



Queensland  
Parliamentary  
Service

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# Policy

## *Privacy Policy*

*July 2025*

**Public**



## Document details

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## Document Version and Change Log

Version	Date	Prepared / Modified by	Changes	Approved by
1.0	February 2021	Rebecca Meehan / Amanda Beem	Revised policy	Neil Laurie
2.0	June 2025	Rebecca Meehan	Revised policy to incorporate the <i>Information Privacy and Other Legislation Amendment Act 2023</i> .	

## Contact for enquiries and proposed changes

All enquiries regarding this document should be directed in the first instance to:  
Rebecca Meehan

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*Privacy Policy*

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## Acknowledgement

This document includes material from the following sources:

Office of the Information Commissioner Queensland: Privacy and MPs acting in behalf of constituents

<https://www.oic.qld.gov.au/guidelines/for-government/guidelines-privacy-principles/applying-the-privacy-principles/privacy-and-mps-acting-on-behalf-of-constituents>

Queensland Government Department of Premier and Cabinet: Privacy of Personal Information Guide

<https://www.premiers.qld.gov.au/publications/categories/guides/dpc-privacy-plan.aspx>



## Information Security

The document has been classified using the Queensland Parliamentary Service Information Security Classification (PSISC) as PUBLIC and will be managed according to the requirements of the PSISC.

## Purpose

This policy ensures that the Parliamentary Service complies with its obligations under the *Information Privacy Act 2009* (the Act).

## Authority

The Speaker is authorised to make and determine policies for the Parliamentary Service under section 6 of the *Parliamentary Service Act 1988*. Section 8 of the *Parliamentary Service Act 1988* delegates this authority from the Speaker to the Clerk of the Parliament. This policy is therefore made under the authority of the Clerk of the Parliament.

## Responsibility

The Clerk of the Parliament holds overall responsibility for privacy in the Parliamentary Service. However, the responsibility for day-to-day management has been delegated to the Parliamentary Service Privacy Officer (Privacy Officer).

The Privacy Officer is the first point of contact for members of the public and officers and employees on privacy matters, including:

- privacy complaints
- requests to amend records, and
- general information and advice on privacy in the Parliamentary Service.

The Privacy Officer is located in the Deputy Clerk's Office and can be contacted at [privacy@parliament.qld.gov.au](mailto:privacy@parliament.qld.gov.au) or 3553 6620.

The Privacy Officer is responsible for reporting privacy matters to the Clerk of the Parliament and for preparing relevant statistical reports for senior management and for inclusion in the Parliamentary Service's annual report.

## Policy statement

The Parliamentary Service is committed to protecting the privacy of personal information by complying with the obligations outlined in the Act, including the Queensland Privacy Principles (QPPs).

## Application of policy

The Act provides a framework for the fair collection and handling of personal information in the public sector in accordance with the QPPs.

The QPPs within the Act only apply to Queensland Government agencies. The Act does not cover actions by individuals, private sector organisations or the community sector.



In accordance with the Act, this policy applies to:

- Parliamentary Service employees
- contractors and consultants to the Parliamentary Service, and
- electorate office staff (when acting as Parliamentary Service employees).

This policy does not apply to:

- the Legislative Assembly
- Members of Parliament and their electoral office staff (when acting on behalf of the Member, such as contacting constituents)
- statutory and portfolio Parliamentary Committees<sup>1</sup>
- parliamentary proceedings that are kept by the Parliamentary Service.

### Members of Parliament and their electorate office staff

As set out in the Act, this policy does not apply to Members of Parliament or to electorate office staff when they are acting on behalf of Members. However, when acting as Parliamentary Service employees, electorate office staff are subject to the Act and this policy.

The majority of work undertaken by electorate office staff is on behalf of Members. Examples of an electorate officer acting on behalf of a Member include: managing constituent correspondence, undertaking research for the Member and providing the Member with travel information. Examples of an electorate officer acting as a Parliamentary Service employee include: maintaining human resource records on electorate office staff, making facilities requests and reporting health and safety incidents to Work Place Health and Safety.

