

Privacy – Key Definitions

Personal Information

Personal information is defined in the Privacy and Data Protection Act 2014 (Vic) and includes any information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can be reasonably ascertained from the information or opinion but does not include information of a kind to which the Health Records Act 2001 applies.

Examples include:

- name, address, birth date, telephone number, email address'
- age, sex, marital status,
- finger prints and other biometrics,
- educational, financial, criminal or employment history, and
- an image in a photograph or voice in a recording

Personal information may include direct identifiers and quasi identifiers – both are explained below. Context and/or linking of information may result in the information becoming personal information.

Sensitive Information

Sensitive information is defined in the Privacy and Data Protection Act 2014 (Vic) to mean information or an opinion about an individual's

- racial or ethnic origin, or
- political opinions, or
- membership of political associations, or
- religious beliefs or associations, or
- philosophical beliefs
- membership of professional or trade association, or
- membership of a trade union, or
- sexual preferences* or practices, or
- criminal record

that is also personal information.

*Monash understands this legal concept to be sexual orientation.

Health Information

Health Information is defined in the Health Records Act (Vic) 2001 to include:

- information or opinion about the physical or mental health, or disability, of an individual
- an individual's expressed preferences about the future provision of health, disability or aged care services to him or her
- the nature of health, disability or aged care services that have been, or are to be, provided to an individual
- information originally collected in the course of providing a health, disability or aged care service to an individual
- personal information collected in connection with the donation of human tissue

- genetic information that is or could be predictive of the health of an individual or their descendants.

Unique Identifier – personal information

A unique identifier, as defined by the Privacy and Data Protection Act 2014 (Vic), means an identifier (usually a number) assigned by an organisation to an individual to uniquely identify that individual for the purposes of the operations of the organisation. It does not include an identifier that consists only of the individual's name and does not include an identifier within the meaning of the Health Records Act.

Examples include:

- student id number,
- staff id number,
- statistical linkage key comprised of a person's initials and date of birth (eg JHS 21051915),
- driver's license number,
- passport number,
- tax file number,
- vehicle registration number
- IP address

Unique Identifier – health information

A unique identifier, as defined by the Health Records Act 2001 (Vic), " means an identifier (which is usually, but need not be, a number and does not include an identifier that consists only of the individual's name) that is:

- assigned to an individual in conjunction with or in relation to the individual's health information by an organisation for the purpose of uniquely identifying that individual, whether or not it is subsequently used otherwise than in conjunction with or in relation to health information; or
- adopted, used or disclosed in conjunction with or in relation to the individual's health information by an organisation for the purpose of uniquely identifying that individual.

Direct Identifier

A direct identifier is any information that directly identifies a single individual. Direct identifiers may consist of one or more variables that can be used to identify a single individual, either by themselves or in combination with other readily available sources of information. Examples include name, address, email address, telephone number, health card number, staff or student number, device identifier, internet protocol (IP) address number and web universal locator (URL).

Quasi Identifiers

Quasi identifiers do not of themselves enable the identification of an individual but can be aggregated and linked with other information to identify an individual. Examples include date of birth, age, gender, postcode and other demographic information.

Context is also a factor in determining if seemingly non personal information should be classified as personal information.