



Privacy plan

Introduction

This Information Privacy Plan details how the Office of the Independent Assessor (OIA) manages personal information in accordance with the [Information Privacy Act 2009](#) (IP Act) and our policies and procedures.

The OIA is committed to protecting user privacy by complying with the 13 Privacy Principles as contained in the IP Act including the 11 Information Privacy Principles (IPP)¹, subject to information which is exempt personal information pursuant to schedules 1 and 2 of the IP Act.

What is personal information

Examples of personal information include an individual's name and address, date of birth, contact details, and physical characteristics or attributes. Personal information is collected and stored on a wide range of sources including paper, electronic databases, photographic and video image, audio recording and digital formats.

Personal information as defined in the IP Act, however, does not apply to information in documents that is in publications that are generally available.

Security of information

The OIA will comply with the IPPs in relation to the collection, storage, use, disclosure and transfer overseas of personal information and when contracting out OIA's services or functions. We will only collect information if it is necessary for us to provide a service to you or maintain our relationship with you.

Any information we collect will, in the main, not be used or disclosed other than for the purpose for which it was collected. Secondary use is permitted in certain circumstances under exemption in IPP10.

Privacy and law enforcement agencies

The definition of 'law enforcement agency' is provided in Schedule 5 of the IP Act and includes the OIA.

The OIA does not have to comply with the following Information Privacy Principles in specific circumstances:

- IPP2: provide a collection notice
- IPP3: only collect relevant, complete and up to date personal information
- IPP9: only use relevant personal information
- IPP10: only use personal information for the purpose for which it was collected, unless an exemption applies
- IPP11: do not disclose personal information to anyone but the individual it is about, unless an exception applies.

¹ Note also the obligations concerning contracted service providers in Chapter 2, Part 4 of the IP Act and the overseas transfer obligation in s33 of the IP Act; in addition to the 11 Information Privacy Principles.



The OIA must satisfy itself on reasonable grounds that non-compliance is necessary in order to achieve or carry out the enforcement function. It is a decision that must be made every time the OIA considers not complying with the IPPs.

However, this qualified exemption does not extend to the OIA's administrative functions, including corporate services, governance, finance and administration, and facilities management.

Exempt personal information

A person has a right under Chapter 3 of both the IP Act and the [Right to Information Act 2009](#) (RTI Act) to access documents in the 'control or possession' of OIA and that includes documents sourced from an external Queensland State Government agency.

The IPPs do not apply to the following types of documents containing personal information:

Covert activity

Personal information about an individual arising out of a controlled operation or controlled activity under the [Police Powers and Responsibilities Act 2000](#) or the [Crime and Corruption Act 2001](#); or arising out of, or in connection with, the covert undertaking of an operation, investigation or function of a law enforcement agency; or obtained under a warrant issued under the [Telecommunications \(Interception and Access\) Act 1979](#).

Disciplinary actions and misconduct

Personal information about an individual arising out of a complaint under the Crime and Corruption Act 2001.

Public Interest Disclosure

Personal information about an individual that is contained in a public interest disclosure under the [Public Interest Disclosure Act 2010](#); or personal information 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 the subject of the [Right to Information Act 2009](#), schedule 3, section 1, 2 or 3.

Public Records

A document that is a public record under the [Public Records Act 2002](#) in the custody of the Queensland State Archives that is not in a restricted access period under that Act.

How we treat emails

As a government agency, any official email correspondence sent to any email addresses on our website will be treated as a public record. It will be retained as required by the Public Records Act 2002 and other relevant regulations.

Our staff will monitor email messages however, your name and address details will not be added to a mailing list, nor will we disclose these details to a third party without your consent unless required by law to do so.





Transfer of correspondence between Queensland Government agencies

It is the OIA's usual practice to transfer correspondence containing personal information to another agency if the subject matter of the correspondence falls within the portfolio responsibility of that other agency.

In this situation, the OIA will ensure that you are notified as soon as practicable, and the correspondence is redirected to the appropriate agency to deal with the subject matter.

Web server log files

When you access our website, our web server makes a record of your visit and logs the following information for statistical purposes only such as:

- the type of browser you are using
- your traffic patterns through our site including:
 - the date and time of your visits to the site
 - the pages you accessed and documents downloaded
 - the referring page
- your IP address accessing our site.

No attempt is or will be made to identify users or their browsing activities except in the event of an investigation. In that event, it is possible that a law enforcement agency may exercise a warrant to inspect activity logs.

Website

If you have any queries about your dealings with this website, please [contact the OIA](#).

Access and amendment

You can apply to access or amend your personal information held by the OIA. Before submitting an access application under the RTI Act or IP Act, you should check to see if the information is already available by other means.

The OIA [publication scheme](#) has information that is routinely made available.

Some of the OIA's information may be released administratively. You can access this information without having to lodge a formal application.

Administrative access may be used for:

- certain types of non-personal information that is not sensitive or confidential, or
- an individual's own information.

You can apply to amend personal information held by the OIA if you believe it is inaccurate, misleading, out of date or incomplete by using the approved [Information Privacy Personal Information Amendment Application](#) form. Send to:

Right to Information and Privacy unit
Department of Housing, Local Government, Planning and Public Works (for the OIA)
GPO Box 2457
Brisbane Qld 4001
Email: rti-privacy@chde.qld.gov.au





Privacy information complaints

if you believe the OIA has not dealt with your personal information in accordance with the IPPs, you may make a privacy complaint by [contacting the OIA](#).

A privacy complaint must be in writing, provide a contact address and give details of the act or practice complained of.

The OIA will follow the [four-step procedure](#) on how to respond to a privacy breach as recommended by the Office of the Information Commissioner.

Document control

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