



Question on Notice

Portfolio Committee No. 6 - Transport and Customer Service

Monday, 9 March 2020

QUESTION:

The Hon. JOHN GRAHAM: Ms Gavel, as the Privacy Commissioner, do you have any concerns about names, addresses and dates of birth being handed over to Westpac as part of this program and being used to manage risks, thereby generating profits for the Westpac Corporation?

Ms GAVEL: I am not aware of the particular program, but what I would say is that Service NSW or Transport, or whoever is involved, is required to comply with the Personal Information Protection Act in terms of any information that they are providing, and it sounds from what was said earlier that this is done under a consent model where someone is actually able to consent to the information being provided. At the same time Westpac is regulated under the Commonwealth Privacy Act, so they have requirements under that Act as well in terms of the way they manage information.

The Hon. JOHN GRAHAM: Westpac is also up-front that they are disclosing this information. They say, "We disclose your personal information to organisations outside the Westpac group who help us deliver or support our provision of products and services to you." Were you consulted about this program and the privacy implications of Westpac having this data?

Ms GAVEL: I am not aware of this program, but I would like to check on notice that we have not had a consultation within the office about it.

ANSWER:

No, the Privacy Commissioner and the IPC have not been consulted on this program to date.

QUESTION:

The Hon. JOHN GRAHAM: I am surprised that you were not consulted about it, given the nature of what we are talking about here: 434,000 New South Wales citizens' data handed over to Westpac. They are making money for it; they are up-front about that. But it has not gone to you.

Ms GAVEL: I am not aware of that, but I will double-check and get back to you on notice. But, certainly, I would expect that, for example, a privacy impact assessment would have been done that maps the data flows and looks at the risk mitigations. Again, at the same time, Westpac is subject—

The Hon. JOHN GRAHAM: Do you know if one was done?

Ms GAVEL: As I have said, I am not aware of this particular program.

The Hon. JOHN GRAHAM: Perhaps on notice.

Ms GAVEL: Yes.

ANSWER:

As I have not been consulted on this project, I cannot advise whether a privacy impact assessment was undertaken.