

Protecting your privacy

Like most areas of government, the Department of Child Safety, Youth and Women (the department) collects and uses personal information as part of its day to day activities.

The *Information Privacy Act 2009* (IP Act) regulates how Queensland Government agencies handle that personal information.

The IP Act requires that personal information held by the department be collected, stored, used and disclosed in accordance with the 11 Information Privacy Principles (IPPs).

What is personal information?

The IP Act says personal information is opinion or information about a person, whether true or false, that identifies or could identify the person, and may include:

- name
- street address and phone number
- date and place of birth
- race or ethnicity
- religion
- financial details
- medical information
- employment information.

Personal information may reveal a person's identity even if their name is not mentioned.

What does the IP Act mean for you?

You can expect the department to collect and manage your personal information in accordance with the IPPs.

A summary of the 11 IPPs

IPP1 Manner and purpose of collection

The information must be necessary for the agency's function and collected fairly and lawfully.

IPP2 Seeking information directly from the individual

The agency must tell you the purpose of the collection, any laws that give it authority to collect the information and to whom it usually discloses or gives the information.

IPP3 Collecting information generally

The information must be relevant, up-to-date and complete. The collection must not be unreasonably intrusive.

IPP4 Security and storage

Outlines how the agency must keep your information safe.

IPP5–7 Access and amendment

These principles require agencies to take certain steps to give you access to personal information they hold about you and amend information in certain circumstances.

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IPP8–10 Use principles

These principles outline the rules about keeping accurate, complete and up-to-date personal information; using it for a relevant purpose; and only using it for another purpose with your consent unless special circumstances apply, e.g. health and safety or law enforcement.

IPP11 Disclosure

This principle sets out when an agency can disclose your personal information to someone else.

When does the IP Act not apply?

The IP Act doesn't cover a number of bodies, including courts and tribunals (in relation to their judicial and quasi-judicial functions). Also, the IPPs don't apply to a range of documents, e.g. concerning covert police activity, witness protection, whistleblowers or generally available publications.

Can you have access to your personal information held by the government?

You can apply to access your personal information the department holds, and to amend or correct it.

If the documents you require contain the personal information of another person, or information not related to your personal information, you will need to make your application under the *Right to Information Act 2009*.

Application forms can be downloaded from the department's website or by contacting the department's Right to Information team (see contact details at the end of this information sheet).

In all your dealings with the department, its staff will ensure that your privacy is protected in accordance with the IP Act.

What to do if you have a complaint about the way the department has collected, used or disclosed your personal information?

If you believe that the department has breached your privacy, you may make a privacy complaint to it. Your complaint will be investigated in accordance with the department's complaints management policy. Your complaint must:

- be in writing
- state your address
- give details of the complaint.

Post, fax or email your complaint to the Information Privacy team (see contact details at the end of this information sheet).

Complaints to the Office of the Information Commissioner (OIC)

You may refer your privacy complaint to the OIC if your complaint is about a breach that occurred on or after 1 December 2009, and:

- you are not satisfied with the department's response
- the department has not responded within 45 business days of your complaint.

Your complaint to the OIC must:

- be in writing
- state your address
- give details of the complaint.

Forward your complaint to:

The Office of the Information Commissioner
PO Box 10143
Adelaide Street
BRISBANE QLD 4000

The Information Commissioner (IC) will mediate the complaint, if the complaint is deemed suitable for mediation. If deemed not suitable, you may request the IC to refer the complaint to the Queensland Civil and Administrative Tribunal (QCAT).

If any mediation is not successful, you may also request the Information Commissioner to refer the matter to QCAT.

If QCAT finds that the complaint, or a part of the complaint, has been substantiated, it may make an order for payment of compensation of up to \$100,000 for loss or damage (including for injured feelings) and orders requiring agencies to undertake certain actions including the making of an apology.

The Queensland Ombudsman may also be willing to accept a privacy complaint about the department's handling of your personal information.

If you would like more information about privacy complaints, including who to make the complaint to and how to do it, visit the OIC website at www.oic.qld.gov.au.

Contact information for more information

Information Privacy Team

If you need assistance to make a privacy complaint, contact our Privacy team on:

Phone: (07) 3097 5609
Fax: (07) 3097 5606
Email: privacy@csyw.qld.gov.au

Right to Information (RTI) team

To access or amend your personal information contact the RTI team on:

Phone: 1800 809 078 (Free call) or (07) 3097 5605
Fax: (07) 3097 5606
Email: rti@csyw.qld.gov.au

Postal address for all matters departmental privacy and information access requests:

Right to Information and Privacy
Department of Child Safety, Youth and Women
Locked bag 3405
Brisbane QLD 4001

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