

METRO TUNNEL PROJECT PRIVACY STATEMENT

The planning and delivery of the Metro Tunnel Project (Project) is being overseen by Rail Projects Victoria (RPV).

This Privacy Policy outlines RPV's commitment to ensuring the proper collection, handling, storage and maintenance of your personal information.

THE LEGAL FRAMEWORK

As a public organisation delivering a project on behalf of the Victorian Government, RPV must comply with the *Privacy and Data Protection Act 2014* (Vic) which contains a set of Information Privacy Principles (IPPs). RPV must also comply with other laws which protect your privacy, including the *Health Records Act 2001* (Vic). The Health Records Act contains a set of Health Privacy Principles (HPPs) and applies to RPV's handling of health information, which is not subject to the IPPs.

TYPES OF INFORMATION

In providing a query or feedback to RPV, some of your personal information may come into RPV's possession and when that occurs it is known as a collection under the *Privacy and Data Protection Act 2014* (Vic). The different types of information that are governed by privacy laws are set out below.

Personal information is information or an opinion that is recorded in any form, whether true or not, about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

Sensitive information is also personal information, specifically personal information about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliation, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, or criminal record.

Health information is not strictly considered personal information as it is regulated by the HPPs rather than the IPPs, however it is like a type of personal information. For convenience, the term 'personal information' in this Privacy Policy also covers health information (as well as sensitive information). Health information is like personal information about an individual's physical or mental health, disability or genetics.

WHAT PERSONAL INFORMATION DOES RPV COLLECT?

RPV has a number of interactions with the public during which the public may provide RPV with personal information. For example, on its online "contact us" form RPV collects individual's names and contact details.

In other instances, RPV may collect personal information such as proof of identity, work details or information about your interactions with RPV including enquiries and complaints.

In relation to owners and occupiers of properties affected by the Project, RPV may collect additional information such as information about buildings on the properties and planning permits. RPV may collect your image (e.g. by photograph or by CCTV) if you attend any RPV premises, information sessions or Project construction sites.

For job applicants, RPV collects information about qualifications, skills, experience, character and screening checks. In addition, for staff who join RPV, RPV collects information about their employment arrangements and conduct and payment/financial details.

HOW WILL RPV HANDLE THE PERSONAL INFORMATION THAT IT COLLECTS ABOUT YOU?

In performing its functions and in complying with the IPPs and HPPs, RPV:

- will only **collect** personal information about you that is necessary for RPV to fulfil its functions. A core function of RPV is to engage and consult with stakeholders and the public about the Project. In some circumstances RPV may collect personal information from third parties. For example, RPV may collect personal information from other government bodies and ministers that redirect your queries and issues to RPV. RPV may also collect personal information from other third parties including public sources, local councils, rail operators, contractors engaged to help deliver the Project and organisations/groups with which you are associated or involved (e.g. your employer or a community group).
- will, when collecting your personal information, take reasonable steps to **notify** you or ensure that you are aware of the purpose for which your personal information is being collected and how your personal information is used and disclosed.
- may **use** the information you provide to communicate with you about the Project, consider and respond to enquiries, requests (including FOI requests), applications or complaints, plan and manage the design and delivery of the Project, to report on and forecast land/property claims including in relation to land use and associated claims, gain a better understanding of RPV's stakeholders' questions or concerns about the Project to allow our team to respond to enquiries more efficiently, and to inform future public information and engagement activities.
- may **disclose** your contact details to a third party, such as a rail operator or authority, other state government personnel or organisations (including Public Transport Victoria, Transport for Victoria and the Department of Economic Development, Jobs, Transport and Resources or a contractor engaged to help deliver the Project, an external company that delivers mail on behalf of RPV, technology and other contracted service providers, to respond to your enquiry or concerns, or at handover of the completed Project to the authority responsible for the rail network. RPV may publish images, e.g. in RPV's reports, website and social media pages. RPV is subject to additional privacy requirements under the IPPs and HPPs when transferring personal information to third parties outside Victoria. This may occur in some cases including in relation to some technology providers.
- will obtain your **consent** to collect your sensitive information (unless RPV is otherwise required or authorised to collect it), and to use or disclose your personal information if required.
- will take reasonable precautions to protect the **security** of your personal information from loss, misuse, unauthorised access, modifications or disclosures, including measures relating to secure premises, data access restrictions and user authentication.

