
Notifiable Data Breach Form

About this form

Notifiable Data Breach statement

This form is used to inform the Australian Information Commissioner of an 'eligible data breach' where required by the Privacy Act 1988.

Part one is the 'statement' about a data breach required by section 26WK of the Privacy Act. If you are required to notify individuals of the breach, in your notification to those individuals you must provide them with the information you have entered into part one of the form.

The OAIC encourages entities to voluntarily provide additional information about the eligible data breach in part two of this form. Part two of the form is optional, but the OAIC may need to contact you to seek further information if you do not complete this part of the form.

Before completing this form, we recommend that you read our resource [What to include in an eligible data breach statement](#).

If you are unsure whether your entity has experienced an eligible data breach, you may wish to review the [Identifying eligible data breaches](#) resource.

The OAIC will send an acknowledgement of your statement about an eligible data breach on receipt with a reference number.

You can save this form at any point and return to complete it within 3 days. To save your form, click on the Save For Later button on the top right-hand corner of this form. If you do not submit your saved form within 3 days, your saved information will be permanently erased.

Refreshing your browser will clear any information that you have not saved. If you need to refresh your browser while completing this form and wish to keep your changes, please save the form first.

Your personal information

We will handle personal information collected in this form (usually only your name and contact details) in accordance with the Australian Privacy Principles.

We collect this information to consider and respond to your breach notification. We may use it to contact you.

More information about how the OAIC handles personal information is available in our [privacy policy](#).

Part one - Statement about an eligible data breach

About part one

The information that you provide to the OAIC in part one of this form must also be included in your notification to individuals (if notification is required).

Organisation/agency details

You must complete this section

Organisation/agency name *

Registered Organisations Commission

Phone *

[Redacted]

Email *

[Redacted]

Address Line 1 *

[Redacted]

Address Line 2

Suburb *

[Redacted]

State *

[Redacted]

Postcode *

[Redacted]

Other contact details

[Redacted]

Description of the eligible data breach

You must complete this section

A description of the eligible data breach: *

An email confirming details of conversations with a whistleblower under Protected Disclosures scheme in the Fair Work (Registered Organisations) Act 2009 was sent to an incorrect email address.

The first part of the email address provided by the discloser was [redacted] surname followed by two letters. However, when the email was sent, it was addressed with only the surname and one initial in the address - i.e. it was 'surnamea@.....', when it should have been 'surnameab@.....'.

When a follow-up text message was sent to the discloser to advise that the email had been sent, the discloser advised that no email had been received and re-confirmed [redacted] email address.

The officer who had incorrectly addressed the email then took immediate steps to follow-up with the holder of the (incorrect) email address in order to:

1. confirm whether it was a current email account (it was, for a person with the same surname but a different first name, based in [redacted]); then
2. request the deletion of the email sent in error (the recipient located the email and advised that [redacted] then deleted it); and
3. acknowledge the recipient's deletion and foreshadow that [redacted] would be contacted by another person about the incident.

The email has since been sent to the correct email address.

Information involved in the data breach

You must complete this section

Kind or kinds of personal information involved in the data breach: *

Employment-related information including allegations about a senior official in the organisation [redacted]

In addition, please select any categories that apply:

- Financial details
- Tax File Number (TFN)
- Identity information
(e.g. Centrelink Reference Number, passport number, driver license number)
- Contact information
(e.g. home address, phone number, email address)
- Health information
- Other sensitive information
(e.g. sexual orientation, political or religious views)

Recommended steps

You must complete this section

Steps your organisation/agency recommends that individuals take to reduce the risk that they experience serious harm as a result of this data breach: *

In addition to apologising to the individual for the data breach, the Registered Organisations Commission will recommend that the individual not discuss [redacted] disclosure with other persons employed in the same organisation as [redacted].

The ROC will seek the discloser's explicit written consent before further investigating this matter, including providing the discloser with information about remaining an anonymous discloser.

Other entities affected

This section is optional

If the data breach described above was also a data breach of another organisation/agency, you may provide their identity and contact details to further assist individuals.

Was another organisation/agency affected?

Yes

No

Part two - Additional information

About part two

The OAIC encourages entities to provide additional information to assist us in understanding the eligible data breach. Part two of the form is optional, but the OAIC may need to contact you to seek further information if you do not complete this part of the form. The OAIC recommends you complete as many questions as possible, but you may leave a field blank if the answer is not known.

The information that you provide on part two of the form does not need to be included in your notification to individuals, and you may request that it be held in confidence by the OAIC.

Your contact details

Title

First Name

Last Name

Phone

Email

Breach details

Date the breach occurred

You may provide your best estimate if the exact date is not known:

Date the breach was discovered

You may provide your best estimate if the exact date is not known:

Primary cause of the data breach

- Malicious or criminal attack
- System fault
- Human error

Description of how the data breach occurred

As indicated in earlier section of data breach report, one initial in an email address was left off in error. The email therefore went to a different recipient. The breach occurred on the afternoon of 10 May and was identified on the morning of 11 May.

Number of individuals whose personal information is involved in the data breach

- 1
- 2 – 10
- 11 - 100
- 101 - 1,000
- 1,001 - 10,000
- 10,001 - 100,000
- 100,001 - 1,000,000
- 1,000,001 - 10,000,000
- 10,000,001 or more

Exact number of individuals whose personal information is involved in the data breach

Please provide your best estimate:

Description of any action, including remedial action, you have taken, or you are intending to take, to assist individuals whose personal information was involved in the data breach.

Steps have already been taken to have the incorrect recipient delete the email, which they confirm that they have done.
Writing to the discloser and to the incorrect recipient apologising for the incident.
Advising the discloser that the matter has been reported to the OAIC.

Description of any action you have taken, or you are intending to take, to prevent reoccurrence.

Staff will be required to verify the correct each email address input before an email is sent.

How do you intend to notify individuals who are likely to be at risk of serious harm as a result of the data breach? When will this occur? If you do not intend to notify individuals because of an exception under s 26WN or s 26WP, please provide your reasons for relying on the relevant exception.

Intended to notify the individual whose information was sent to another person in error of (a) the breach and (b) it being reported to the OAIC - intended that this will occur no later than Monday 14 May.

The assessment of the risk of serious harm is considered to be not high in circumstances where the misdirected email was promptly deleted.

Reporting to the OAIC in circumstances where it has been assessed that the risk of serious harm is considered not high, and therefore reported out of abundant caution.

List any other data protection authorities, law enforcement bodies or regulatory bodies that you have reported this data breach to.

None

You may wish to separately [report an incident](#) to the Australian Cyber Security Centre if it raises cyber security concerns.

Additional information

Is there any other information you wish to provide at this stage, or any matters that you wish to draw to the OAIC's attention?

You can provide additional information below, or attach supporting documents when you submit this form.

If you wish to provide further information or documents after you submit the form, you may email them to enquiries@oaic.gov.au.

Attachments

I request that the information provided in part two of this form is held by the OAIC in confidence.

The OAIC will respect the confidence of commercially or operationally sensitive information provided voluntarily in support of a data breach notification, and will only disclose this information after consulting with you, and with your agreement or where required by law.

Review and submit

Submitting your form

Please review the information that you have provided about the data breach. If you would like to change anything, you can return to the relevant section by using the **Go Back** button.

Once you are ready to submit your form, click the **Submit** button below.

Once you submit your form, you will be taken to a confirmation page. This page will provide a receipt number for your submission, and you will be able to download a copy of your completed form or have a copy sent to an email address of your choice.