



File: SRSA21-000111

NationBuilder platform links on SA Government websites – a review of personal information privacy impact

Privacy Committee of South Australia
c/o State Records of South Australia
GPO Box 464
Adelaide SA 5001
Tel 08 8204 8786
staterecords@sa.gov.au

Background

On 29 March 2021 media reports claimed that various SA government websites included URLs that redirected users through a Liberal Party domain via the NationBuilder platform (the platform).

Initial reports indicated that the platform may have been used to 'harvest' personal information from SA Government websites users without their knowledge. As a result of this the Privacy Committee of South Australia determined it necessary to consider the matter further.

Management of Personal Information

The collection, use, storage and disclosure of personal information by State Government agencies is governed through the Information Privacy Principles Instruction (Instruction) and articulated through a set of ten Information Privacy Principles (Principles).

This Instruction is binding for public sector agencies and establishes that the Principal Officer of each agency must ensure that the Principles are implemented, maintained and observed for, and in respect of, all personal information for which their agency is responsible.

The Instruction is administered by the Privacy Committee of South Australia (the Committee). The Committee can investigate the nature or extent of compliance of an agency with the Instruction and has the responsibility, amongst other things, to make recommendations to agencies to improve their protection of individual privacy.

Privacy considerations

In accordance with the Instruction, agencies must only collect the personal information of individuals with consent, except in prescribed circumstances. These circumstances are expressed in the Instruction.

Based on the initial reports, it appeared possible that the SA Government could have facilitated unauthorised collection of personal information by the platform. If this occurred, it may have involved a breach of Principles regarding collection.

Further, if NationBuilder was found to have collected information under contract to SA Government, there would be further implications for the Principles regarding storage, use and disclosure.

Taking the above into consideration, I determined it to be within the Committee's remit to formally seek advice from state government agencies on the matter.

OFFICIAL

Privacy Committee Review

On 31 March 2021 I wrote to the Chief Executive of the Department of the Premier and Cabinet (DPC) seeking advice on the platform and how it had been linked to State Government websites and documents. I also asked:

- what actions were being taken by DPC to ensure that the links are removed
- whether SA Government had procured the platform
- whether any personal information was being collected from SA Government websites through the platform or other web tracking applications.

As it became evident that agencies other than DPC may be impacted I determined to make a similar request of other State Government agencies. I therefore wrote to all State Government Chief Executives on 1 April 2021, requesting advice similar to that sought from DPC.

DPC responded to the initial request for advice on 12 April 2021. This resulted in a further email being sent to DPC on 14 April, in which I sought clarification on a number of matters.

Agency Responses

Department of the Premier and Cabinet

An initial response was received from DPC advising that Ministerial media releases developed by the Office of the Premier had been distributed by the platform. The media releases and URL links within the documents of concern contained a URL path reference of 'stateliberaleader.nationbuilder.com'.

DPC advised that following a search of the websites under its management, they found reference to the URL on three websites/pages of the government sites:

- The Premier's site (<https://www.premier.sa.gov.au>)
- Covid-19 (<https://www.covid-19.sa.gov.au>)
- One other site under development (not yet live)

All URLs have been edited or removed. DPC confirmed that they had not collected any personal information through the platform.

Further advice was sought from DPC querying, amongst other things, whether any personal information had been collected by NationBuilder through the URL links. To enable a response to this query, DPC emailed the Office of the Premier requesting that they seek a response from NationBuilder.

NationBuilder advised:

NationBuilder does not collect any data about the person who clicks on these links, nor does Nationbuilder's software have the technical capability to do so.

In a typical email blast, when a URL is hyperlinked within an email, UTM tags are appended to the hyperlinked URLs to enable click-through metrics, as is the case with most email software. These tags collect no data on the individual aside from the fact that a given email recipient has clicked the link.

When these URLs are pasted anywhere outside of NationBuilder's email editor, such as the case with the government websites, those parameters are still visible (this is why you are seeing the NationBuilder root domain in the URLs) but will no

longer even attribute the click to an individual or collect any data about that person.

