



CHIEF PSYCHIATRIST
of Western Australia

Office of the Chief Psychiatrist

Privacy Statement

Document Control

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1. Introduction

The Chief Psychiatrist is an independent statutory officer who holds powers and duties as prescribed by the *Mental Health Act 2014*. The powers invested in the Chief Psychiatrist impose a governance responsibility over any Mental Health Service and other specified agencies that seek to influence the delivery of mental health treatment and care to the Western Australian Community.

This Privacy Statement explains how the Office of the Chief Psychiatrist (“OCP”, “us”, “our” or “we”) collects, uses and discloses information collected by us.

Western Australia’s privacy legislation, the Privacy and Responsible Sharing Act 2024 (WA), received Royal Assent on 6 December 2024 and it is anticipated that the privacy provisions will commence in 2026. The interim privacy position for the Western Australian public sector is that agencies should ensure their actions are consistent with applicable Australian Privacy Principles, set out in Schedule 1 to the Privacy Act 1988 (Cth) with primary emphasis upon Principle 6 – “use or disclosure of personal information”.

OCP complies with the State’s interim privacy position when dealing with Personal Information and this Privacy Statement is consistent with applicable Australian Privacy Principles to the extent possible.

2. The information we collect and how it is collected

We only collect personal information for purposes reasonably necessary for, or directly related to, one or more of our functions or activities, or when the information is knowingly or voluntarily provided by an individual. Generally, you will know if we are collecting your personal information because we will ask you for it. For example, if you submit an online form to contact us or subscribe to receive newsletters, we will ask you to provide your name and contact details. We may also collect personal information from you through:

- Forms.
- Correspondence or interactions in person, online or over the phone.
- Website registration.

- Participation in surveys or questionnaires.
- Online application forms or bookings, but we will only collect the information contained in that application form if you submit the form to us. If you log out of the website or cancel the application before submitting the form, the information you had entered will be automatically deleted.
- Collection of credit card or debit account details, depending on the application made, in order to provide you with our goods or services.
- Online feedback forms.
- Closed circuit television (CCTV) video and audio recordings and body camera surveillance.
- Site inductions and working on our premises.
- Entering into licences, third party access or other agreements with us.
- Making applications for consent to undertake various activities on our property.

We may also collect your personal information from publicly available sources, or from third parties who have disclosed that information to us.

Examples of the types of personal information we may collect include:

- A person's name, address and contact details;
- Information about a person's identity (e.g. date of birth, passport details, drivers' licence, birth certificates, ATM cards, portrait photograph);
- Gender and marital status;
- Concession details;
- Cardholder data;
- Bank account details;
- Public interest disclosure applications;
- Criminal history and working with children checks;
- Employment details (including work history, referee comments and remuneration) and employee health details;
- Occupation details;
- Insurance details;
- Educational qualifications;
- Government identifiers (e.g. Tax File Number);
- Security incident details;
- Financial position, organisation details and credit check information;
- Telephone and audio recordings;
- CCTV video surveillance recordings;

- Body camera images and recordings;
- Social media posts; and
- Content of email messages and email addresses of the sender and recipients.

3. How we use and disclose your personal information

We will generally only use and disclose your personal information for the primary purpose for which it was collected. For example, we may use your personal information to administer our services to you, manage our relationship with you, improve our services, respond to your questions or feedback, process a transaction, assist in planning and research, respond to a security incident or send you newsletters, updates, notifications or other OCP related information.

We may also use or disclose your personal information for another purpose, and for a secondary purpose where permitted under the Australian Privacy Principles, for example where:

- You have consented;
- You would reasonably expect us to use or disclose your personal information for the secondary purpose, and that purpose is related to the primary purpose, or, in the case of sensitive information, directly related to the primary purpose;
- Required or authorised by or under a Western Australian or Australian law (including the Freedom of Information Act 1992 (WA)) or a court/tribunal order;
- We reasonably believe that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by; or on behalf of, an enforcement body;
- Necessary to prevent or lessen a serious threat to the life, health or safety of any individual, or to public health or safety;
- Taking appropriate action in relation to suspected unlawful activity or serious misconduct;
- Locating a person reported as missing;
- Asserting a legal or equitable claim or defence;
- Conducting a confidential alternative dispute resolution process;
- Required to take appropriate action in relation to a reported security incident;
- For marketing (including direct marketing) purposes; or
- For research or planning purposes.

We will use CCTV and body camera recordings to:

- Deliver our services safely and securely; and
- Deter, detect, prevent, investigate and respond to safety or security incidents.

We will disclose CCTV and body camera recordings to:

- Law enforcement bodies (and their contractors) for their enforcement and investigation activities; and
- Legal advisers, insurers and courts for liability claims and prosecutions.

