



**Australian Government**  
**Australian Radiation Protection  
and Nuclear Safety Agency**



# **Australian National Radiation Dose Register Privacy Impact Assessment**

**by**

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## Executive Summary

The Australian National Radiation Dose Register (ANRDR) is a national database established for the storage and maintenance of occupational radiation dose records (dose records) in a central location. A primary role of the ANRDR is to produce personal dose history reports to workers on request. As such, the disclosure of some personal information from employers is required to identify workers.

The thirteen [Australian Privacy Principles \(APPs\)](#), as defined in the [Privacy Act 1988](#) (Cth) (Privacy Act), outline how most Australian Government agencies and private sector organisations (collectively defined as 'APP entities') must handle, use and manage personal information.

This Privacy Impact Assessment (PIA), completed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), assesses how the ANRDR manages personal information against the requirements of the APPs.

The Office of the Australian Information Commissioner (OAIC) has determined that for private organisations the disclosure of exposure records that form part of an employee record are exempt from the APPs. The ANRDR has relevant policies and procedures in place to manage personal information that meet the requirements of the APPs.

The ANRDR team provides guidance to APP entities who intend to implement the disclosure of dose records to the ANRDR. However, it is recommended that APP entities wishing to participate in the ANRDR complete their own PIA and seek independent legal advice regarding their privacy obligations.

# 1. Introduction

## 1.1. Background

The International Atomic Energy Agency (IAEA) publishes International Safety Standards requiring that occupational dose records of individual workers are kept and made available to the relevant regulatory authority and to the individuals concerned.

The IAEA GSR Part 3 (2014) states that:

“Exposure records for each worker shall be maintained during and after the worker's working life, at least until the former worker attains or would have attained the age of 75 years, and for not less than 30 years after cessation of the work in which the worker was subject to occupational exposure.”

This requirement has been adopted in Commonwealth, state and territory regulatory frameworks across Australia. Internationally, it is considered best practice to strengthen the application of this requirement by establishing a central dose register to allow storing, maintaining, and retrieving records of occupational exposure. Canada (Zielinski et al. 2008) and many European (Frasch et al. 2001) countries have established comprehensive central registers for recording occupational doses.

In 2008, the Australian Government, in cooperation with industry, initiated the development of the ANRDR, which was launched in 2010 as a centralised database designed for the long-term storage and maintenance of dose records for workers occupationally exposed to radiation in the Australian uranium mining and milling industry.

The ANRDR is administered by ARPANSA as part of its statutory objective to protect the health and safety of people, and the environment, from the harmful effects of radiation, and to promote national uniformity in radiation protection. Consistent with this role, and to ensure that operation of the ANRDR meets the best practices of the more established national dose registers in Canada and Europe, ARPANSA is expanding the ANRDR beyond the uranium industry to include all workers occupationally exposed to ionising radiation. These industries include mineral sands mining and processing, Commonwealth Government entities, aviation, medical, research, regulatory, industrial and any other applicable industries.

Dose records are submitted by the employer to ARPANSA containing personal information to allow the ANRDR to match dose data to the relevant worker for generating personal dose history reports on request and to detect doses of workers who may have exceeded an occupational dose limit.

The [APPs](#), which are contained in schedule 1 of [the Privacy Act](#), outline how APP entities must handle, use and manage personal information. An APP entity is defined in the Privacy Act as any Commonwealth Government agency or a private sector organisation with an annual turnover of more than \$3 million.

## 1.2. Objective

The objective of this PIA is to demonstrate compliance with the APPs contained in the Privacy Act, and to identify potential privacy risks and mitigation strategies. This PIA will be provided to ANRDR stakeholders as part of the on-boarding process to assist those organisations in meeting their own privacy obligations.

Workers who are occupationally exposed to radiation will benefit from the long-term storage and maintenance of their dose records, which will allow them to check and monitor their own occupational

exposure. The ANRDR will provide a facility for the retrieval of their dose records throughout the course of their career, and beyond, regardless of where in Australia they have worked, or for whom.

For employers, the information contained in the ANRDR will assist in developing better work practices to improve safety for occupationally exposed workers in Australia by facilitating the optimisation of radiation protection programs. Analysis of the ANRDR data provides information on industry exposure trends and a comparison of doses received by workers across different work practices. These industry trends are published in an annual ANRDR newsletter that is publicly available on ARPANSA's website. ARPANSA does not identify any individuals or employers in this publication.

