

QPP Privacy Policy

Policy Type	Governance Policy	Version:	1.0
Responsible Officer	Coordinator Governance & Compliance	Date Approved:	18/06/2025
Review Officer:	Manager Information Systems & Governance	Review Due:	01/06/2029
Author:	Coordinator Governance & Compliance	Commencement:	01/07/2025

1. PURPOSE

To describe how Council collects, stores, manages, uses and discloses 'personal information' as defined in accordance with the Queensland Privacy Principles (QPPs) contained in the *Information Privacy Act 2009* (Qld) (IP Act).¹

2. SCOPE

This policy applies across Council.

3. POLICY STATEMENT

This policy sets out how Council manages personal information, including:

- a) the kinds of personal information we collect and hold, how we collect and hold that personal information, and the purposes for which we collect, hold, use and disclose personal information
- b) how you may complain about our handling of your personal information, and how we will deal with the complaint.

3.1 COLLECTION OF PERSONAL INFORMATION

Council collects personal information required to exercise our statutory functions and meet our legal obligations. We may collect this personal information in writing or by recording information provided verbally. We collect personal information directly from individuals who access our services and indirectly from third parties as part of carrying out our business functions. The kind of personal information we collect from individuals directly includes names, contact details and details of the matter or concern for which a person may deal with Council. Examples include lodgement of an application, complaint or business transaction such as an animal registration renewal or change of property ownership records.

3.1.1 Sensitive Information

Council may also collect sensitive information as defined herein. In a general sense, we will only collect sensitive information directly from the individual if it is about them or with their consent, or otherwise in accordance with our obligations under the IP Act.

The kinds of personal information including 'sensitive information' we collect, and hold are set out in the table below.

¹ See *Information Privacy Act 2009* (Qld) sch 3. See particularly QPP 1.3.

Council business function	Kind of personal information, how and why we collect that personal information
Applications and Customer Requests (any)	Council collects personal information on any application form from multiple sources including physical documents lodged with Council or via Council's website. Examples include applications for approval to undertake a regulated activity such as the keeping of animals (registrations), a building or development approval.
Complaint management and investigations	Council collects personal information from and about persons who lodge complaints about Council services. This includes names, contact details, details on the substance of a complaint or expression of dissatisfaction, investigation into the complaint and the outcome of the complaint.
Surveys	Council may collect personal information when inviting participation in voluntary surveys conducted at the conclusion of a process for the purpose of gauging satisfaction with our services.
Social media platforms	Council uses social media platforms to communicate with the public about its work and to raise awareness on matters affecting residents. When individuals communicate with Council via these social media platforms, we collect any personal information persons provide when communicating with Council.
Intergovernmental communications	Council collects personal information during routine communication exchanges with other Local and State government departments. Examples include consultations on development related matters or land valuations resulting from changes in property ownership.
Public Event Participation and Attendance	Council collects personal information from persons who attend or participate in Council events (e.g., registration in an annual Christmas light competition event or participation in a public event during which images of persons may be captured).
Recruitment and Contractors	Council collects and holds personal information about people who apply to work at Council. This includes names, contact details, application documentation, identification information, assessments for suitability, referees and references.
Information collected through Council's website	Council collects personal information through our website where it is provided by individuals who use an online form (e.g., to complete and lodge an application form of any type).
Regulatory functions and asset protection	Council collects personal information via image capture through video devices located at Council facilities and this may include audio capture (e.g., a CCTV device located at a Council controlled library facility or images captured through a body worn camera device worn by a local laws officer during undertaking of routine regulatory duties.

3.2 USE AND DISCLOSURE OF PERSONAL INFORMATION

Council uses and discloses personal information for the purpose for which the personal information was collected, including:

- i. Exercising our powers or performing our statutory functions and duties as a regulatory authority and service provider to the community such as assessment and handling of application forms, handling of complaints or responding to general enquiries.
- ii. Managing associated business functions, such as recruitment and human resources administration

Council may also use or disclose personal information with the express consent of the affected person or where Council is authorised or required under Australian law. This may include disclosure to a court or tribunal, for example where a matter is referred to the Queensland Civil and Administrative Tribunal or the Crime and Corruption Commission.

3.3 ACCESS AND CORRECTION OF PERSONAL INFORMATION

Access and correction rights are contained in the *Right to Information Act 2009* (Qld) (RTI Act).² Persons may apply directly to Council to access or correct their own personal information.

3.4 DISCLOSURE OUTSIDE AUSTRALIA

Council would generally disclose personal information overseas only when necessary to address a complaint or application with our statutory functions and obligations. For instance, where a complainant or applicant is overseas.

