

# Notifiable Data Breach [NDB] Scheme: What is personal information for Lucidity Software?

## Privacy of personal information in Australia



The *Privacy Amendment (Notifiable Data Breaches) Act 2017* has established the Notifiable Data Breaches (NDB) scheme in Australia.

The NDB scheme applies to all organisations with existing personal information security obligations under the Australian *Privacy Act 1988* (Privacy Act).

The NDB scheme commences on 22 February 2018. It only applies to eligible data breaches that occur on or after that date.

'Personal information' is defined in 6(1) of the Privacy Act to include information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not.

## Personal Identifiers

**Username (eg billsmith) – NO**

**Name (eg Bill Smith) - NO**

Names and Usernames alone are not personal information that could be considered an 'eligible data breach'. A name or username has to be linked to another identifier that in turn could lead to accessing other information about the person that then has the capacity to 'cause serious harm'.

**Name or Username and Date of Birth - YES**

Name or username attached to DOB is a clear identifier of a person and as such could lead to personal identification and subsequent capacity to 'cause serious harm'.

**Name or Username and email - YES**

A name or username and email address could lead to employer identification which in turn could lead to personal identification and subsequent capacity to 'cause serious harm'.

**Name or Username and phone number – YES**

A name or username and phone number [whether personal number or business number] could lead to employer identification which in turn could lead to personal identification and subsequent capacity to 'cause serious harm'.

**Name or username and employer identification – YES**

A name or username and association with an employer could lead to personal identification and subsequent capacity to 'cause serious harm'.

## Records retained in Lucidity

- Training and induction records including those of contractors. Competencies, licences, qualifications and permits - details entered + scanned copies attached.
- Name and DOB or other identifier as determined by the client and held in ACCESS and HR Modules for permissions to access Lucidity.
- Naming persons involved in incidents [Incident Module] including witnesses to incident when the name is attached to an employer or other identifier.
- Names attached to minutes and electronic signatures [Inform Module] that are traceable to a worksite or employer.
- Contractors naming employees within the Contractor Module.