### **1.3. Dose Records and Employee Records**

Dose records and other occupational exposure records form part of the employee record. Employee records are defined under section 6(1) of the Privacy Act 1988 as a record of personal information relating to the employment of the employee, which can include health information as well as personal information. Acts and practices relating to employee records, such as disclosure, are exempt from the APPs ([Office of the Australian Information Commissioner Privacy Business Resource 13](#)).

The exemption applies if the act or practice is directly related to:

1. A current or former employment relationship between the employer and individual
2. An employee record held by the organisation relating to the individual

The exemption only applies to acts or practices that are within the scope of the employment relationship and only for private sector organisations. Records associated with the monitoring of occupational exposures are clearly within scope of the employment relationship and therefore form an important part of the employee record.

### **1.4. Relationship of ANRDR to APP entities and their collection of personal information**

A number of state, territory and Commonwealth legislative requirements currently exist to ensure the health and safety of workers. In particular, radiation dose monitoring is performed to protect workers from the harmful effects of radiation. However, until the establishment of the ANRDR, there was no central national repository for the long-term storage and maintenance of workers' dose records. The implementation of the ANRDR was designed to close this gap in dose record management to meet international best practice and to promote national uniformity for dose record management.

The ANRDR was established with the purpose of being a central repository for the long term storage and maintenance of dose records allowing individuals to obtain their dose records regardless of where in Australia they have worked throughout the course of their career, including when an employer has ceased to operate. As such, the disclosure of dose records to the ANRDR forms part of the primary purpose for which this information was collected by the employer and is also directly related to ARPANSA's function of protecting the health and safety of people and the environment from the harmful effects of radiation. This is achieved by:

- Enabling workers to access their personal dose histories
- Facilitating dose optimisation efforts in the workplace by providing a feedback mechanism to industry in the form of dose trend analyses

## 1.5. ANRDR Records Management

As ARPANSA is a Commonwealth entity, all records held by ARPANSA are classified as Commonwealth records and subject to the requirements of the *Archives Act (1983)*. Compliance with records management requirements is detailed in the ARPANSA Recordkeeping Policy and ARPANSA Records Authority (2013/00277464). The ARPANSA Records Authority has been authorised by National Archives of Australia and details the specific requirements in relation to the destruction or retention of records held by ARPANSA.

ANRDR records are managed in accordance with the requirements of the ARPANSA policy and procedures that ensure compliance with national requirements for classification, retention, storage and security. As detailed in the authorisation, dose records held in the ANRDR are classified as significant records to be retained at a national archive if the ANRDR is terminated.

By submitting data to the ANRDR, an organisation can meet all or part of (jurisdictional dependent) their record management requirements for the storage and maintenance of their dose records. Essentially the ANRDR provides a records management service for the organisation, ensuring that they have access to the records submitted for retrieval purposes.

## 2. ANRDR Personal Information

### 2.1. Information in the ANRDR

The ANRDR receives radiation dose data, employer details and some personal information that is disclosed by registered organisations. Collectively, this information is considered a radiation dose record. Dose records are submitted to the ANRDR on a quarterly basis and are linked in the ANRDR for individuals who have existing records. The ANRDR assigns a government unique identifier for all individuals to assist with linking records and administrative functions.

Personal information is provided to ensure that doses are matched to the correct worker. This personal information includes:

- Full name
- Date of birth
- Gender
- Employee number

## 2.2. ANRDR Information Flow

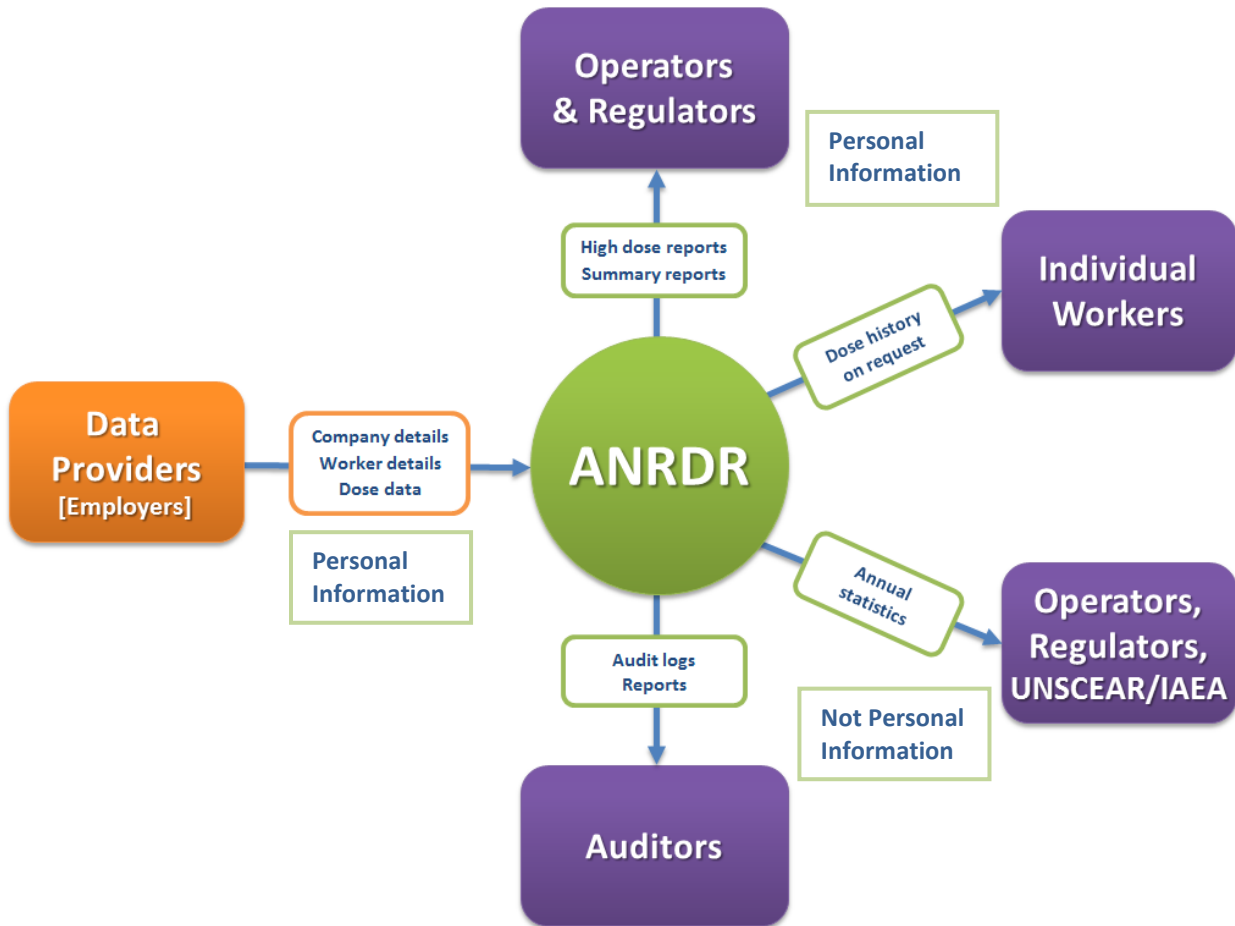


Figure 1: ANRDR Information Flow

Figure 1 shows the information flow required for the operation of the ANRDR. Personal information and dose data is provided to the ANRDR by employers of monitored individuals. This information is available to individuals upon request and disclosed to the relevant employer and regulatory authority in the event that an individual exceeds any radiation dose limit set in the Radiation Protection Series No. 1 (RPS 1). Contribution of data to national and international surveys and other reports produced by the ANRDR, such as audit reports and statistical data analyses do not contain personal information.

## 3. ANRDR Privacy Statement

ARPANSA is committed to protecting your privacy. This statement outlines the type of information that is disclosed to the ANRDR, why it is required, and how the information is used.

### 3.1. Background

The ANRDR stores and maintains dose records for workers who are occupationally exposed to radiation. This data is provided by registered employers in applicable industries on a quarterly basis.

The ANRDR will keep radiological dose records during the working life of every registered worker and afterwards for not less than 30 years after the last dose assessment, and at least until the worker reaches or would have reached the age of 75, as per the requirement set out in IAEA GSR Part 3 (2014).

The purpose of the ANRDR is to ensure that radiological dose records of occupationally exposed workers are maintained in a national database in order to:

- Allow workers to have access to their cumulative radiation dose history, regardless of where in Australia they have worked, or for whom
- Provide assurance that radiological dose records are maintained and retrievable in the long-term in accordance with requirements as outlined in the [National Standard for Limiting Exposure to Ionizing Radiation, Radiation Protection Series No. 1 \(2002\)](#)
- Perform statistical analyses of industry dose trends to facilitate dose optimisation

### **3.2. What type of information is stored in the ANRDR?**

ARPANSA will receive radiological dose records from registered employers in quarterly intervals. ARPANSA also receives the following employer and personal information in order to confirm a person's identity:

- Full name
- Date of birth
- Gender
- Employee (payroll) number
- Employee work classification

### **3.3. How can I have my personal information corrected?**

ARPANSA does not change or manipulate any of the personal information or data provided by the employer. If you suspect that incorrect information has been provided to the ANRDR, please contact the relevant employer in the first instance to have the information corrected. If you are no longer employed by the relevant employer, or if the employer no longer exists, please contact the ANRDR directly to obtain a personal information correction form. This request will be actioned within 30 days of receipt by the ANRDR.