Members of Parliament should be aware that while they are not subject to the legal obligations in the Act, some of the agencies they deal with on behalf of their constituents may be. Therefore, before advocating on behalf of a constituent where there is the potential of disclosure of their personal information, a Member should seek express agreement from the constituent wherever possible. Implied agreement can also satisfy the requirements of the Act. Therefore, if a Member is asked to undertake specific advocacy on behalf of a constituent, it may be implied that the Member has agreement from the constituent to disclose their personal information in order to achieve this.

Notwithstanding that the Act does not apply to Members, they are encouraged to subscribe to this policy in their electorate offices to ensure privacy best practice.

Further, and in addition to this policy, how Members deal with private information may be governed by the Standing Rules and Orders and in accordance with the principle of parliamentary privilege. Parliamentary privilege provides, amongst other things, that the Legislative Assembly has the right to control its own proceedings, and the manner in which it keeps its records.

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<sup>1</sup> Where a Parliamentary Service employee is working on behalf of a committee, their actions are not subject to the privacy policy in the same way as Electorate office staff are not subject to the policy when they are working on behalf of their member of Parliament. For more information, see directly below 'Members of Parliament and their electorate office staff'.



## Personal Information

### What is personal information?

The Act states that ‘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 material form or not.

A person’s name, address, date of birth, phone number, medical details and financial details are all examples of personal information.

Personal information may be contained in:

- paper records
- electronic records
- digital recordings
- digital images
- photographs.

Personal information can also be classified as ‘sensitive information’. Sensitive information is personal information about an individual’s race or ethnicity; political opinions, memberships or associations; religious beliefs or affiliations; philosophical beliefs; membership of a professional or trade association; membership of a trade union; sexual orientation or practices; or criminal record. Sensitive information also includes a person’s health, genetic and biometric information.

Under the QPPs there are sometimes differences between how sensitive information and personal information should be handled. Therefore, it is important to consider whether any personal information collected could also be classified as sensitive information.

### Personal information that is not subject to the privacy principles

Personal information that is already contained in a publicly available publication, such as magazine, books, newspapers, newsletters, annual reports and the Queensland Government Gazette is not subject to the QPPs

Although personal information about a deceased person is not technically considered to be personal information, Parliamentary Service staff are encouraged to respect sensitivities of family members when using this information.

### Personal information collected and held by the Parliamentary Service

There are several classes of personal information collected and held by the Parliamentary Service for varying reasons. This information is treated as confidential in nature and is accessed by Parliamentary officers and employees on a need-to-know basis, relevant to their roles and functions.

These include:

- **personnel records**, including information relating to next of kin, payroll, recruitment, workplace accidents/injuries, disciplinary action etc.
- **Parliamentary Service employee contact lists**, such as names and mobile phone numbers for mass communication where immediate contact with all staff is required.
- **supplier and client contact lists**



- **mailing and subscriber lists** held among various service areas (eg by Catering Services to inform subscribers about upcoming catering events)
- **financial management information** related to both Members' and former Members' entitlements, as well as service providers' and contractors' financial details
- **competition information**, such as names and contact details of entrant
- **visitor information**, information contained on the SINE Visitor and Contractor Management System, including names, photographs, phone numbers, email addresses, who the person is visiting and what company they may be associated with.
- **website visitor information**, for example visitor's server address and type of browser being used – note the website does not store personal information cookies.

It should also be noted that depending on the circumstances some personal information held by the Parliamentary Service may be subject to parliamentary privilege.

## Queensland Privacy Principles

There are 13 QPPs contained in the Act. The QPPs specify how personal information is to be considered, collected, used, disclosed, secured, accessed and corrected.

### Consideration of personal information privacy

QPP1: Open and transparent management of personal information

- The Parliamentary Service is required to have appropriate practices, systems and procedures in place to manage personal information in an open and transparent way.
- The privacy policy must be publicly available (ie. on the Queensland Parliament website) and free of charge to access.

