

Privacy and the Library: privacy obligations



Like all NSW public sector agencies, the State Library is bound to comply with two Acts which protect privacy:

- the *Privacy and Personal Information Protection Act 1998* (NSW), and
- the *Health Records and Information Privacy Act 2002* (NSW)

These laws establish a number of privacy principles, as well as exemptions to those principles.

Privacy undertaking

The Library endeavours to achieve best practice in handling personal information, by following the privacy principles below unless authorised by law to depart from them.

Limiting the Library's collections

The State Library will only collect personal information if:

- it is for a lawful purpose that is directly related to one of the Library's functions, and
- it is reasonably necessary for the Library to have the information.

How personal information is collected

- Personal information will be collected directly from the person unless it is authorised, unreasonable or impractical.
- Personal information will not be collected by unlawful means.
- The Library will not collect personal information that is intrusive or excessive.
- The Library endeavours to ensure personal information collected is relevant, accurate, up-to-date, complete, and not misleading.

Notification when collecting

When collecting personal information, the Library will take reasonable steps to ensure that the individual to whom the information relates is made aware of:

- the fact that the information is being collected
- the purposes for which the information is being collected
- the intended recipients of the information
- whether the supply of the information by the individual is required by law or is voluntary, and any consequences for the individual if the information (or any part of it) is not provided
- the existence of any right of access to, and correction of, the information
- the name and address of the agency that is collecting the information and the agency that is to hold the information.

Security safeguards

- The Library will take security measures to protect personal information from loss, unauthorised access, use, modification or disclosure.
- The Library endeavours to ensure personal information is stored securely, not kept longer than necessary, and disposed of appropriately.

Transparency

The Library will enable anyone to know:

- whether their personal information is likely to be held
- the purposes for which personal information is used
- how they can access their own personal information.

Access

- The Library will allow people to access their personal information without unreasonable expense or delay.
- The Library will only refuse access where authorised by law, and will provide written reasons for refusal.

Correction

- The Library will allow people to update or amend their personal information, to ensure it is accurate, relevant, up-to-date, complete or not misleading.
- Where possible, the Library will notify any other recipients of any changes.

Accuracy

- Before using personal information, the Library will take appropriate steps to ensure that the information is relevant, accurate, up-to-date, complete, and not misleading.

Use and disclosure

The Library will use or disclose personal information only for the primary purpose for which it was collected, unless one of these apply:

- the person has consented
- to deal with a serious and imminent threat to any person
- where authorised or required by another law.

Where the personal information is not sensitive personal information, the Library may also use or disclose it:

- for a directly related secondary purpose within the reasonable expectations of the person.

In addition, the Library will only disclose health information outside NSW in limited circumstances.

Unique identifiers

- The Library will only identify people by using unique identifiers if it is reasonably necessary for its functions.
- The Library will only use government-issued identifiers (like tax file numbers) where required by law or with the person's consent.

Anonymity

The Library will allow people to receive its services anonymously, where lawful and practicable.

More information

For more information about privacy laws in NSW, contact the Information and Privacy Commission on 1800 472 679 or see their website: www.ipc.nsw.gov.au/

Questions?

If you have a query about how the Library handles privacy matters, contact the Privacy Contact Officer by:

phone: (02) 9273 1796 or (02) 9273 1433

fax: (02) 9273 1255

email: privacy@sl.nsw.gov.au

or write to:

Privacy Contact Officer
State Library of New South Wales
Macquarie Street
SYDNEY NSW 2000