
Appendix 6 - Complaints and Review

Where an individual has a concern regarding the way the University has managed their personal or health information, they have a right to make a complaint or seek a review of the conduct they are concerned about.

Guidance for raising concerns

- Step 1:** Individuals should first inform the University of their concerns, so that any available steps may be taken to remedy a privacy issue. Where the University is made aware of a breach, appropriate steps will be taken to address the situation.
- Step 2:** Individuals may raise a complaint about the potential privacy breach by contacting the Privacy Officer at privacy@newcastle.edu.au.
- Step 3:** Individuals may also seek an Internal Review by the NSW Privacy Commissioner (the Commissioner) as outlined below.

Internal Reviews

Internal reviews are conducted in accordance with the requirements of Part 5 of the PPIP Act and with regard to guidance produced by the Commissioner.

Role of the Commissioner

The Commissioner will be advised:

- that an Internal Review has been received;
- of the progress of the review;
- of the draft findings; and
- of the final determination.

The Commissioner may wish to make a submission on the subject matter of the review. The University must consider any submissions when making the final determination.

Who will undertake the review?

A staff member who has no conflict of interest or involvement in the conduct concerned will undertake the review. The applicant will be notified when their application is formally acknowledged of the name and contact details of the reviewing officer.

How the applicant is advised of the findings

The applicant will be advised of:

- the findings of the Internal Review and the reasons for those findings;
- the action proposed and the reasons for these actions; and
- their right to seek a review of the University's decision.

Possible actions arising from an internal review include:

- no further action;
- a formal apology;
- appropriate remedial action;
- an undertaking that the conduct will not occur again; and/or
- implementing administrative measures to ensure the conduct is not repeated.

External Review

An applicant may seek an external review by the NSW Civil and Administrative Tribunal if:

- the Internal Review is not finalised within the required period;
- the applicant is not satisfied with the findings; or
- the applicant is not satisfied with the actions proposed.

Appendix 6 - Complaints and Review (continued)

Reporting

The University will report any Internal Reviews conducted in the Annual Report.

Further Information

- University of Newcastle – Privacy Officer privacy@newcastle.edu.au
- The Information and Privacy Commission NSW (IPC) – ipc.nsw.gov.au
- NSW Civil and Administrative Tribunal – ncat.nsw.gov.au