### **3.4. How do we use your personal information?**

ARPANSA will use the information that it stores and maintains to monitor individual radiation doses for dose limit exceedances, generate annual statistics relating to exposure trends, and disseminate these statistical reports to stakeholders in the form of an annual newsletter, [ANRDR in Review](#). These statistical summary reports will not disclose any personal information that allows an individual worker or employer to be identified.

### **3.5. Disclosure of personal information**

If the recorded data indicates that a worker has exceeded an exposure limit established in the [National Standard for Limiting Exposure to Ionizing Radiation, Radiation Protection Series No. 1 \(2002\)](#), then ARPANSA will inform the relevant state or territory regulator and the current employer. This is a major benefit for individuals who have worked across multiple employers and/or jurisdictions. ARPANSA will not disclose any personal information held in the ANRDR to any overseas recipient.

The storage, management, use and disclosure of information contained in the ANRDR are in accordance with the provisions of the Privacy Act and the Australian Privacy Principles (APPs). ARPANSA will take all necessary measures to comply with the requirements of the Privacy Act.

### **3.6. How do I request my personal dose history report?**

A worker whose dose records are stored and maintained in the ANRDR may request a copy of their dose history by completing a [dose history request form](#) and following the instructions on the form. This dose history report will contain all doses submitted to the ANRDR by the individual's employer(s). ARPANSA will provide the dose history report upon confirmation of the identity of the person requesting the report.

If a person's identity cannot be confidently verified from the information provided in the request form or if the form is incomplete, the ANRDR administrators may contact the individual to request additional information.

ARPANSA reserves the right to reject a dose history request if insufficient information has been provided or if it is suspected that the request is fraudulent. Providing false or misleading information may lead to prosecution. If the request is rejected, the requester will be notified in writing and advised of the reason for the rejection.

### **3.7. Can another person request my dose history report on my behalf?**

Due to privacy considerations, an individual may only request their own dose history report or that of someone else who has given written authorisation for the disclosure of their dose history to the person making the request. If it is a condition of employment to provide a dose history report prior to commencing employment, an individual may request their own dose history report and provide the report to their potential employer. The employer cannot request your dose history report on your behalf unless you provide your authority in writing for them to do so.

In special circumstances where an individual is incapacitated or deceased or a valid Power of Attorney is in force, a dose history report may be requested by a family member or other personal representative on the individual's behalf. Such special requests will be handled on a case-by-case basis at the discretion of the ANRDR manager.

### **3.8. Security**

Personal information may be stored by ARPANSA in hard copy documents or electronically. ARPANSA is committed to protecting your privacy. Some of the ways we do this are listed below:

- ARPANSA requires all employees to be security cleared to at least a baseline national security clearance
- All ARPANSA employees are trained in handling classified and sensitive information
- Security measures are in place to access ARPANSA's computer network
- Only ANRDR administrators are able to access your information
- Personal information is accessed on a 'need-to-know' basis only
- Hard copy documents are locked in a filing cabinet which only ANRDR administrators are authorised to access
- Physical access controls exist for ARPANSA's buildings



### 3.9. Contact details and complaints

If you have any concerns or if you would like to lodge a complaint regarding the handling of personal information, you are entitled to contact the ANRDR administrators by email: [anrdr@arpansa.gov.au](mailto:anrdr@arpansa.gov.au) or free call: 1800 022 333.

Alternatively, you may contact ARPANSA's Privacy Officer at [privacy@arpansa.gov.au](mailto:privacy@arpansa.gov.au). Each complaint received will be assessed by ARPANSA's Privacy Officer and the complainant advised of the results of that assessment. If you do not receive a response within 30 days, or you are dissatisfied with the response, you may complain to the Office of the Australian Information Commissioner (see <https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint> for more details).

### 3.10. Changes to the privacy statement

Occasionally it may be necessary for us to revise our privacy statement. We will notify our stakeholders of any changes by posting an updated version of the privacy statement on our website at <http://arpansa.gov.au/Services/ANRDR>. We reserve the right to update our privacy statement at any time without prior notice.

