

# Privacy Statement

## Complaints to the Commonwealth Ombudsman (including the Defence Force Ombudsman, Immigration Ombudsman and Law Enforcement Ombudsman)

The Ombudsman collects, stores, uses and discloses personal information in accordance with the Australian Privacy Principles (the APPs).

The *Ombudsman Act 1976* allows us to collect your personal information from you or your authorised representative when performing our functions under the *Ombudsman Act 1976*, such as investigating your complaint. When deciding whether to investigate a complaint, or when investigating a complaint, we may also collect your personal information from other government agencies, private bodies or individuals. The purposes for which we may collect personal information and the various functions of the Ombudsman are described in more detail in our Privacy Policy. If you are a person held in immigration detention then we may use personal information collected in connection with your complaint for the purposes of an Ombudsman's report made under Part 8C of the *Migration Act 1958* (where a person is held in immigration detention for more than 2 years).

You may complain to the Ombudsman anonymously, or by using a pseudonym, however, depending on the nature of your complaint, this may mean that we will be unable to assist you through an investigation. To investigate your complaint we may also need you to supply other personal information e.g. agency complaint or customer reference numbers, and/or details of family members, financial circumstances, personal relationships, medical conditions or immigration status. The personal information that we will need to collect in order to assist you depends greatly on the nature of your complaint. The kinds of personal information that we collect are described in more detail in our Privacy Policy.

If we investigate your complaint we will normally disclose some of your personal information to the agency about which you have complained. In particular this is likely to include your name, any reference or complaint number and the nature of your complaint. If at any time we decide not to investigate your complaint then we may still provide some of your personal information to the agency about which you have complained to enable that agency to assist you further with your complaint. The *Ombudsman Act 1976* also permits us in certain circumstances to transfer your complaint, including your personal information contained in that complaint, to another agency or body that is more appropriate for the handling of such a complaint e.g. the Office of the Australian Information Commissioner for privacy and freedom of information complaints about other agencies.

In some instances we may need to disclose your personal information to a translator if it is contained in a document that is given to us written in a language other than English.

If you have any concerns about the disclosure of your personal information, then you should speak to a public contact officer.

Our Privacy Policy contains information about how you can seek access to, and correction of, your personal information that we have collected. The policy also explains how you may complain if you believe we have breached your privacy and how this complaint will be handled by us.

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When you make a complaint it is unlikely that the Ombudsman will disclose your personal information to any overseas recipients.