



G.12 Personal Information Privacy Policy

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Policy Owner: Council
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1 OBJECTIVE

Quilpie Shire Council (Council) collects and manages personal information in the course of performing its activities, functions and duties. Council respects the privacy of the personal information that it holds.

The way in which Council manages the personal information that it holds is governed by the *Information Privacy Act 2009 (Qld)* (The IP Act) as amended by the *Information Privacy and Other Legislation Amendment Act 2023* (IPOLA).

This policy provides an overview of the Council's approach in managing personal information in accordance with the requirements of the IP Act.

2 SCOPE

The policy sets out the Council's approach to dealing with the personal information that it holds, in accordance with the Queensland Privacy Principles (QPP's) and directives outlined in IPOLA

This policy applies to personal information held by Council whether in hard copy or electronic form, and includes information collected via Council websites, social media platforms, and customer service channels. It also applies to third-party service providers engaged by Council.

Council will establish processes for responding to data breaches, privacy complaints and requests for amendment or access of personal information.

This policy applies to all Quilpie Shire Council activities that involve the management of personal information by Councillors, employees and contractors to Council.

3 STATEMENT

3.1 POLICY COMMITMENT

Council is committed to protecting the personal information that it holds in accordance with the requirements of the IP Act. The QPPs set the framework for how agencies are to deal with personal information.

QPP	Name of Principle	Details
1	Open and transparent management of personal information	Agencies manage personal information in an open and transparent way.
2	Anonymity or Pseudonymity	Individuals must have the option to remain anonymous or use a pseudonym where lawful and practicable.
3	Collection of solicited personal information	Personal information is to be collected for necessary

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		agency functions, lawfully and fairly.
4	Dealing with unsolicited personal information	Agencies must access unsolicited personal information and if required destroy or de-identify.
5	Notification of the collection of personal information	Agencies must ensure individuals understand why their personal information is being collected and how it will be used.
6	Use or disclosure of personal information	Agencies can only use or disclose personal information for the reason it was collected.
7	Direct Marketing	Agencies must not use personal information for direct marketing unless specific conditions are met.
8	Cross-border disclosure of personal information	Agencies must ensure that personal information sent outside Australia is protected by similar privacy standards.
9	Adoption, use or disclosure of government related identifiers	Agencies must not adopt a government-related identifier of an individual as its own identifier of the individual unless by law.
10	Quality of personal information	Agencies must take reasonable steps to ensure that the personal information that the entity collects is accurate, up-to-date and complete.
11	Security of personal information	Agencies must take reasonable steps to protect personal information from misuse, interference, loss and unauthorised access or disclosure.
12	Access to personal information	Agencies must, on request by the individual, give the

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		individual access to their information
13	Correction of personal information	Agencies must correct personal information if it is inaccurate, out of date, incomplete, irrelevant, or misleading.

3.2 PERSONAL INFORMATION

Council collects personal information so that it can properly carry out its functions, powers and operations. Council may collect personal information verbally or in writing. 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 Council collects from individuals directly includes names, contact details and details of the subject or concern. Examples can include lodgement of applications, complaints or business transactions such as animal registration and renewal or change of property ownership records.

3.2.1 Sensitive Information

Council may also collect sensitive information as defined in this document. Generally, we only collect sensitive information directly from the individual it relates to, either with their consent or as otherwise permitted under the IP Act.

The types of personal information, including sensitive information—that we collect and hold are outlined in the table below.

Council business function	Personal Information purpose and use
Applications and Customer Requests (any)	Council collects personal information on any application form from multiple sources including physical documents lodged with Council or via Councils admin email. Examples include applications for approval to undertake a regulated activity such as the keeping of animals (registrations), a building or development approval or Council bus hire.
Complaint management and investigations	Council collects personal information from and about persons who lodge complaints about Council services. This includes names, contact details, details about a complaint or expression of dissatisfaction, investigation into the complaint and the outcome of the complaint.

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Surveys	Council may collect personal information when inviting participation in voluntary surveys 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.
Multi-governmental 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 people who attend or participate in Council events (e.g. registration for 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., application to eRates).
Regulatory functions and asset protection	Council collects personal information via image capture through video devices located at Council facilities (e.g., a CCTV device located at a Council controlled Visitor Information Centre) or images captured through a body worn camera device worn by a Council officer during the undertaking of regulatory duties.

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3.3 USE AND DISCLOSURE OF PERSONAL INFORMATION

Council uses and discloses personal information for the purposes for which it was originally collected. This includes:

- Exercising our powers and performing our statutory functions and duties as a regulatory authority and community service provider. This may involve assessing and processing application forms, managing complaints, or responding to general enquiries.
- Managing related business operations, such as recruitment activities and human resources administration.

Council may also use or disclose personal information with the individual's express consent, or where authorised or required by Australian law. This can include disclosures to courts or tribunals, such as matters referred to the Queensland Civil and Administrative Tribunal or the Crime and Corruption Commission.

