

## Privacy Policy – Fire Rescue Victoria Personnel

### Table of Contents

1. Purpose .....	1
2. Scope and Application .....	2
3. Definitions .....	2
4. Responsibilities .....	4
4.1 Fire Rescue Commissioner .....	4
4.2 Executive Leadership Team .....	4
4.3 Senior Leaders .....	5
4.4 The Information and Communication Services Department .....	5
4.5 Manager, FOI, Privacy and Subpoenas .....	5
4.6 All FRV Personnel .....	5
5. Policy Principles.....	5
5.1 Personal information (excluding sensitive information and health information) .....	6
5.2 Sensitive information .....	9
5.3 Health Information .....	10
5.4 Accuracy of information .....	12
5.5 Third-party service providers .....	12
5.6 Storage and security of information.....	12
5.7 Destruction and de-identification of information .....	13
5.8 Transfer of information outside of Victoria.....	13
5.9 Access by FRV Personnel to the information held by FRV and the complaints process 13	
5.10 Dealing with a privacy complaint at FRV .....	14
6. Authorising Documents .....	14
7. Supporting Documents/Links.....	14
7.1 References .....	14
8. Document Information .....	15
8.1 Document Control.....	15
8.2 Version Control .....	15

### 1. Purpose

This Policy documents the way Fire Rescue Victoria (FRV) collects, uses, manages, discloses, and secures the personal information, sensitive information, and health information of FRV Personnel.

## 2. Scope and Application

This Policy governs the collection, use, management, disclosure and security of all personal information, sensitive information and health information relating to FRV Personnel.

## 3. Definitions

Term	Definition
<b>Anti-discrimination laws</b>	include, but are not limited to, the following Acts and regulations made under those Acts: <ul style="list-style-type: none"> <li>a) Age Discrimination Act 2004 (Cth);</li> <li>b) Charter of Human Rights and Responsibilities Act 2006 (Vic);</li> <li>c) Disability Discrimination Act 1992 (Cth);</li> <li>d) Equal Opportunity Act 2010 (Vic);</li> <li>e) Fair Work Act 2009 (Cth);</li> <li>f) Racial Discrimination Act 1975 (Cth); and</li> <li>g) Sex Discrimination Act 1984 (Cth).</li> </ul>
<b>Executive Leadership Team</b>	means the Fire Rescue Commissioner, Deputy Commissioners, Deputy Secretary Corporate, Regulations and Strategic Services, and the Executive Directors.
<b>FRV Personnel</b>	means current and former FRV Personnel and includes the Fire Rescue Commissioner, Deputy Fire Rescue Commissioners, Deputy Secretary Corporate Regulations and Strategic Services, the Executive Leadership Team, Executive Directors, employees and secondees, contractors, consultants, and volunteers undertaking activity for or on behalf of FRV and applicants for employment with FRV roles (including for Recruit Firefighter roles). <p>Note: This definition of FRV Personnel in the Policy is purposefully broader than the definition of FRV Personnel used in the other FRV policies to expressly include former FRV Personnel and employment applicants for FRV roles and jobs.</p>
<b>Health information</b>	has the same meaning as defined in section 3 of the Health Records Act 2001 (referred to in this definition as 'this Act'): <ul style="list-style-type: none"> <li>(a) information or an opinion about—               <ul style="list-style-type: none"> <li>(i) the physical, mental or psychological health (at any time) of an individual; or</li> <li>(ii) a disability (at any time) of an individual; or</li> <li>(iii) an individual's expressed wishes about the future provision of health services to him or her; or</li> </ul> </li> </ul>