QPP2: Anonymity and pseudonymity

- The Parliamentary Service is required to give individuals the option of not identifying themselves (such as using a pseudonym or remaining anonymous) unless it is:
  - required or authorised by law, or
  - impracticable.

### Collection of personal information

QPP3: Collection of solicited personal information

- The Parliamentary Service can only collect personal information that is reasonably necessary, or directly related to a function or activity of the Parliamentary Service. It must be collected lawfully and fairly and be collected from the individual themselves unless one of the following exemptions apply:
  - the individual consents to it being collected from someone else
  - it is required or authorised by law, or
  - it is unreasonable or impracticable to collect it directly from the individual.
- An additional requirement for sensitive information under this QPP is that an individual must consent to the collection of personal information.



- Note that this QPP only applies to solicited information, ie. information that the Parliamentary Service has requested from an individual.

#### QPP4: Dealing with unsolicited personal information

- Should the Parliamentary Service receive personal information that it did not solicit, it must assess whether that information is of the kind that the Parliamentary Service could have lawfully collected under QPP3.
- If the personal information is not of the kind that could have been collected under QPP3, the Parliamentary Service may need to destroy the information, or ensure that it is de-identified.

#### QPP5: Notification of the collection of personal information

- The Parliamentary Service must take reasonable steps to inform a person of several matters at the time of collection of personal information, or in a reasonable amount of time after it has been collected.
- These matters include:
  - identifying the Parliamentary Service as the agency collecting the personal information, and providing contact details
  - if the personal information is collected from someone other than the individual, or the individual may not be aware that it has been collected—the fact and circumstances of the collection
  - if the collection of their personal information is required by law;
  - the purposes of collecting the personal information;
  - the consequences (if any) for the individual if their personal information is not collected;
  - any other agencies that the Parliamentary Service may disclose the information to;
  - information about the Parliamentary Services privacy policy, including how a person can access and amend their personal information; and
  - whether the Parliamentary Service is likely to disclose the personal information to entities outside of Australia, and if so, the countries where these entities are located.

### Dealing with personal information

#### QPP6: Use or disclosure of personal information

- The Parliamentary Service must only use personal information for the particular purpose that the information was collected. There are some exceptions that apply.<sup>2</sup>

#### QPP7: Direct marketing

- Note that the QPPs are based on the Australian Privacy Principles (APPs) in the *Privacy Act 1988* (Cwlth).
- There is no equivalent to APP7 in the Act.<sup>3</sup>

#### QPP8: Cross-border disclosure of personal information.

- There is no equivalent to APP8 in the Act.

#### QPP9: Adoption, use or disclosure of government related identifiers.

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<sup>2</sup> *Information Privacy Act 2009* (Qld), Sch 3, QPP 6.1, 6.2.

<sup>3</sup> The QPPs without equivalent APPs remain in the Act so the numbering of the QPPs corresponds with the equivalent APPs.



- There is no equivalent to APP9 in the Act.

### Integrity of personal information

#### QPP10: Quality of personal information

- The Parliamentary Service must take reasonable steps to ensure the personal information it collects, uses and discloses is accurate, up to date and complete.
- Any use or disclosure of personal information must be relevant to the purpose of the use or disclosure.

#### QPP 11: Security of personal information

- The Parliamentary Service must take reasonable steps to protect the personal information it has collected from misuse, interference, loss and unauthorised access, modification or disclosure.
- When the Parliamentary Service holds personal information that is no longer needed for the specified purpose, it must take reasonable steps to either destroy or de-identify the information as long as the information is not a public record required to be retained under law.

### Access to, and correction of, personal information

#### QPP 12: Access to personal information

- If a person makes a request to access their personal information held by the Parliamentary Service, that person must be given access to their personal information.
- Some exceptions do apply, including if the Parliamentary Service is authorised to refuse access under law.

#### QPP 13: Correction of personal information

- If the Parliamentary Service becomes aware that the personal information it holds is inaccurate, out of date, incomplete, irrelevant or misleading, or if a person requests their personal information be corrected, the Parliamentary Service must take reasonable steps to correct that information.
- In circumstances where the Parliamentary Service refuses to correct personal information as requested, the individual may request that a statement noting the information is incorrect is to be made, and that statement is to be used in a way that is apparent to all users of the personal information.

