of an email occurred on 17 February 2016. The Victorian Electoral Commission (VEC) provided email addresses for VEC registrants, to enable ABS to provide registrants with information regarding recruitment of Census Area Supervisor. On 17 February 2016 an email was sent to 357 registrants promoting the Census Area Supervisor positions. The email was sent with the recipient email addresses in the 'bcc' field in seven emails to 51 individuals (357 individuals in total).

A complaint was received from one of the email recipients on 18 February 2016. On the same day an apology was sent by the Director, Victorian Regional Management Unit, in response to the complaint, and affected recipients were emailed notifying them that their email addresses had been disclosed, and requesting they delete the email. The VEC was informed of the incident, and the process of emailing additional VEC registrants was suspended to ensure that correct procedures are understood and followed.


The ABS has completed its investigation of these matters and has determined that the breaches resulted from human error. The ABS has counselled the staff members involved and reminded them of their responsibilities to adhere to appropriate procedures and legislative requirements.

To reduce the likelihood of reoccurrence, an all staff bulletin will be issued to remind them of their privacy obligations and the appropriate use of the 'bcc' field when sending emails to groups of external persons. This incident will also be highlighted internally during an all staff presentation to reinforce further the importance of maintaining the privacy of our stakeholders. The ABS will also investigate technological solutions that will further mitigate the likelihood of reoccurrence.

Should you have any queries or concerns regarding this matter please contact:

  
Policy, Legislation and Assurance Section  
Governance and Parliamentary Liaison Branch  
Phone   
Email 

Regards

  
David W. Kalisch  
Australian Statistician

27 February 2016