For more information on the *Privacy Act 1988*, please visit [www.oaic.gov.au](http://www.oaic.gov.au).

## 4. Assessment of Compliance with the APPs

### 4.1. APP1 Open and Transparent Management of Personal Information

The object of this principle is to ensure that APP entities manage personal information in an open and transparent way.

Open and Transparent Management of Personal Information		Y	N	APP
4.1.1	The organisation has a document freely available for the public that sets out the policies for the management of personal information.	X		1.3 & 1.5
4.1.2	The organisation has steps in place to allow an individual to know what personal information it holds about them and for what purposes it uses and discloses it. This includes information about how they can access their information and complain about breaches.	X		1.2 & 1.4
4.1.3	The organisation has processes in place to deal with inquiries and complaints from individuals about the entity's compliance with the APP.	X		1.2
4.1.4	The organisation has means to provide copies of the privacy policy in various formats.	X		1.6

ARPANSA has a [Privacy Policy](#) that is consistent with the APPs and is publically available on our website. The ANRDR has a privacy statement available on the ANRDR website that is provided in section 3 of this document. The document contains information on how an individual can make inquiries or a complaint relating to compliance with the APPs. ARPANSA and the ANRDR can provide copies of the privacy policy in reasonable formats as requested by individuals or entities.

An APP entity intending to implement the ANRDR should ensure that they have a Privacy Policy that meets the requirements of the APPs and any requirements within their jurisdiction.

## 4.2. APP2 Anonymity and Pseudonymity

Anonymity and Pseudonymity		Y	N	APP
4.2.1	Individuals have the option to not identify themselves, or use a pseudonym when dealing with the ANRDR.	X		2.1
4.2.2	Is the ANRDR required by law to only deal with individuals who have identified themselves?		X	2.2
4.2.3	Is it practical for the ANRDR to deal with individuals who have not identified themselves?	X		2.2

The ANRDR will provide information relating to its purpose and processes to individuals choosing not to identify themselves; however, dose records stored in the ANRDR can only be of identified individuals. The ANRDR will not disclose personal information to anyone other than the individual to whom the information relates, and in some circumstances to relevant employers, and/or a state, territory or Commonwealth regulatory authority.

Processes exist within the ANRDR that require an individual to provide their personal details along with a witness signing the request form prior to the disclosure of dose records from the ANRDR. To request a personal dose history report, download the personal dose history request form and follow the instructions:

[http://www.arpansa.gov.au/pubs/Services/ANRDR/ANRDR\\_WorkerRequestForm.pdf](http://www.arpansa.gov.au/pubs/Services/ANRDR/ANRDR_WorkerRequestForm.pdf)

## 4.3. APP3 Collection of Solicited Personal Information

The ANRDR does not solicit the collection of dose records. The ANRDR acts as a record storage and maintenance facility for individuals' dose records. The records are collected by the employers and disclosed to the ANRDR as part of the primary purpose of their collection.

APP entities required to monitor workers for their radiation exposure will have systems in place for the collection of personal information and determination of employee radiation doses. The ANRDR works with employers to assist them in establishing a framework for the disclosure of their dose records to the ANRDR as part of the primary purpose for the record collection.

As the ANRDR relies on the disclosure of information that has already been collected by the employer, this principle does not apply to its operation and therefore has not been assessed.

#### 4.4. APP4 Dealing with unsolicited Information

Dealing with Unsolicited Information		Y	N	APP
4.4.1	Is the ANRDR able to accept unsolicited information?		X	4.1, 4.2, 4.3 & 4.4

The ANRDR can only obtain dose records that meet the data transfer specifications from a registered organisation via the secure ANRDR web portal.

#### 4.5. APP5 Notification of the Collection of Personal Information

As the ANRDR relies on the disclosure of information that has already been collected by the employer, this principle does not apply to its operation and therefore has not been assessed.

The ANRDR makes available a comprehensive communications package to APP entities it works with. Information that is provided to workers via the employer as part of the ANRDR Worker Outreach program addresses all the requirements of APP 5.1 and 5.2 for the employer.

The information stored and maintained in the ANRDR is disclosed by employers who have collected it directly from individuals as part of their employment conditions.