## Documents exempt from QPPs

There are types of documents which are exempt from the application of the QPPs. The exhaustive list is contained in Schedule 1 of the Act. Exempt documents relevant to the Parliamentary Service's functions are summarised below.

### Disciplinary actions or misconduct

A document to the extent it contains personal information arising out of:

- a complaint under the *Police Service Administration Act 1990*, part 7; or
- a complaint, or an investigation of corruption, under the *Crime and Corruption Act 2001*.

### Public Interest Disclosure

A document to the extent it contains personal information:





- contained in a public interest disclosure under the *Public Interest Disclosure Act 2010*; or
- that has been collected in an investigation arising out of a public interest disclosure under the *Public Interest Disclosure Act 2010*.

### Cabinet and Executive Council

A document to the extent it contains personal information that is also subject to the *Right to Information Act 2009*, schedule 3, sections 1, 2 or 3.

### Commissions of Inquiry

A document to the extent it contains personal information arising out of a commission of inquiry.

### Generally available publications, archives and posted articles

A document that is:

- a generally available publication
- kept in a library, art gallery or museum for the purposes of reference, study or exhibition
- a public record in the custody of Queensland State Archives that is not in a restricted access period under that Act, or
- a letter, or anything else, while it is being transmitted by post.

## Data breaches involving personal information

The Act obligates the Parliamentary Service to take certain steps when there is an event known as an 'eligible data breach'.<sup>4</sup> An eligible data breach can occur in two situations:

- when there has been either unauthorised access to, or disclosure of personal information, and that unauthorised access or disclosure is likely to result in serious harm to an individual to whom the personal information relates; or
- when personal information has been lost in circumstances where unauthorised access or disclosure of the personal information is likely to occur, and that unauthorised access or disclosure would likely result in serious harm to an individual whom the personal information relates.

The way in which the Parliamentary Service handles eligible data breaches is contained in the Data Breach Policy.

## Access and amendment procedures

Should a person wish to access or amend any of their personal information that is held by the Parliamentary Service, they should contact the Privacy Officer ([Privacy@parliament.qld.gov.au](mailto:Privacy@parliament.qld.gov.au)). The Privacy Officer will assess and facilitate this request as appropriate and subject to the obligations under the Act, and with respect to parliamentary privilege.

Parliamentary Service employees can access and amend their personal information relating to personnel records by contacting Payroll Services ([payroll@parliament.qld.gov.au](mailto:payroll@parliament.qld.gov.au)). Employees can also amend some of their own personal information through the Aurion Employee Self Service portal.

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<sup>4</sup> See Chapter 3A of the Act.



## Complaints procedures

If you believe that your personal information has not been dealt with in accordance with the obligations under the Act, you may make a complaint in writing to the Parliamentary Service. This complaint must be made within 12 months from the date you first became aware of the act that is the subject of the complaint and provide sufficient particulars.

Complaints should be forwarded to: [privacy@parliament.qld.gov.au](mailto:privacy@parliament.qld.gov.au).

Complaints will be processed within 45 business days, or within a longer period mutually agreed with the complainant. The complainant will be advised in writing of the decision including any remedies that are considered appropriate in resolution of the matter.

If the complainant does not receive a decision within the specified timeframes, or is not satisfied with the decision, the applicant may make a complaint to the Information Commissioner: [enquiries@oic.qld.gov.au](mailto:enquiries@oic.qld.gov.au).

In the first instance, the Information Commissioner will attempt to resolve the complaint through mediation. Should a resolution not be forthcoming, the complainant can write to the Information Commissioner requesting that the complaint be referred to the Queensland Civil and Administrative Tribunal (QCAT). Once the request is received, the Information Commissioner must refer the complaint to QCAT within 20 business days.

If the complaint, or part thereof is proven, QCAT may make orders including restraining the Parliamentary Service from repeating any act or practice, ordering the Parliamentary Service to carry out certain acts or award compensation to the complainant.

