

1 Your Privacy with ONRSR

ONRSR is bound by the provisions for organisations under the *Privacy Act 1988* (the Act), including the Australian Privacy Principles (APPs) and by confidentiality and oversight provisions under the Rail Safety National Law (RSNL) - a schedule to the *Rail Safety National Law (South Australia) Act 2012*. Your information will be collected and handled in accordance with our obligations under these Acts.

2 Why is my personal information being collected?

ONRSR collects limited personal information that is needed to enable us to perform our functions and objectives under the RSNL, such as registering and accrediting rail organisations, conducting audits and incident investigations and facilitating drug and alcohol testing. In most cases, this is limited to your name and work contact details, however other personal and sensitive information may be collected on an as-needs basis, such as during a compliance investigation.

3 How is my personal information being collected?

In most cases, personal information is provided to ONRSR by individuals so they can be contacted about issues related to the RSNL and rail safety. This is usually submitted via forms or the ONRSR portal, or when you contact us via our website or email.

There are times when your information may be given to us by your employer or a co-worker (for example, if they nominate you as a company contact), via a contractor providing services to us (such as drug and alcohol testing or medical assessments), or it may be collected during the course of an investigation (for example, through incident reports, interviews, voice recordings and CCTV footage).

4 Does ONRSR have the authority to collect my information?

The Privacy Act allows ONRSR to collect personal and sensitive information that is reasonably necessary to carry out our functions and obligations under the RSNL.

The RSNL contains a number of provisions that allow ONRSR to collect personal and sensitive information for purposes related to carrying out its functions and objectives under that law. This power extends to the ability to obtain a name and residential address under certain circumstances (for example, when conducting drug and alcohol testing, in relation to an offence, or to assist in an investigation). In this case, the ONRSR representative will tell you the reason(s) for the request, and may require you to provide evidence of your residential address.

5 What will happen if I refuse to give ONRSR my personal information?

For most people, not providing personal information will mean that we are unable to contact you with information and updates regarding rail safety which may be relevant to your job, and this may affect ONRSR's ability to meet our obligations under the RSNL.

If you are the accredited or registered person for your organisation, are required to submit a sample for drug or alcohol screening/analysis, or have been asked to supply details in accordance with a specific provision of the RSNL, then you will be in breach of the law if you refuse to provide the information requested and penalties may apply.

6 How will my personal information be disclosed?

In limited situations, ONRSR may share information about you under the Rail Safety National Law if we believe that it is necessary for administering, or monitoring, or enforcing compliance with that Law. For example, we may provide your employer with results of medical or drug and alcohol testing.

Incident data provided to industry is de-identified to remove personal information.

Personal information is not shared outside of Australia.

7 How do I find out what personal information ONRSR holds about me and correct that information if necessary?

If you are a designated contact for a rail transport operator, you may be able to sign into the ONRSR portal to view, update or delete your details.

If you believe that we hold personal information outside of this database, contact ONRSR's privacy officer at privacy@onrsr.com.au or at PO Box 3461, Rundle Mall, Adelaide SA 5000. You will need to provide enough information to allow us to identify the required information (for example, by letting us know what issues you've dealt with us on) and you will be required to confirm your identify before information will be provided or corrected.

8 How do I make a complaint about a breach of the Privacy Principles by ONRSR?

Individuals can make a complaint about the way ONRSR has handled their personal information in writing to the Privacy Officer at privacy@onrsr.com.au or at PO Box 3461, Rundle Mall, Adelaide SA 5000.

The complaint should provide sufficient detail for the issue to be investigated.

If an individual is not satisfied with the outcome of an investigation, a complaint can be submitted to the Office of the Australian Information Commissioner (OAIC). Further details about making a privacy complaint to the OAIC can be found at: www.oaic.gov.au/privacy/making-a-privacy-complaint.