#### 4.6. APP6 Use or Disclosure of Personal Information

Use or Disclosure of Personal Information		Y	N	APP
4.6.1	Is the information only used or disclosed for the primary purpose of collection?	X		6.1
4.6.2	Have individuals consented to the disclosure of the information?		X	6.1
4.6.3	Is the information used or disclosed for a secondary purpose?	X		6.2
4.6.4	Is the personal information biometric?		X	6.3
4.6.5	Is the purpose of disclosure of information provided?	X		6.5
4.6.6	Is personal information disclosed for marketing purposes?		X	6.7
4.6.7	Are government related identifiers disclosed?		X	6.7

The ANRDR's primary purpose is for the storage and maintenance of dose records in a central location, which is consistent with ARPANSA's objective to protect people from the harmful effects of radiation. Disclosure of dose records from the ANRDR to the individual, employer or relevant state, territory or Commonwealth regulator is one of the ANRDR's primary functions and permitted under APP 6.2 (a)(i).

As there is no clear guidance or requirement on how dose records are classified, some organisations classify these records as sensitive (health) information while others classify them as personal information. Regardless of the classification type, the disclosure of dose records to the ANRDR is permitted as part of the primary purpose for which this information was collected by the employer.

In the event that an individual has exceeded a dose limit while working for a single employer, it is expected that the regulator will be notified of the situation by the employer. The ANRDR will capture situations where individuals have changed employers and/or jurisdictions and cumulatively exceeded a dose limit. As new employers may not be aware of the worker’s previous exposures, the ANRDR will link the records and provide feedback to the regulator. This secondary purpose is directly related to the primary purpose of the ANRDR.

The ANRDR relies on the disclosure of dose records from APP entities. As the disclosure to the ANRDR forms part of the primary purpose for the collection of dose records, the disclosure of the data to the ANRDR from an APP entity meets the requirements of APP 6.

ARPANSA has a privacy policy and the ANRDR has a privacy statement that details the circumstances under which potential disclosure of information from the ANRDR may occur. These documents are publically available from the ARPANSA web site. The ANRDR privacy statement is included in section 3 of this document.

Sections 4.6.4 and 4.6.6 do not apply to the ANRDR under the Privacy Act (1988).

#### 4.7. APP7 Direct Marketing

The ANRDR does not use or disclose personal information for direct marketing.

#### 4.8. APP8 Cross Border (Overseas) Disclosure of Personal Information

The ANRDR does not disclose personal information to any overseas recipient.

#### 4.9. APP9 Adoption, Use or Disclosure of Government Related Identifiers

Adoption, Use or Disclosure of Government Related Identifiers		Y	N	APP
4.9.1	Does the ANRDR assign a unique government identifier?	X		9.1
4.9.2	Does the ANRDR require the submission of an existing unique government identifier?		X	9.1
4.9.3	Is the ANRDR identifier used or disclosed for any purpose outside of the ANRDR?		X	9.2 & 9.3

A unique government identifier is assigned to an individual the when their records are submitted to the ANRDR for the first time. The identifier is used to link future uploads of dose records to the individual’s existing record. The identifier has no purpose other than for ANRDR records and the ANRDR does not use any other existing unique government identifiers.

#### 4.10. APP10 Quality of Personal Information

Quality of Personal Information		Y	N	APP
4.10.1	Are processes in place to ensure the quality of the personal information submitted, used and disclosed for the ANRDR?	X		10.1 & 10.2

Personal information disclosed to the ANRDR is submitted by employers who collect the information and have existing processes to ensure its quality. Responsibility for the quality of the personal information submitted to the ANRDR predominantly lies with the employer as supplier of the information. The ANRDR uses internal processes to match people when new records are submitted. Specialised software has also been implemented to review existing records and identify people that may be the same person but have been registered as separate people due to potential data entry errors or changes to their personal details.

In the event that there is doubt in the quality of a record submitted to the ANRDR, the organisation that submitted the record is contacted for confirmation of the details.

#### 4.11. APP11 Security of Personal Information

Security of Personal Information		Y	N	APP
4.11.1	Are security processes in place to protect the information in the ANRDR?	X		11.1
4.11.2	Is there a requirement to destroy records relating to personal information once the use or disclosure requirements are met?		X	11.2

The ANRDR is hosted on an ARPANSA server that is covered by the Australian Government IT security requirements. ARPANSA maintains a security risk management plan (SRMP) for the ANRDR that addresses the necessary requirements for personal information stored on a government server.

Records contained in the ANRDR are classified as Commonwealth records as defined in the *Archive Act 1983* (Cth). Commonwealth records are exempt from destruction requirements under APP 11.2 (c).

