



ACT
Government

Chief Minister, Treasury and
Economic Development

NAME
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Dear Homeowner

Conclusion of investigation into unauthorised release of personal information

I am writing further to my correspondence of 16 September 2015 to inform you that I have now concluded my investigation into the unauthorised release of personal information, being owners' details of 'Mr Fluffy' properties.

This matter was treated with the utmost seriousness by the ACT Public Service (the Service), and my Office has been investigating the circumstances since being informed on 22 June 2015. In parallel the Australian Federal Police have also been investigating the incident.

I have now concluded my investigation and can advise you of the following outcomes:

- the source of the authorised information release could not be determined through the investigation, however it is clear the information, being a list, originated from within the ACT Public Service
- it was confirmed that other government Directorates and work units, outside of the Asbestos Response Taskforce (the Taskforce), had copies of the list in the form that was released unauthorised
- no links could be identified between public service employees and the telecommunications company who received the list.

I understand it will be disappointing for many owners that the investigation did not identify the source of the unauthorised information release. Unfortunately due to the nature of the release, including it being provided in hard copy form, made the investigation difficult.

The investigation did confirm:

- that the Public Service (Taskforce) was first informed of the existence of the list release on 20 June 2015 (Saturday) and it was referred to my Office by the Head of the Taskforce for investigation as well as to the Chief Police Officer on Monday 22 June 2015
- a hard copy of the list was left in an unmarked envelope at the local office of an information and communication technology company in late May/early June 2015

- the list was then copied and distributed in hard copy form to a number of local technicians
- the list comprised primarily owners' initials and surnames (and where applicable company names), division, block, section, address and suburb of affected properties
- the list did not include owners' new property information, financial information or contact details such as phone numbers or email addresses
- an electronic copy of the list was provided to the company's central office.

At a service level the investigation confirmed:

- the Taskforce has clear and established expectations and requirements in place around information security and privacy, including specific confidentiality arrangements for staff and contractors. This was in addition to the general obligations that exist under the *Public Sector Management Act 1994* and the *Crimes Act 1900*
- the broader ACT Public Service clearly and regularly outlines its expectations around privacy of information, most recently this included a whole of service message from myself on 20 April 2015
- Information and Communications Technology (ICT) security across the ACT Public Service remains robust and reflects Australian and international standards and practice.

While the source of the unauthorised release was not determined, I can ensure you that the investigation was rigorous and included forensic ICT audits and interviews with ACT Public Service employees and regular contact with the Australian Federal Police, including investigation of information received when the investigation was publicised on 16 September 2015.

The telecommunications company supported the investigation by ensuring the destruction of all electronic or hard copies of the list in their possession and also undertook their own ICT audit and remained in contact with investigators.

I have been informed by the AFP that they will also conclude their parallel investigation. In future actions, I will be writing to all Directors-General across the ACT Public Service reiterating the importance of ongoing discussion with staff on privacy and information security and will continue to provide whole of service messages to staff on this.

The Taskforce will review its existing security arrangements to ensure those staff with access to sensitive information at the Taskforce are reminded of their obligations. The Service will also continue to look at improvements it can make in information security including ICT, personnel, physical and educational considerations.

I would like to again apologise for any impact this unauthorised information release has had on you. If you have any questions about the investigation please contact my office on 6205 0358. I have included further information on other complaint or feedback channels below for your information.

Complaints and feedback

If you wish to make a complaint in relation to the collection, use, security of, or access to your personal information please contact the Chief Minister, Treasury and Economic Development Directorate's Privacy Contact Officer at:

Privacy Contact Officer
Chief Minister, Treasury and Economic Development Directorate
GPO Box 158
CANBERRA ACT 2601

CMTEDDCorporate@act.gov.au or by phone: (02) 6207 5883 or (02) 6207 8175

I have advised the Office of the Australian Information Commissioner (OAIC) on the outcome of the investigation. The notification reference number is DBN15/00075.

If you are dissatisfied with the response you from the Directorate's Privacy Contact Officer above, you may also choose to contact the OAIC by calling 1300 363 992 or writing to enquiries@oaic.gov.au .

Yours sincerely

Bronwen Overton-Clarke
Commissioner for Public Administration
7 December 2015