However, when you communicate with Council via a social media platform, the social media provider and its partners may collect and hold your personal information overseas. Council also uses Survey Monkey to conduct voluntary surveys from time to time, which may involve the collection and disclosure of participants' personal information to an overseas server for secure storage.

Where Council discloses personal information overseas, this will usually occur with agreement, where we are authorised or required by law, or otherwise consistently with our obligations under the IP Act.

3.5 DEALING WITH COUNCIL ANONYMOUSLY OR USING A PSEUDONYM

People can deal with Council via use of the enquiry forms on our website anonymously or by using a pseudonym.³

Complaints about Council can be made anonymously or by using a pseudonym but, depending on the nature of the complaint, Council may not be able to action a complaint and/or provide a response without a person's identity (e.g., where a complaint relates to a particular individual's file).

Anonymous or pseudonymous interaction is not possible for some functions, such as applying for an internal review of a Council decision, lodging a privacy complaint, and certain regulatory matters. We are required to collect information such as name, contact details and details of the matter so we can deal with the matter effectively and in accordance with our statutory duties.

3.6 SECURITY OF PERSONAL INFORMATION

Council holds personal information securely and takes reasonable steps to protect it from misuse, interference, loss, unauthorised access, modification or disclosure. Council has security protocols to protect personal information and to ensure it can be accessed only by authorised employees of Council.

² See *Right to Information Act 2009* (Qld) s 78C

³ See *Information Privacy Act 2009* (Qld) sch 3, QPP 2.1.

Where permitted by the *Public Records Act 2023* (Qld), Council will take reasonable steps to destroy or deidentify unsolicited personal information or personal information that is no longer required for any of its functions in accordance with our obligations under the QPPs and if it is lawful to do so.

3.7 PRIVACY COMPLAINTS ABOUT COUNCIL

If you believe that Council has not handled your personal information in accordance with the IP Act, you can make a privacy complaint. You can only make a privacy complaint on behalf of another person if they have authorised you to do so, they are a minor/child and you are their parent or guardian, they lack capacity, and you are their guardian or have other legal authority to act for them.

To make a privacy complaint about Council, you must send your complaint to Council in writing and include:

- an address for us to respond to you (e.g., an email address).
- details about the matter or issues you are complaining about (e.g., what did Council do or not do with your personal information that you believe breached the QPPs and the IP Act).

You must send your complaint to Council within 12 months of becoming aware of the act or practice you think constitutes a breach by Council of the IP Act. If you are making a privacy complaint for someone else, please include an authority from them or other evidence (e.g., a birth certificate showing that they are a minor/child and you are their parent).

3.7.1 *Contact addresses for initial privacy complaints*

Email: Info@msc.qld.gov.au

Post: Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880

3.7.2 *Timeframe for handling of privacy complaint and further right of review*

Council has 45 business days to resolve the privacy complaint to your satisfaction.

If this does not occur, you can escalate your complaint to the Office of the Information Commissioner at the following contact addresses:

Email: complaints@oic.qld.gov.au

Post: Office of the Information Commissioner
PO Box 10143 Adelaide Street
BRISBANE QLD 4001

Your complaint will be managed in the same way as complaints about other agencies are managed and will be dealt with by officers who have had no involvement in handling the initial complaint or the activities the subject of the initial complaint.

4. REPORTING

No additional reporting is required

5. DEFINITIONS

Disclosure – means where an entity (first entity) discloses personal information to another entity (second entity) if:

- (a) the second entity does not know the personal information, and is not in a position to be able to find it out; and
- (b) the first entity gives the second entity the personal information, or places it in a position to be able to find it out; and
- (c) the first entity ceases to have control over the second entity in relation to who will know the personal information in the future.⁴

Personal Information – means information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion—

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.⁵

Sensitive Information – means the following:

- (a) information or an opinion about an individual's:
 - (i) racial or ethnic origin; or
 - (ii) political opinions; or
 - (iii) membership of a political association; or
 - (iv) religious beliefs or affiliations; or
 - (v) philosophical beliefs; or
 - (vi) membership of a professional or trade association; or
 - (vii) membership of a trade union; or
 - (viii) sexual orientation or practices; or
 - (ix) criminal record;
- (b) health information about an individual; or
- (c) genetic information about an individual that is not otherwise health information; or
- (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- (e) biometric templates.⁶

6. RELATED DOCUMENTS AND REFERENCES

Information Privacy Act 2009 (Qld)

Public Records Act 2023 (Qld)

Right to Information Act 2009 (Qld)

7. REVIEW

It is the responsibility of the Manager Information Systems & Governance to monitor the adequacy of this policy and implement and approve appropriate changes. This policy will be formally reviewed every four (4) years or as required by Council.

⁴ *Information Privacy Act 2009* (Qld) s. 23(2)

⁵ *Ibid* s 12.

⁶ *Ibid* sch 5.