Other agencies' responses

A summary of advice from other agencies is at [Attachment 1](#). Some agencies indicated that when they shared or copied links from the Ministerial media releases produced by the Office of the Premier onto their websites or into other documents, they had inadvertently copied the full URL.

All such agencies advised that they had edited or deleted relevant document links on their websites to remove any references to the platform. Agencies also advised that they would discontinue the practice of copying links and would create a new link each time.

SA Ombudsman

Liaison in relation to this matter between the South Australian Ombudsman, Wayne Lines, and myself began on 29 March. The Ombudsman publicly noted that he may be interested in pursuing an investigation into the use of the platform, but would wait for the outcome of the Committee's considerations.

Complaints

No formal complaints relating to this matter have been received by the Committee at the time of preparing this report.

Conclusion

The Committee discussed this matter and the advice received from agencies at its meeting on 27 April 2021.

Based on information provided by agencies, the Committee noted that:

- NationBuilder and agencies indicated that they have not collected any personal information from the website redirections. It is therefore probable that SA Government agencies have not facilitated unauthorised collection.
- SA Government agencies have removed any inadvertently copied URL links to the NationBuilder platform. The risk of possible future breaches has therefore been mitigated.

Based on the information provided by agency Chief Executives, the Committee determined that there did not appear to have been a breach of the Principles and therefore there is no further action required by the Committee on this matter.

The Committee noted that the South Australian Ombudsman may wish to enquire further into the use of NationBuilder within a government agency and the practice of agencies cutting and pasting URL links. The Committee determined that consideration of these matters is outside of the Committee's remit.

The Committee noted that the media coverage generated through this matter and the inquiry by the Committee will have had a positive outcome of raising awareness amongst agencies of the risk to the privacy of personal information by such actions.

Actions

The Committee will:

- write to agencies thanking them for their advice and actions
- provide a copy of this report to the Attorney-General as the minister the PCSA reports to
- provide a copy of this report to the South Australian Ombudsman
- publish this report on the State Records website.



Simon Froude
Presiding Member
Privacy Committee of South Australia

4 May 2021

Attachment 1 – Summary of agency responses

Attachment 1 – Summary of agency responses

Agency	Summary of advice related to websites under their management
Attorney General's Department	<ul style="list-style-type: none"> • URL links found • Copied and pasted from media releases • No personal information collected • URL links removed
Department for Child Protection	<ul style="list-style-type: none"> • No URL links found
Department for Correctional Services	<ul style="list-style-type: none"> • No URL links found
Department for Energy and Mining	<ul style="list-style-type: none"> • URL links found on websites • Copied and pasted from media releases • No personal data collected • URL links removed
Department for Environment and Water	<ul style="list-style-type: none"> • No response received by 5pm 3 May 2021
Department for Education	<ul style="list-style-type: none"> • URL links found on websites • No personal information collected • Links removed
Department for Human Services	<ul style="list-style-type: none"> • No URL links found
Department for Health and Wellbeing	<ul style="list-style-type: none"> • No URL links found
Department for Innovation and Skills	<ul style="list-style-type: none"> • No URL links found
Department for Infrastructure and Transport	<ul style="list-style-type: none"> • URL link found in a media release on website • No personal information collected • URL link removed
Department of Treasury and Finance	<ul style="list-style-type: none"> • No URL links found
Department for Trade and Investment	<ul style="list-style-type: none"> • Did not collect personal information through NationBuilder
Environment Protection Authority	<ul style="list-style-type: none"> • No URL links found
Office of the Commissioner for Public Sector Employment	<ul style="list-style-type: none"> • No URL links found
Department for Primary Industries and Regions	<ul style="list-style-type: none"> • URL links found on websites • Items copied and pasted from media releases • Links removed
South Australia Police	<ul style="list-style-type: none"> • No URL links found