	<p>(iv) a health service provided, or to be provided, to an individual - that is also personal information; or</p> <p>(b) other personal information collected to provide, or in providing, a health service; or</p> <p>(c) other personal information about an individual collected in connection with</p> <p>the donation, or intended donation, by the individual of his or her body parts,</p> <p>organs or body substances; or</p> <p>(d) other personal information that is genetic information about an individual in a form which is or could be predictive of the health (at any time) of the individual or of any of his or her descendants - but does not include health information, or a class of health information or health information contained in a class of documents, that is prescribed as exempt health information for the purposes of this Act generally or for the purposes of specified provisions of this Act.</p>
<b>Health service</b>	<p>has the same meaning as defined in section 3 of the Health Records Act 2001 (referred to in this definition as 'this Act'):</p> <p>(a) an activity performed in relation to an individual that is intended or claimed (expressly or otherwise) by the individual or the organisation performing it -</p> <p>(i) to assess, maintain or improve the individual's health; or</p> <p>(ii) to diagnose the individual's illness, injury or disability; or</p> <p>(iii) to treat the individual's illness, injury or disability or suspected illness, injury or disability; or</p> <p>(b) a disability service, palliative care service or aged care service; or</p> <p>(c) the dispensing on prescription of a drug or medicinal preparation by a pharmacist registered under the Health Practitioner Regulation National Law; or</p> <p>*****</p> <p>(cb) the sale or supply of a voluntary assisted dying substance within the meaning of the Voluntary Assisted Dying Act 2017 in accordance with that Act by a pharmacist registered under the Health Practitioner Regulation National Law to practise in the pharmacy profession (other than as a student); or</p> <p>(cc) the supply or administration of a voluntary assisted dying substance within the meaning of the Voluntary Assisted Dying Act 2017 in accordance with that Act by a registered medical practitioner; or</p> <p>(d) a service, or a class of service, provided in conjunction with an activity or service referred to in paragraph (a), (b), (c), (cb) or (cc) that is prescribed as a health service - but does not include a health service, or a class of health service, that is prescribed as an exempt health service for the purposes of this Act generally or</p>

	for the purposes of specified provisions of this Act or to the extent that it is prescribed as an exempt health service;
<b>Personal Information</b>	has the same meaning as defined in section 3 of the Privacy and Data Protection Act 2014 and means:  Information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion but does not include information of a kind to which the Health Records Act 2001 applies.
<b>Privacy complaints register</b>	means the register held and maintained securely by FRV's Manager FOI, Privacy and Subpoenas of any complaints made by FRV Personnel to the Manager FOI, Privacy and Subpoenas regarding alleged or suspected breaches of privacy obligations, in accordance with the requirements to maintain the register under the Privacy and Data Protection Act 2014 (Vic).
<b>Sensitive information</b>	has the same meaning as defined in Schedule 1 of the Privacy and Data Protection Act 2014 and means information about an individual's:  a) racial or ethnic origin; or b) political opinions; or c) membership of a political association; or d) religious beliefs or affiliations; or e) philosophical beliefs; or f) membership of a professional or trade association; or g) membership of a trade union; or h) sexual preferences or practices; or i) criminal record;  that is also personal information.
<b>Policy</b>	Means this privacy policy.

## 4. Responsibilities

### 4.1 Fire Rescue Commissioner

- ensures the Policy is readily available to FRV Personnel and the public.

### 4.2 Executive Leadership Team

- ensures that senior FRV leaders, including Assistant Chief Fire Officers, Commanders, Directors and Managers are aware of this Policy and its requirements and are implementing it with FRV Personnel in their respective reporting lines.

### 4.3 Senior Leaders

- inform FRV Personnel in their reporting lines of the requirements of this Policy and monitor their compliance with their obligations in collecting, using, managing, disclosing, and securing personal information; and
- report a breach or suspected breach of this Policy to the Legal Services department for investigation.

### 4.4 The Information and Communication Services Department

- maintains the security and integrity of FRV's information and communication technology systems and ensures the personal information of FRV Personnel is sufficiently stored and protected in accordance with the Privacy and Data Protection Act 2014 (Vic) and Privacy Act 1988.

### 4.5 Manager, FOI, Privacy and Subpoenas

- investigates breaches and potential breaches of this Policy;
- maintains the Privacy Complaints Register of all information privacy complaints, including details of each complaint, the complainant, and the outcome of the investigation of the complaint;
- reviews this Policy at a frequency of no less than every three years or as determined by the Executive Leadership Team;
- provides advice on the application of the Policy as required; and
- provides an annual report to the Executive Leadership Team on the matters recorded on the Privacy Complaints Register, and the actions taken in respect of those matters to enhance privacy at FRV.