We will disclose materials (including images and audio) from CCTV and body camera recordings for the above purposes.

Your personal information will at all times be managed in accordance with the applicable legislation in Western Australia and retained in accordance with any legal obligation (including the State Records Act 2000).

We may also provide your personal information to other entities including:

- Contractors who provide certain services related to our services.
- These services include, but are not limited to, call centre support, practice and treatment monitoring, mental health services, provision of medical practitioner training and advice, production of marketing, research and planning, standards and guidelines;
- Ministers or other government departments, agencies or entities;
- Our internal and external auditors;
- Law enforcement agencies (and their contractors) or regulators;
- Emergency services providers;
- Research and marketing entities for the purposes of research, marketing and planning; and
- Investigators and entities engaged to help identify and investigate improper activities or prevent fraud.

Your personal information may also be shared within our business areas, including Mental Health Commission, Mental Health Tribunal, and Department of Health.

4. Use of cookies

When you visit our websites, some statistical information is collected about how you interact with the website. We use cookies to collect this type of information. Cookies are small files that store information on your computer, TV, mobile phone or other device. They enable us to recognise you across different websites, services, devices and/or browsing sessions. We use cookies to deliver content specific to your interests so you do not have to register each time you use the website. You can disable cookies throughout your internet browser but if you do so, some of the features on our websites may not function fully and your ability to browse, read and download information may be impaired.

We use online tools to gather information about visitors to our website and to help us improve our website and deliver services. We use software provided by third-party vendors for this purpose.

5. Social Media

We may also use third-party websites and platforms for interactive sharing and to connect with you. This includes social media platforms, including but not limited to LinkedIn and YouTube.

When you browse and make use of our social media platforms, you are using an external site and therefore subject to the privacy policies and practices of that site. These third-party sites may allow them to use your personal information in ways that will be different to the way we use and disclose your personal information. If you have any questions or concerns regarding that site's privacy policies and practices, you should review the privacy statement of the relevant site. We do not exercise any control over the management of those sites and do not endorse, and are not accountable for, any views expressed by third parties using or providing those sites.

We may record and monitor information posted to our social media channels and use that information for the purposes of administering the channels, for record keeping, for considering and/or addressing any comments made, for direct marketing and for running competitions and campaigns.

6. Disclosure of personal information outside Australia

We may disclose personal information, including contact information and subscription preferences, outside of Australia to third party contractors and suppliers, including in the United States and European Union.

When you provide your personal information to us, you consent to the disclosure of your information outside of Australia. We will take reasonable steps to ensure that any overseas recipient will deal with such personal information in a way that is consistent with this Privacy Statement and the Australian Privacy Principles.

When you communicate with us through social media network services such as Facebook or Twitter, the network provider and its partners may collect and hold your personal information overseas.

7. Use of personal information for direct marketing

We may send you direct marketing communications and information about our services. This may take the form of emails, SMS, telephone, mail, social media platforms or other forms of communication. We may also undertake direct marketing through our media service providers. By accessing this website or any social media platform, you acknowledge that you would reasonably expect us to use or disclose your information for direct marketing purposes and you consent to receiving such marketing communications. In addition, we will only use your information for marketing purposes when we have provided you with a simple means of opting out of receiving further direct marketing from us, and you have not requested that we cease sending you direct marketing communications.

8. Links

Our website may contain links to websites operated by third parties. Those links are provided for convenience and may not remain current or be maintained. We are not responsible for, and do not endorse or otherwise approve, the content, privacy policies or practices of third-party websites that are linked on OCP websites, and we have no control over or rights in those linked websites.

The privacy policies that apply to those other websites from a OCP website, we recommend that you read the privacy statement or policy of that other website to understand what it does with your information.

9. Security and Retention

We have taken all reasonable steps to implement the appropriate security policies, rules, measures and patches to protect your personal information that we have under our control from misuse, interference and loss and from unauthorised access, modification or disclosure. Personal information is securely stored by us and by third parties on our behalf. For example, fire walls and virus protection software are in place to protect our systems and data.

The retention and destruction of records of personal information held by the Western Australian Government is governed by the State Records Act 2000 and supporting policies and procedures. We take reasonable steps to destroy or de-identify all personal information that is no longer required to be retained.

10. Access and Correction

You may request access to documents that contain your personal information which are in our possession. You may also request the correction of documents which we hold that contain your personal information if you believe that personal information is inaccurate, irrelevant, misleading, incomplete or out of date. In some cases, your request will be dealt with in accordance with the *Freedom of Information Act 1992*.

Please contact us via the details below for further information.

11. Contact us

If you have any questions relating to privacy, please contact us by:

- Email: (reception@ocp.wa.gov.au); or
- Using the Contact Us page on our website.