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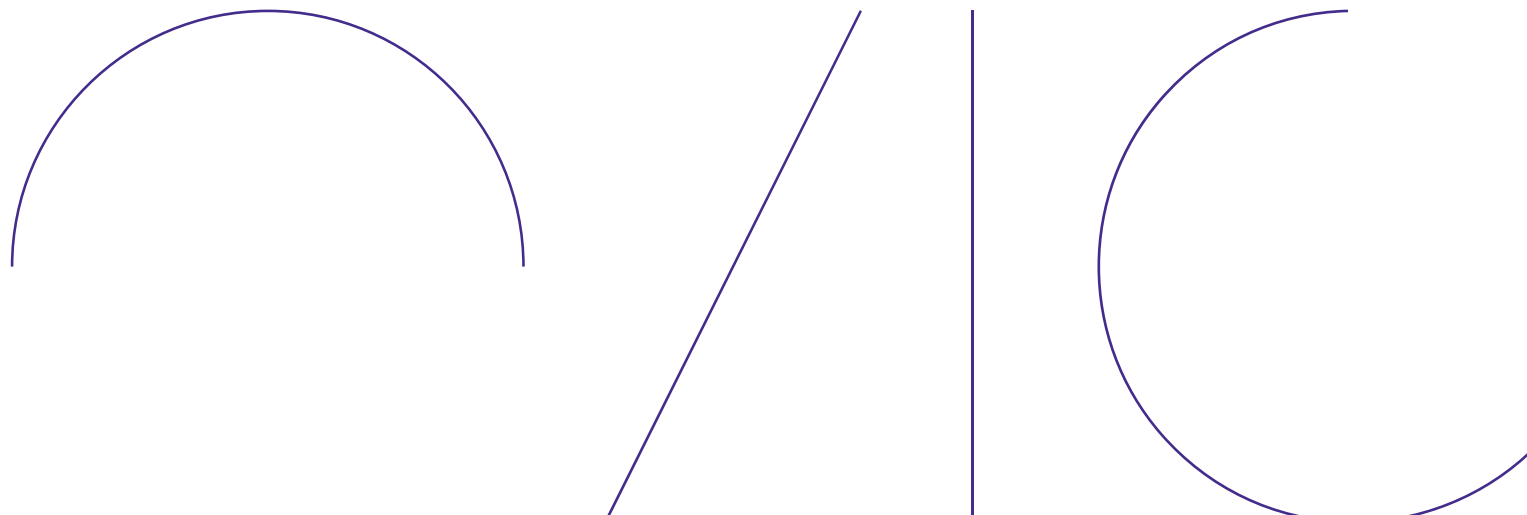**Office of the Victorian Information Commissioner**

Privacy complaint trends

July 2025

Introduction

1. The role of OVIC's Privacy Guidance and Dispute Resolution Team
2. Trend #1 – Collection and collection notices
3. Trend #2 – Unauthorised access and misuse
4. Trend #3 – Human Error

What is the role of OVIC's Privacy Guidance and Dispute Resolution team?

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Trend #1 – Overcollection and insufficient notices of collection

What we'll cover:

- What IPP 1 requires

- Examples of overcollection

- Tips to prevent overcollection

PERSONAL INFORMATION:
If you don't need it, don't collect it

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What does IPP 1.1 say?

IPP 1.1 sets out that 'an organisation must not collection personal information unless the information is **<u>necessary</u>** for one or more of its functions or activities'.

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Examples of overcollection

- Poorly configured forms
- Overly broad requests for information
- Collecting information before it is needed
  - For example, during recruitment

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Tips to prevent overcollection

- Be clear about the purpose and what is necessary to fulfill that purpose - what function or activity you are looking to achieve?

- Avoid defining the purpose overly broadly

- Consider timing – do you need to collect at this particular time to carry out the function?

- Consider whether anonymity is an option (IPP 8)?

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What does IPP 1.3 say?

IPP 1.3 requires organisations to take reasonable steps to make individuals aware of:

- the identity of the organisation and how to contact it;
- the fact they may access that information;
- the purposes for which the information is or was collected;
- the names (or types) of organisations or individuals to whom the information is usually disclosed;
- any law requiring the collection; and
- the main consequences (if any) if the person does not provide any or part of the information.

A notice of collection is NOT a privacy policy, or consent form.

Individuals have the right to request more information about why their information is being collected, and how it will be handled **before** providing their information.

Tips to improve notices of collection

- **Clearly set out the primary purpose** and make sure it's not overly broad.

- **Secondary purposes – set these out**. Be as specific as possible.

- **Let people know they can seek access** to their information.

- Spell out what **the consequences are if the individual does not provide** the information

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Trend #2 – Unauthorised access and misuse of personal information

What we'll cover:

- What IPP 4.1 requires
- Examples of failing to take reasonable steps
- Tips to prevent unauthorised access and misuse

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What does IPP 4.1 say?

IPP 4.1 requires organisations to take **reasonable steps** to protect the personal information they hold from misuse and loss and from unauthorised access, modification and disclosure.

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Examples of failing to take reasonable steps

- Insufficient user permissions or access controls

- Insufficient ICT controls to monitor and detect unauthorised access

- Inadequate privacy training

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Tips for taking reasonable steps under IPP 4.1

- Carefully assess what sort of information you really need to put on platforms such as Sharepoint

- Consider whether multifactor authorisation be implemented

- What access controls can be implemented

- Who would manage requests for authorisation to access certain information

- Whether auditing can be carried out to determine if staff had accessed or downloaded files, and how often would auditing take place

- What training and policies can be implemented – tailored and regular

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Trend #3 – Human error

What we'll cover:

- IPP 4.1

- Examples of human error

- Tips to mitigate risk of human errors

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Examples of human error

- Using the CC field instead of BCC field

- Not checking the correct recipients

- Relying on Outlook's AutoResolve function

- Incorrect attachments being sent

- Insufficient redactions applied or missed

Tips for lessening risk of human error

When sending emails:

- Disable Outlook's AutoResolve function

- Double check email recipients

- Set a delay rule

- Be careful with email threads

- Group emails – remember to use BCC

Want to learn more?

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