In relation to job applicants and staff, RPV uses also personal information for recruiting, training and managing staff. Personal information (including payroll/financial details where appropriate) may also be disclosed to academic institutions, recruiters, payroll service providers, screening check providers, health service providers, professional and trade associations, law enforcement agencies, referees and your current, previous and prospective employers.

RPV may not be able to fulfil its functions without your personal information. We encourage you to contact us should you have any privacy queries.

METRO TUNNEL WEBSITE

The RPV website under the domain metrotunnel.vic.gov.au (**Website**) uses cookies to make your experience of the Website easier and more efficient. A cookie is a small data file placed on your hard drive by the web page server. A cookie cannot retrieve any other data from your hard drive, pass on a computer virus, or capture your email address. Note that the cookie will remain on your computer as a record for future visits to the Website.

A web server log is a file created by a web server which records all the activities it performs. RPV may use standard web analytics software packages to analyse its web server log files in order to track usage of the Website.

Web server logs and cookies are used to gather statistical information about the use of the Website. These tools provide RPV with general data including the number of visits, date and time of visits, pages viewed, browser types, methods of navigation, sections of the Website visited and other Website usage information. RPV will not make any attempt to identify you or your individual browsing activity through these tools. The information collected is used by RPV to update and improve the Website. RPV does not use web server logs and cookies as the basis for direct marketing.

The Website uses Google services such as Google Analytics from time to time. Google Analytics is a web analytics service provided by Google, Inc. (**Google**). Google Analytics uses cookies, which are text files placed on your computer, to help the website analyse how users use the site. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google.

You may refuse the use of cookies by selecting the appropriate settings on your browser; however please note that if you do this you may not be able to use the full functionality of this website. By using this website, you consent to the processing of data about you by Google in the manner and for the purposes set out above.

For further information, please visit the Google Privacy Center and related information at <http://www.google.com/policies/privacy/>.



SURVEYS USING SURVEYGIZMO OR SURVEYMONKEY

In accordance with our privacy policy, RPV undertakes to treat any personal information provided by you as confidential and only for the purposes indicated.

RPV uses the services of SurveyGizmo/SurveyMonkey for the collection, aggregation and analysis of some survey data. The information you provide is transferred to SurveyGizmo/SurveyMonkey via a secure URL which has 128 bit/256 bit encryption and is stored in SurveyGizmo's/SurveyMonkey's secure data warehouse. The information collected in these surveys is transmitted and stored securely in the United States and is accessed by the department in accordance with SurveyGizmo/SurveyMonkey privacy policy. By completing this survey, you agree to this transfer.

You may decline to provide this information by not responding to these surveys. If you do provide a survey answer you consent to storage of your survey answer offshore (outside of Australia). This means that once you have chosen to participate in the survey RPV will not have an obligation to take reasonable steps to ensure that SurveyGizmo or SurveyMonkey does not breach the Victorian Privacy Principles in relation to personal information that is given to SurveyGizmo or SurveyMonkey.

WHO DO YOU CONTACT FOR ANY PRIVACY CONCERNS?

Please [contact RPV](#) if:

- you wish to seek access to any personal information that RPV holds about you
- you wish to have your personal information corrected
- you have any concerns about an image of you which has been published by RPV. Or
- you have a complaint about the way that RPV has handled your personal information.

Please address requests to the Lawyer – FOI & Privacy, Rail Projects Victoria, PO Box 4509, Melbourne VIC 3001.

If you are not satisfied with RPV's response you can contact the [Commissioner for Privacy and Data Protection](#), or, in relation to health information, the [Health Complaints Commissioner](#).