### 4.6 All FRV Personnel

- ensure compliance with the requirements of this Policy and ensure that personal information, sensitive information, and health information is collected, used, managed, disclosed, and secured in accordance with this Policy;
- collect, use, and disclose only such personal, sensitive or health information as is necessary for the performance of FRV's functions or required by law, and make sure the information is accurate, complete, and up to date. For sensitive or health information, FRV Personnel will first seek the consent of the individual(s) concerned in writing where required to do so by law;
- take reasonable steps to protect personal information, sensitive information and health information from misuse and loss, and from unauthorised access, modification, or disclosure;
- advise other FRV Personnel that they have a right to access their personal information, sensitive information and health information and make corrections to it; and
- do not act in a way or engage in a practice that contravenes the Privacy and Data Protection Act 2014, the Health Records Act 2001 or any other relevant law.

## 5. Policy Principles

FRV handles the personal information, sensitive information and health information of FRV Personnel in accordance with the Code of Conduct for Victorian Public Sector Employees, the Privacy and Data Protection Act 2014, the Health Records Act 2001,

Mental Health and Wellbeing Act 2022, Public Records Act 1973 and the Charter of Human Rights and Responsibilities Act 2006.

## **5.1 Personal information (excluding sensitive information and health information)**

### **a. Personal information collected from FRV Personnel**

FRV collects, uses, and discloses the personal information of FRV Personnel during recruitment, employment or engagement, and post-employment or engagement.

The type of personal information FRV may collect to perform its functions and exercise its powers and carry out its obligations as an employer includes:

- (i) name, date of birth, physical address, personal phone numbers, personal email details, and citizenship details;
- (ii) details of nominated family members or members of household and next of kin;
- (iii) curriculum vitae, prior work histories and reference reports;
- (iv) FRV registration numbers;
- (v) tax file numbers (TFNs) (excluding employment applicants), superannuation details (excluding secondees from other organisations and labour hire employees) and bank account details comprised of BSB, account name and account number (excluding secondees from other organisations and labour hire employees);
- (vi) details outlined in any declaration of conflict of interest (including details of real estate, shares, other private financial interests, bankruptcy and legal actions);
- (vii) related party disclosures;
- (viii) performance assessments, misconduct, counselling and conduct resolution records (noting that records must be removed from an individual's file in accordance with the requirements of the relevant enterprise agreements);
- (ix) termination records;
- (x) records of requests, complaints, and grievances (noting that records should be removed from an individual's file in accordance with the requirements of the relevant enterprise agreements); and
- (xi) Government-issued identity information, such as driver's licence details, passport details and Medicare numbers.

### **b. Collection of personal information of FRV Personnel by FRV**

FRV collects personal information to enable it to:

- (i) undertake its statutory functions as a provider of emergency and other services, and other legal requirements and associated activities; and
- (ii) carry out its obligations as an employer of FRV Personnel including in relation to:

- (A) the management of recruitment;
- (B) the health, safety, and wellbeing of FRV Personnel;
- (C) remuneration, employment benefits, leave entitlements, training, and career progression of FRV Personnel (as applicable); and
- (D) the performance and conduct of FRV Personnel in accordance with the requirements of the relevant enterprise agreements.

### **c. Collection of personal information of FRV Personnel**

Where reasonable and practicable, FRV collects personal information directly from FRV Personnel and with their consent.

