



Managing Privacy Complaints

What is the difference between an information breach and a privacy complaint?

An information breach happens if:

- The personal information of any individual is subject to a data breach or cyber incident.
- There is unauthorised access to, disclosure or loss of personal information.

A privacy complaint happens where:

- An individual or group of individuals express dissatisfaction regarding the handling of their personal information (an interference with privacy).
- An individual or group of individuals express dissatisfaction with the collection, use, disclosure, storage, access or accuracy of personal information about them (privacy obligations failure).

Who can make a privacy complaint?

Any individual or group of individuals who are members of the [University Community](#) and whose personal information or sensitive personal information is collected, held or used in any way by the university.

How do I make a privacy complaint?

The university has several paths for making a privacy complaint:

- Staff and students of the university may lodge their complaint via the [incident request form](#) available in ServiceNow.
- Individuals who require an accessible complaint mechanism can email privacy@curtin.edu.au or call the Privacy Officer on 9266 3965 during business hours to discuss their options.
- Individuals may address their complaint in writing to Curtin University Privacy Officer, B100:R114, GPO Box U1987, Perth WA 6845 or call the Privacy Officer on 9266 3965 during business hours to discuss their options.

Can I lodge a complaint on behalf of someone else?

Any complaint which is reported via the [ServiceNow Request form](#) will have the opportunity to lodge the complaint by proxy on behalf of another staff member or student by selecting **yes** to the relevant question on the form. You will be required to enter that individuals' information by selecting it from the list which is embedded in the form. If you cannot locate the person in the list, you should enter their name and contact information as additional details in the appropriate field.

The individual you name will be contacted by the Privacy Officer, and they will be told who made the complaint. The ServiceNow incident report is not intended for anonymous proxy complaints.

If the named individual does not wish to pursue the complaint, this will be taken into consideration in the outcome. Proxy complaints where the individual declines to participate may be closed as *Not Upheld* so it is important to discuss your plans to lodge the complaint with the individual first.

What about anonymity and pseudonymity?

If you wish to make a complaint but wish to remain anonymous or use a pseudonym, do not lodge your complaint using the form in ServiceNow. This form is only available to staff and students and is linked to your single-sign-on credentials.

To make an anonymous complaint or complaint under a pseudonym:

- You may make a complaint in writing to Curtin University Privacy Officer, B100:R114, GPO Box U1987, Perth WA 6845 or call the Privacy Officer on 9266 3965 during business hours to discuss your options.
- The Privacy Officer will lodge the complaint on your behalf as your proxy and your name and contact details will not be recorded in the complaint form.
- The Privacy Officer will not share your name or contact information to any party unless it is required under law; for investigation into conduct; or under university policy.
- The Privacy Officer will be responsible for maintaining contact with you and updating you on the investigation if you provide your contact information for this purpose. If you decline to provide this information you will not be updated further or advised of any outcome.
- In some instances, circumstances of the complaint may indirectly identify you to other parties with knowledge of the events in question. These individuals are subject to confidentiality obligations as members of the University Community, and they may not disclose your name to any party unless it is required under law; for investigation into conduct; or under university policy.

What if my complaint alleges misconduct of a student or staff member?

If the Privacy Officer identifies any allegation which relates to the conduct of a Curtin employee or an enrolled student, that investigation must be transferred in full to the relevant team as listed below.

- Student conduct allegations will be transferred to the Office of the Academic Registrar
- Employee conduct allegations will be transferred to the Employee Relations team within People and Culture

Any localised investigation within a particular department, faculty or school will be initiated by the relevant investigating team.

Individuals are encouraged to make only one complaint and to refrain from contacting the alleged respondent or other staff and students about the complaint during the investigation. Your review rights will be provided to you at the conclusion of the investigation if you are dissatisfied.

For Privacy complaints this may include the right to escalate your complaint to the Office of the Information Commissioner (WA).

Investigations into conduct are restricted to the investigating team, and the Privacy Officer will not participate further in any conduct investigation. The Privacy Officer will, however, provide an initial view on the severity and likelihood of serious privacy harm based on the information you provided. This view may be taken into consideration by the investigator at their discretion. The privacy complaint will be closed at the conclusion of the investigation noting only whether the privacy allegation was *Upheld* or *Not Upheld*.

Additional Information and Useful Links.

- [Office of the Information Commissioner \(WA\)](#)
- [Privacy and Responsible Information Sharing Act \(WA 2024 \(As Passed\)\)](#)
- [Curtin Common Definitions](#)

Need Further Assistance?

Contact us on 08 9266 3965 or at Privacy@curtin.edu.au should you require additional assistance or visit our website <https://www.curtin.edu.au/about/governance/privacy/>.