FAQ's & Guidance for collecting personal information for COVID 19 - contact tracing

Under COVID 19 Public Health Direction the collection of contact information of "customers and visitors" to your premises is permitted under the Privacy Act 1988.

What personal information should I collect for contact tracing purposes?

Record the name and contact details (date, a phone number, entry time) for all staff, participants/spectators and contractors entering the premises.

Leaving an unsupervised log at entry points is likely to fail and is not a reasonable excuse for not collecting contact details[1]. Ensure details are accurate – you may need to allocate a staff member to oversee correct information is being provided

Can I refuse entry to my premises to individuals who will not provide valid contact information?

Yes. Premises have an obligation to ensure they have provisions in place to ensure all patrons provide their details

Do I need to notify individuals before I collect their personal information?

Yes. You should notify individuals before you collect the personal information. This can be done by displaying a prominent notice on your premises and website, inform people in person on entry

- What information you are collecting
- The collection is required by law, the purpose of collection
- Who the information will be disclosed to
- Consequences of failing to provide the information
- You should securely store this information
- Only provide the personal information to relevant health authorities who undertake contact tracing

[1] NSW GOV Department of Health accessed 24 August 2020 https://www.nsw.gov.au/covid-19/covid-safe-businesses/qr-codes-and-contactless-record-keeping

How should I store COVID-19 Personal Information Registers?

Ensure the information recorded is **stored confidentially and securely** and only used for the purpose of COVID-19 contact tracing

You should restrict access to the information to only those staff who need to see it and ensure information is protected and secure at all times.

Who should I provide COVID-19 Contact Tracing personal information to?

You should only provide this information to relevant health authorities who undertake contact tracing activities. Check official's identity before providing. The documents will be required to be provided immediately or within 24hrs whichever is requested to do so.

How long do I need to retain COVID – 19 Contact tracing registers for?

You must maintain secure COVID -19 contact tracing records for at least **28 days** after the date of collection.

How should I destroy the COVID – 19 Contact tracing Registers?

To ensure personal information no longer required is destroy effectively, it is best to use a cross -cut or micro cut shredder, or a commercial business specializing in document destruction.

MORE INFORMATION

Office of the Australian Information Commissioner – Collecting Personal Information Guidance

https://www.oaic.gov.au/privacy/guidance-and-advice/guidance-for-businesses-collecting-personal-information-for-contact-tracing/

National Data Breach Scheme Obligations

https://www.oaic.gov.au/privacy/notifiable-data-breaches/