FRV may also receive personal information about FRV Personnel from:

- (i) FRV's insurer;
- (ii) unions acting on behalf of FRV Personnel, secondees, contractors, volunteers, and employment applicants;
- (iii) previous employers and referees of FRV Personnel and employment applicants;
- (iv) the Australian Taxation Office;
- (v) family and next of kin of FRV Personnel and employment applicants; and
- (vi) law enforcement and/or other government agencies, including the Child Support Agency

### **d. FRV use and disclosure of personal information of FRV Personnel**

FRV may use and disclose personal information of FRV Personnel and employment applicants, for the purposes of its obligations under legislation as a provider of emergency and other services, and applicable enterprise agreements and to carry out its obligations as an employer or engager of FRV Personnel including for the purposes of:

- (i) complying with its statutory obligations;
- (ii) arranging for insurance and progressing insurance claims;
- (iii) managing supplier contracts;
- (iv) managing FRV Personnel;
- (v) monitoring and resolving occupational health, safety, and wellbeing issues in the workplace;
- (vi) managing complaints and grievances;
- (vii) payment of entitlements including salary and leave payments;
- (viii) managing workers compensation claims and occupational health, safety, and wellbeing issues in the workplace; and
- (ix) contacting FRV Personnel or employment applicants, or in the event of an emergency, contacting their next of kin.

FRV may be compelled or authorised to disclose personal information by law, including but not limited to provisions within the following legislation:

- (i) Occupational Health and Safety Act 2004 (Vic);
- (ii) Workplace Injury Rehabilitation and Compensation Act 2013 (Vic);



- (iii) tax and superannuation laws;
- (iv) Social Security (Administration) Act 1999 (Cth);
- (v) Fair Work Act 2009 (Cth);
- (vi) Crimes Act 1958 (Vic); and
- (vii) Child Support (Registration and Collection) Act 1988 (Cth).

FRV may create records containing personal information of FRV Personnel and employment applicants in fulfilling its statutory obligations and duties.

FRV may also use and disclose personal information for other purposes permitted under the Privacy and Data Protection Act 2014 (Vic), including if:

- (i) FRV has reason to suspect that unlawful activity has been, is being or may be engaged in, and the use or disclosure of the personal information is a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities; or
- (ii) if it reasonably believes that the use or disclosure is necessary to lessen or prevent:
  - (A) a serious threat to an individual's life, health, safety or welfare; or
  - (B) a serious threat to public health, public safety, or public welfare.

FRV may also disclose personal information of FRV Personnel to:

- (i) law enforcement agencies such as the Victorian Police;
- (ii) regulators established by law including the Independent Broad-based Anti-Corruption Commission, the Office of the Victorian Information Commissioner, the Office of the Australian Information Commissioner, WorkSafe Victoria and the Victorian Public Sector Commission;
- (iii) government security organisations;
- (iv) the Australian Taxation Office;
- (v) loss adjusters (for example, third party property damage insurers if FRV Personnel are involved in a motor vehicle collision in which a third party is claiming property damage);
- (vi) security companies (for example, for the provision of security passes);
- (vii) insurance companies (for example, the Victorian Managed Insurance Authority in the event of a third-party claim against FRV and relevant FRV Personnel);
- (viii) third party service providers (see section 8 for further information);
- (ix) health service providers;
- (x) a court or relevant parties in response to a subpoena or court order; and
- (xi) the Public Record Office Victoria.

Use and disclosure within FRV of personal information of FRV Personnel will be restricted to individuals who require the information to perform their duties.



## 5.2 Sensitive information

### a. Sensitive information collected from FRV Personnel by FRV

The types of sensitive information that FRV may request from FRV Personnel and may be provided to perform FRV's functions, exercise its powers and carry out its obligations as an employer may include information about:

- (i) sexual preferences;
- (ii) racial or ethnic origin;
- (iii) religious beliefs or affiliations;
- (iv) qualifications;
- (v) criminal record;
- (vi) political opinions; or
- (vii) religious beliefs or affiliations.

However, FRV will comply with applicable anti-discrimination laws and will not collect sensitive information from FRV Personnel unless:

- (i) the individual(s) concerned consents to the collection of the sensitive information;
- (ii) FRV is required or authorised to do so under law;
- (iii) FRV needs to collect the information to prevent or lessen a serious threat to the life or health of any individual in circumstances where FRV

Personnel cannot physically or legally consent, or FRV Personnel cannot physically communicate consent to the collection; or

- (iv) FRV may need to collect the information for FRV to establish, exercise or defend a legal or equitable claim.