#### 4.12. APP12 Access to Personal Information

Access to Personal Information		Y	N	APP
4.12.1	Are processes in place for individuals to access their information in the ANRDR?	X		12.1 & 12.4
4.12.4	Do any exceptions apply to the provision of information to individuals?		X	12.2, 12.3, 12.5, 12.9 & 12.10
4.12.5	Can information be provided to a mutually agreed third party?	X		12.6
4.12.6	Are any fees associated with the provision of information?		X	12.7 & 12.8

The ANRDR was established with the primary purpose of maintaining and providing individuals with their dose histories upon request in the form of a personal dose history report. Requests for dose history reports are generally processed within 5 working days from receipt of the request. This service is provided to workers by ARPANSA free of charge.

Information may be provided to a mutually agreed third party with authority from the individual to whom the information relates.

As no exceptions apply to the disclosure of information to the individual, a number of clauses of APP 12 do not apply to the ANRDR (12.2, 12.3, 12.5, 12.8, 12.9 & 12.10).

### 4.13. APP13 Correction of Personal Information

Correction of Personal Information		Y	N	APP
4.13.1	Are individuals able to request changes to personal information?	X		13.1, 13.3 & 13.5
4.13.2	Do processes exist to review personal information in the ANRDR for accuracy?	X		13.1 & 13.3
4.13.3	Is the ANRDR able to correct information disclosed to other entities?	X		13.2
4.13.4	Do any circumstances exist where the ANRDR cannot correct personal information on request?		X	13.3 & 13.4
4.13.5	Are corrections fee-free and available within 30 days?	X		13.5

Personal information disclosed to the ANRDR is submitted by employers. Responsibility for the quality of the personal information submitted to the ANRDR lies with the employer. Individuals can access information from the ANRDR by submitting a dose history request. In most cases, the ANRDR would become aware of inaccuracies in the personal information during the processing of a dose history request. As noted in Section 4.10 the ANRDR has an established process to review the accuracy of personal information submitted to the ANRDR.

See section 3.3 of the ANRDR Privacy Statement for more information on personal information correction.

## 5. Implementing the Disclosure of Dose Records to the ANRDR

The ANRDR team will work with each APP entity to determine the most suitable means of meeting their privacy requirements for the disclosure of dose records to the ANRDR. In all cases, the employer should notify their workers that their dose records and some of their personal information would be provided to the ANRDR. The employer's privacy policy should be updated to reflect the changes.

APP entities intending to implement the ANRDR would have already established a method for the collection of personal information for the purpose of storing and maintaining dose records and for general human resources (HR) purposes.

ARPANSA recommends that an APP entity planning to join the ANRDR complete their own privacy impact assessment to ensure that they meet their obligations in relation to the Privacy Act.

### 5.1. Options for Disclosure

There are two main options available for an APP entity to disclose dose records to the ANRDR, the first is limited to private entity organisations:

1. The simplest and most common approach for a private entity organisation is to use the fact that dose records form part of the employee record and disclosure to the ANRDR is exempt from the Privacy Act (1988), or
2. Meet the criteria for disclosure as detailed in APP 6 via one of the following options:
  - a. Reasonable expectation (i.e. service agreement & employee communication)
  - b. Legal requirement (such as amending legislation, licence conditions or approved radiation management plan)
  - c. Individual consent

As previously noted in Section 1.3, for private entity organisations dose records are part of the employee record and the disclosure of the employee record is exempt from the requirements of the APPs. This exemption allows an APP entity to disclose current and historical dose records to the ANRDR without seeking individual consent from its current or past employees, and without the need for establishing a legal requirement.

If an APP entity chooses to meet the requirements of APP 6 (Use or disclosure of personal information), they have three main options that they can choose.

*1. Reasonable expectation* – The disclosure of personal and sensitive information for directly related purposes is permitted without individual consent if an individual would reasonably expect the information to be disclosed. Disclosure can occur if the following criteria are met:

1. Individuals are informed of the disclosure
2. The employer's privacy policy reflects the disclosure
3. A service level agreement between the ANRDR and the APP entity is implemented

The service level agreement has been developed by the ANRDR to establish a contract between the APP entity disclosing the information and the ANRDR. The conditions agreed to in the service agreement are for the APP entity to provide dose records and the ANRDR to perform the storage and maintenance of those dose records. The ANRDR offers the service without cost to the APP entity supplying the dose records.

The service agreement allows for disclosure of personal information similar to a contract between an APP entity and a dosimetry service provider, records management service, payroll contractor, etc. This type of agreement is the most common legal means for APP entities to disclose personal information without seeking individual consent.

The Office of the Australian Information Commissioner (OAIC) provides a [guide](#) for each APP and the guide for APP 6 discusses the reasonable expectations test. Communication of the disclosure of dose records to the ANRDR is part of the primary purpose for which the data was collected and is aligned with the reasonable expectations provided in the guide.

