

## Senate Community Affairs Legislation Committee

### SUPPLEMENTARY BUDGET ESTIMATES – 22 OCTOBER 2015 ANSWER TO QUESTION ON NOTICE

#### Department of Human Services

**Topic:** Privacy Breaches

**Question reference number:** HS 188

**Senator:** Siewert

**Type of question:** Written

**Date set by the committee for the return of answer:** 23 December 2015

**Number of pages:** 1

**Question:**

- a) How many unauthorised access to client files have occurred for each of the DHS agencies for the year 2014-15?
- b) Provide details of what action resulted from each instance of unauthorised access?

**Answer:**

- a) In the 2014-15 financial year, the Department finalised 138 substantiated investigations into potential unauthorised access by DHS staff.
- b) In the 2014-15 financial year, the Internal Fraud Control and Investigations Branch referred to the Commonwealth Director of Public Prosecutions two unauthorised access matters relating to DHS staff for consideration of criminal prosecution.

A further 136 investigations were finalised as APS Code of Conduct matters.

A breach of the APS Code of Conduct was found in 134 of these cases. A sanction was imposed in 125 of these matters. In 9 cases a sanction was unable to be imposed due to the individuals leaving the Department prior to the conclusion of the investigation.

<b>Outcome</b>	<b>Number of investigations</b>
Breach of the APS Code of Conduct	134
<i>Sanctions imposed</i>	<i>106 (15 of which were termination of employment)</i>
<i>Employee resignation</i>	<i>19 (including 7 proposed terminations of employment)</i>
<i>Sanction could not be imposed</i>	9
No breach of the APS Code of Conduct found	2