### b. Collection of sensitive information of FRV Personnel by FRV

FRV collects sensitive information to enable it to:

- (i) undertake its statutory functions as a provider of emergency and other services, and in the performance of other legal requirements and associated activities; and
- (ii) carry out its obligations as an employer or engager of FRV Personnel, including in relation to:
  - (A) the management of recruitment;
  - (B) the health, safety and wellbeing of FRV Personnel; and
  - (C) remuneration, employment benefits, leave entitlements, training, and career progression of FRV Personnel (as applicable).
  - (D) the performance and conduct of FRV Personnel in accordance with the requirements of relevant enterprise agreements.

### c. FRV's collection of sensitive information of FRV Personnel

FRV may collect sensitive information from or about FRV Personnel when:

- (i) taking photographs for security passes;

- (ii) collecting information directly from FRV Personnel for recruitment or other employment processes and sensitive information is discernible from the information provided;
- (iii) FRV Personnel disclose information as part of treatment for a medical injury or when receiving care (this does not authorise FRV to request this information or further information);
- (iv) FRV Personnel provide consent for a criminal record check or a working with children check;
- (v) FRV Personnel choose to disclose this information to FRV; or
- (vi) FRV receives a complaint alleging inappropriate workplace behaviour where the sensitive information is disclosed by a party to the complaint in the allegations or investigation of the complaint.

#### **d. FRV's use and disclosure of sensitive information of FRV Personnel**

The sensitive information of FRV Personnel may be used or disclosed by FRV in accordance with the purposes of its obligations under legislation as a provider of emergency and other services, under applicable enterprise agreements and to carry out its obligations as an employer or engager of FRV Personnel, including:

- (i) subject to the written consent of FRV Personnel concerned, to inform treating medical professionals in respect of treatment;
- (ii) to assess suitability for employment or engagement;
- (iii) where FRV has obtained consent to use or disclose this information; and
- (iv) if FRV is required or authorised to use or disclose the information under law; or
- (v) as part of a misconduct investigation where it is necessary to do so to ensure procedural fairness and in conduct resolution processes (including in respect of legal proceedings) (for example, any FRV Personnel involved in crimes relating to violence or fraud that may be relevant in their primary role at FRV).

FRV may create records containing sensitive information of FRV Personnel in fulfilling its statutory obligations and duties.

Use and disclosure within FRV of sensitive information of FRV Personnel will be restricted to individuals who require the information to perform their duties.

### **5.3 Health Information**

FRV must comply with the Health Records Act 2001 in respect of the collection, storage, use and disclosure of the health information of FRV Personnel.

#### **a. Health information FRV collects from FRV Personnel**

The Health Information FRV may collect includes:

- (i) medical records of recruit firefighter candidates;
- (ii) sick leave records, medical certificates, parental leave records;

- (iii) accident pay records, blood donor leave, incident and accident reports, first aid records;
- (iv) workers' compensation claims and documents including for return to work;
- (v) rehabilitation and attendance records;
- (vi) medical or other health service provider records (for example, occupational health and safety visits);
- (vii) vaccine certificates and records;
- (viii) physical and/or psychological fitness assessments; and medical histories, reports and assessments, including those taken for insurance purposes.

#### **b. FRV's collection of health information of FRV Personnel**

FRV collect health information only in accordance with applicable anti-discrimination laws to enable it to:

- (i) undertake its statutory functions as a provider of emergency and other services, and other legal requirements and associated activities; and
- (ii) carry out its obligations as an employer of FRV Personnel including in relation to:
  - (A) the management of recruitment;
  - (B) health, wellbeing, and safety of FRV Personnel; and
  - (C) leave entitlements and training of FRV Personnel (as applicable).

#### **c. Collection of health information of FRV Personnel at FRV**

FRV may collect health information from or about FRV Personnel when:

- (i) collecting information from FRV Personnel for recruitment or other employment processes (for example, promotional opportunities) and health information is discernible from the information provided;
- (ii) FRV Personnel voluntarily disclose information as part of treatment for a medical injury or when receiving care; or
- (iii) FRV Personnel choose to disclose this information to FRV.

