

Law enforcement agencies include Queensland Police Service, Crime and Corruption Commission, Queensland Fire Department, Queensland Ambulance Service and local governments among others.

If you are concerned about how an agency may use your personal information, make sure you carefully read any forms you are asked to fill out or ask to speak with someone in the agency that can answer your questions.

When can you make a privacy complaint?

If you believe an agency has not dealt with your personal information according to the QPPs, you can make a privacy complaint.

You must complain in writing to the agency involved and clearly state why you are making a privacy complaint. Make sure you give specific details about the matter.

The agency must respond to you within 45 business days but may ask you for more time.

What if I'm not satisfied with the agency's response?

If the agency has provided a response to your complaint and you are still not satisfied, you can lodge a privacy complaint with the Office of the Information Commissioner (OIC).

You can also lodge a complaint with the OIC if the agency has not responded to you within 45 business days.

We encourage you to submit your complaint using the online privacy complaint form. For more information visit OIC's website www.oic.qld.gov.au.

Need more information?

Contact the relevant agency's privacy officer. They will be able to assist you.

OIC also provides information sheets for the community on our website www.oic.qld.gov.au.

OIC's enquiries service provides general advice about Queensland's IP Act.

You can contact us Monday to Friday between 9:30am and 4pm, excluding public holidays.

Phone: (07) 3234 7373

Email: enquiries@oic.qld.gov.au

UNDERSTANDING YOUR PRIVACY RIGHTS

A guide to rights and responsibilities under the *Information Privacy Act 2009 (Qld)*

What is personal information?

Personal information is information that allows anyone to identify another person, for example, an image or video with someone's face clearly visible. Information does not have to be true to be personal information.

Information can also be linked together to identify someone.

For example, date of birth alone does not necessarily identify an individual—many people could have been born on that date.

But add a person's name to their date of birth and it becomes personal information.

What is information privacy?

Government agencies routinely require and deal with personal information when providing services to the community. For example, when someone renews their driver's license they provide personal information.

The *Information Privacy Act 2009 (Qld)* (IP Act) has principles regulating how government agencies collect, store, and use your personal information. We call these Queensland Privacy Principles (QPPs).

Government agencies must have clear policies explaining how they manage personal information.

They must provide their privacy policy free of charge, for example, on their website or upon request.

Which agencies must comply with the QPPs?

The QPPs apply to Ministers, Queensland Government agencies, local government, public authorities and other entities that provide services to these agencies.

In certain situations, agencies have additional flexibility in the way they deal with personal information.

This includes law enforcement activities, public safety and judicial functions like court proceedings.

Certain government documents, such as Cabinet or ministerial information, are also exempt.

The QPPs do not apply to individuals, businesses, community groups, Commonwealth government agencies or other states.

The principles also do not apply to some documents, for example, documents that are published or kept in a library, art gallery or museum intended for public use.

What do agencies have to do to comply?

Government agencies may only collect personal information that directly relates to or is necessary to deliver the service they are providing.

Agencies should tell you why they are collecting the information and what they will do with it. Once they have collected the relevant information, they must store this information safely and securely.

In certain instances, agencies may need to use or share your personal information in other ways. For example:

- for research
- where allowed by a law or court order, such as responding to a subpoena
- to deal with serious health and safety matters.

The QPPs allow law enforcement agencies to use your personal information for specific reasons other than why you provided it to them so they can carry out their duties.