*2. Legal requirement* – Disclosure to the ANRDR can be achieved if a legal requirement is established. In Queensland and the Northern Territory, for example, the disclosure of dose records to the ANRDR has been established as a legal requirement. In Queensland, the requirement to submit data to the ANRDR has been incorporated into the mandatory mining code, whilst in the Northern Territory this requirement has been imposed through a change in regulations.

Alternatively, a legal requirement can be implemented through a radiation licence condition amendment or an amendment to the radiation management plan (RMP) if there is a legal obligation for an APP entity to abide by all requirements specified in their RMP. This method is currently used by the uranium industry in South Australia. Due to the classification of dose records as classified information in that state, an additional approval from the Minister was required.

Clause 3.1.24 (c) of the Code for Radiation Protection in planned Exposure Situations (RPS C-1) (ARPANSA, 2016) states that employers must provide their workers' occupational exposure dose records to the relevant regulatory authority or an approved central record keeping agency. The Radiation Health Committee (RHC), representing radiation regulatory authorities from all jurisdictions, have approved the ANRDR as the central record keeping agency responsible for the storage and maintenance of occupational exposure dose records in Australia. Changes to the ARPANS Regulations in July 2017 incorporated the Code, making the submission of dose records to the ANRDR a mandatory legal requirement for all Commonwealth licence holders.

*3. Individual consent* – APP 6 also allows for the disclosure of personal information by individual consent. This option is only recommended as a temporary solution for an APP entity with a small number of monitored workers until a change to their privacy policy or a legal requirement can be implemented.

### **3.1. Communicating Disclosure**

The ANRDR provides a Worker Outreach Program that can be used as a communication tool to assist employers in informing their workers about the implementation of the ANRDR in their workplace and to provide them with the necessary information about the use of their personal information and how to request their personal dose history report.

The Outreach Program consists of brochures and posters that can be used as physical or electronic means of communication, and a customisable PowerPoint slide is available to be integrated into induction or radiation safety training presentations. The ANRDR team is available to assist in this process.

## **Conclusion**

This PIA provides the context and justification for the disclosure of dose records to the ANRDR that forms part of the primary purpose for the collection of dose records and associated personal information by the employer. As dose records form part of an employee record, the disclosure is exempt from the APPs, but APP entities should communicate with employees about the implementation of the record management decision to submit records to the ANRDR as part of the on-boarding process.

The dose records are disclosed to the ANRDR by an employer so that an individual can track their occupational radiation exposure incurred over the course of their career, regardless of where in Australia they have worked, or for whom. This information is stored and maintained by ARPANSA in accordance with the APPs defined in the Privacy Act. The ANRDR also provides the service of records management for submitting APP entities ensuring that they meet their dose record retention requirements.

Other than in South Australia, personal and sensitive information can be disclosed under the APP guidelines as a primary purpose but also due to the exemption of employee records. Due to the classification of dose records as classified information in South Australia, authorisation from the Minister is also required to disclose the records.



ARPANSA's assessment against the APPs shows that the disclosure of personal information to the ANRDR by APP entities can be achieved via a number of methods. The simplest method for a private entity organisation is to utilise the exemption model, whereby an APP entity may disclose dose records due to their exemption from the APPs. Alternatively, an APP entity may opt for an additional approach, such as to enter into a service agreement with ARPANSA. Regardless of which approach is taken, the disclosure should be communicated to employees and the organisation's privacy policy should be updated accordingly.

APP entities may make the disclosure of data to the ANRDR a legal requirement by amending their RMPs, requesting a licence condition amendment or working with the ANRDR and relevant regulatory authority to amend relevant codes, guides, standards or legislation. Generally, longer timeframes are required for the implementation of such options, and a combination of options may be required. These options are discussed with interested parties on a case-by-case basis. Individual consent can also be used but is only recommended as a temporary option for entities with a small number of monitored workers.

The ANRDR discloses information only to the individual to whom the information pertains, unless authorisation is given by the individual or a legal authority. In cases where an individual is identified as having exceeded a dose limit, this information may be disclosed to the relevant employer and/or a state or territory regulatory authority. De-personalised data is analysed to produce industry trends and statistics that are published by the ANRDR in a publically available annual newsletter.

This assessment demonstrates that the ANRDR stores and maintains dose records in accordance with the APPs and that the risks associated with operation of the ANRDR and disclosure of dose records are low and are appropriately managed.

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