#### **d. FRV's use and disclosure of health information of FRV Personnel**

FRV may use and disclose health information of FRV Personnel for the purposes of its obligations under legislation as a provider of emergency and other services, under applicable enterprise agreements and to carry out its obligations as an employer or engager of FRV Personnel, including:

- (i) subject to the written consent of the FRV Personnel concerned to inform treating medical professionals in respect of treatment;
- (ii) to assess suitability for employment or engagement;
- (iii) where FRV has obtained the individual's consent to use or disclose this information; or
- (iv) if FRV is required or authorised to use or disclose the information under law, including to protect public health, safety, or welfare in

accordance with the Public Health and Wellbeing Act 2008 and Biosecurity Act 2015.

FRV may create records containing health information of FRV Personnel in fulfilling its statutory obligations and duties.

Use and disclosure within FRV of health information of FRV Personnel will be restricted to individuals who require the information to perform their duties.

#### **5.4 Accuracy of information**

- FRV takes reasonable steps to ensure that personal information, sensitive information, and health information collected, used, stored, and disclosed by FRV is accurate, complete, and up to date.
- FRV will correct inaccurate personal information, sensitive information, and health information when this has been identified and/or upon the request of the individual(s) concerned, subject to the correction being authorised by the relevant FRV manager or senior leader.

#### **5.5 Third-party service providers**

- FRV may use third-party service providers to process job applications and manage the recruitment process. FRV may disclose personal information about employment applicants to third-party service providers for this purpose. Therefore, third-party service providers may collect, hold, use, and disclose personal information of employment applicants in the provision of recruitment services to FRV. These recruitment services may include reference checking, and these checks may include the collection, use or disclosure of sensitive information or health information.
- FRV may also share personal information of FRV Personnel with third party service providers that assist FRV in providing information and communications technology services and delivering FRV's services, such as organisations which provide archival, auditing, legal, banking, delivery, utilities and security services<sup>1</sup>.
- These third-party service providers handle personal information on behalf of FRV to provide FRV with certain services. If FRV Personnel have any questions or concerns regarding a third-party service provider's handling of personal information, they can contact FRV in accordance with section 12 below.

#### **5.6 Storage and security of information**

- FRV takes reasonable steps to protect the security and confidentiality of personal information it holds, and to protect it from misuse, loss or unauthorised access, modification, or disclosure. These steps include password protection for accessing its electronic information and communications technology systems, audit trails of electronic systems and physical access restrictions.

---

<sup>1</sup> For example, if a gas provider has arranged with FRV Personnel for their contact details to be shared so that the gas provider can meet with them at the relevant FRV work site; or, a courier service might arrange with FRV Personnel for their contact details to be shared so that documents can be delivered to their home address as requested and authorised.

- Subject to law including the Privacy and Data Protection Act 2014 and FRV's obligations under the applicable enterprise agreements, FRV may collect and store information about FRV Personnel incidentally as part of its information and communications technology systems. This may include work-related communications, including emails, Microsoft Teams chats, video meetings and internet usage.

### **5.7 Destruction and de-identification of information**

- FRV takes reasonable steps to de-identify or destroy personal information, sensitive information, and health information in accordance with the standards and relevant retention and disposal authorities issued under the Public Records Act 1973.
- When FRV is no longer required by law to retain information it holds and can lawfully dispose of the information pursuant to the requirements of the Public Records Act 1973 and the Fair Work Regulations 2009, FRV will destroy the information in a secure manner.

### **5.8 Transfer of information outside of Victoria**

- In carrying out its statutory functions, FRV may be required to send personal information, sensitive information, or health information of FRV Personnel outside Victoria.
- FRV will only send this information if the recipient of the information is bound by provisions that are substantially similar to the Privacy and Data Protection Act 2014 and the Health Records Act 2001 as applicable, if FRV has obtained the written consent of FRV Personnel, or if it is otherwise authorised to do so under the Privacy and Data Protection Act 2014 and the Health Records Act 2001 (as applicable).
- All transfers of information outside Victoria will be made in accordance with the provisions of the Privacy and Data Protection Act 2014 and the Health Records Act 2001.