3.4 DISCLOSURE OUTSIDE AUSTRALIA

Council will generally only disclose personal information overseas when it is necessary to manage a complaint or application in accordance with our statutory functions and obligations—for example, where the complainant or applicant is located overseas.

When you interact with Council through social media platforms, the platform provider and its partners may collect and store your personal information on servers located outside Australia. Council also uses Survey Monkey from time to time to conduct voluntary surveys, which may involve the collection and secure overseas storage of participants' personal information.

Where Council discloses personal information overseas, this will typically occur with the individual's agreement, where authorised or required by law, or otherwise in a manner consistent with our obligations under the IP Act.

3.5 DEALING WITH COUNCIL ANONYMOUSLY AND PSEUDONYMOUSLY

Enquiries can be made to Council on our website anonymously or pseudonymously. Anonymous or pseudonymous interactions are not possible for certain Council functions, such as applying for an internal review of a Council decision, lodging a privacy complaint, or dealing with specific regulatory matters. In these situations, we are required to collect information such as your name, contact details, and details of the issue so that we can manage the matter effectively and meet our statutory obligations.

Complaints to Council may be made anonymously or under a pseudonym; however, depending on the nature of the complaint, Council may be unable to act or provide a response without knowing the complainant's identity.

3.6 SECURITY OF PERSONAL INFORMATION

Council securely stores personal information and takes reasonable steps to protect it from misuse, interference, loss, and unauthorised access, modification, or disclosure. Security measures are

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in place to ensure personal information is safeguarded and accessed only by authorised Council employees.

Where permitted under the Public Records Act 2023 (Qld), Council will take reasonable steps to destroy or de-identify unsolicited personal information, or personal information that is no longer required for its functions, in line with the QPPs and where lawful.

3.7 ACCESS AND CORRECTION OF PERSONAL INFORMATION

Rights to access and correct personal information are provided under the *Right to Information Act 2009 (Qld)*. Individuals may apply directly to Council to access or amend their own personal information.

3.8 PRIVACY COMPLAINTS

If a member of the public is not satisfied with the manner in which Council has dealt with their personal information or handled their request for access / amendment to their personal information under the *Information Privacy Act 2009*, they may lodge a privacy complaint.

To make a privacy complaint about Council, the complaint must be made to Council in writing (where possible) and include:

- (a) an address for Council to respond (for example, an email address).
- (b) details about the matter or issues being complained about (what did Council do or not do with your personal information that you believe breached the *Queensland Privacy Principles* and the *Information Privacy Act 2009*); and
- (c) evidence of authority, if relevant.

The complaint must be made to Council within twelve (12) months of becoming aware of the act or practice believed to constitute a breach of the *Information Privacy Act 2009*. The contact address for privacy complaints is:

Email: admin@quilpie.qld.gov.au

Post: Quilpie Shire Council

PO Box 57

QUILPIE QLD 4480

Council has forty-five (45) business days to respond to the privacy complaint. If this does not occur or a complainant remains dissatisfied, they can escalate their complaint to the Office of the Information Commissioner:

Email: complaints@oic.qld.gov.au

Post: Office of the Information Commission

PO Box 10142 Adelaide Street

BRISBANE QLD 4001

4 DEFINITIONS

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<u>Access</u>	Access means providing an individual with personal information about himself or herself that is held by the Council. This may include allowing that individual to inspect personal information or to obtain a copy of the personal information.
<u>Collection</u>	Gathering, acquiring or obtaining personal information from any source and by any means, including information that the Council has come across by accident or has not asked for.
<u>CEO</u>	Chief Executive Officer of the Council.
<u>Council</u>	Quilpie Shire Council.
<u>Council Officer</u>	A permanent, temporary or casual employee or contractor engaged by Council.
<u>Personal Information</u>	<p>Information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.</p> <p>(a) whether the information or opinion is true or not; and</p> <p>(b) whether the information or opinion is recorded in a material form or not</p>
<u>Disclosure</u>	<p>means where an entity (first entity) discloses personal information to another entity (second entity) if:</p> <p>(a) the second entity does not know the personal information, and is not in a position to be able to find it out; and</p> <p>(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</p> <p>(c) the first entity ceases to have control over the second entity in relation to who will know the personal information in the future</p>
<u>Sensitive Information</u>	<p>means the following:</p> <p>(a) information or an opinion about an individual's:</p> <ul style="list-style-type: none">(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

5 HUMAN RIGHTS COMPATIBILITY STATEMENT

This Policy has been assessed as compatible with the Human Rights protected under the *Human Rights Act 2019*.

6 RELATED POLICIES | LEGISLATION | OTHER DOCUMENTS

Information Privacy Act 2009 (Qld)
Right to Information Act 2009 (Qld)
Public Records Act 2023

IX #	Details

7 VERSION CONTROL

V1	12-Jan-16	Developed and adopted
V2	10-Jun-16	Reviewed and adopted
V3	13-Apr-18	Reviewed – no changes
V4	11-Sep-20	Reviewed and adopted
V5	11-Jun-24	Reviewed and adopted

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