### **5.9 Access by FRV Personnel to the information held by FRV and the complaints process**

- FRV Personnel may, in relation to their personal information, sensitive information or health information:
  - (i) obtain details of, or access, the information FRV holds about them;
  - (ii) find out more about the privacy and security of their information and how FRV collects, holds, uses, and discloses that information;
  - (iii) notify FRV of a correction to their information which may require evidence to support the correction (e.g. change of name, change of address);
  - (iv) contact FRV about information FRV holds about them; or
  - (v) make a complaint in relation to FRV's handling of their information
- FRV Personnel may contact FRV's Privacy Officer on:

Email: [privacy@frv.vic.gov.au](mailto:privacy@frv.vic.gov.au)

Mail: Privacy Officer, 456 Albert Street, East Melbourne, Victoria, 3002

- Access to and collection of personal information, sensitive information and health information will be undertaken in accordance with the Privacy and Data Protection Act 2014 and Health Records Act 2001.

### **5.10 Dealing with a privacy complaint at FRV**

- Complaints in relation to the collection, storage, use or disclosure of personal information, sensitive information and health information will be handled in accordance with the applicable legislation (refer to Section 3 References), applicable enterprise agreement, FRV Workplace Behaviour Policy and any other FRV policies and/or procedures applicable to the information that is the subject to the complaint.

#### **External complaints bodies**

- FRV Personnel may also make a privacy complaint to:
  - (i) the Office of the Victorian Information Commissioner in relation to a complaint relating to personal information or sensitive information: 1300 666 444; or
  - (ii) the Health Complaints Commissioner in relation to a complaint relating to Health Information: 1300 582 113; or
  - (iii) the Victorian Ombudsman: 1800 806 314.

### **5.10 Review**

- This Policy will be reviewed by the Legal Services department at three yearly intervals, or earlier if required

## **6. Authorising Documents**

Authorising documents related to FRV can be found on the FRV Doctrine intranet site.

## **7. Supporting Documents/Links**

### **7.1 References**

- *Fire Rescue Victoria Act 1958* (Vic)
- *Fire Rescue Victoria (General) Regulations 2020* (Vic)
- *Charter of Human Rights and Responsibilities Act 2006* (Vic)
- Code of Conduct for Victorian Public Sector Employees made under the Public Administration Act 2004 (Vic)
- *Health Records Act 2001* (Vic)
- *Mental Health and Wellbeing Act 2022* (Vic)
- *Privacy Act 1988* (Cth)
- *Privacy and Data Protection Act 2014* (Vic)
- *Public Administration Act 2004* (Vic)
- *Public Records Act 1973* (Vic)
- *Fair Work Act 2009* (Cth)

- *Fair Work Regulations 2009 (Cth)*
- *FRV Industrial Agreements made under the Fair Work Act 2009 (Cth)*
- *FRV Information Management Policy*
- *FRV Inactive Records Management Policy*

## 8. Document Information

### 8.1 Document Control

<b>Doctrine Number</b>	POL 037
<b>Doc ID</b>	N/A
<b>Approval Authority</b>	Operational Consultation Committee
<b>Issue Date</b>	9 April 2024
<b>Effective Date</b>	9 April 2024
<b>Review Frequency</b>	Triennially
<b>Custodian</b>	Strategic Services
<b>Subject Matter Advisor</b>	Integrity and Compliance
<b>Writer</b>	Manager, Governance and Compliance

### 8.2 Version Control

Version	Date Amended	Date Approved	Next Review Date	Nature of Amendment
2	November 2023	April 2024	April 2027	Policy reviewed and updated to reflect changes in legislation; changes in direction as an organisation; and adoption of the updated organisational policy template.
1		1 July 2012	July 2013	Policy introduced at FRV.