



Privacy policy

Objective

The purpose of this policy is to outline the responsibilities of the Office of the Independent Assessor (OIA) under the [Information Privacy Act 2009](#). It is to be read in conjunction with the OIA privacy plan.

Relevant legislation

Information Privacy Act 2009

Application

This policy applies to all personal information collection, storage, use, disclosure and transfer overseas of personal and OIA information and when contracting out OIA's services or functions.

Definitions

IP Act - Information Privacy Act 2009

IPPs - Information Privacy Principles

Personal information - has the meaning given to it in section 12 of the IP Act, i.e. 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 be reasonably ascertained, from the information or opinion.

Policy statement

The OIA is committed to complying with the objects of the IP Act to provide for:

- the fair collection and handling of personal information, and
- the right of access to, and the amendment of, personal information in the OIA's possession, unless, on balance, it is contrary to the public interest to release information.

Fair collection and handling of personal information

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.

Agencies, including the OIA, are required to comply with the IPPs except where the legislation provides otherwise. Some of the exceptions applicable to the OIA are set out below:

- arising out of, or in connection with, the covert undertaking of an operation, investigation or function of a law enforcement agency
- arising out of a complaint, or an investigation of corruption, under the Crime and Corruption Act
- contained in a public interest disclosure or collected in an investigation arising out of a public interest disclosure under the Public Interest Disclosure Act 2010.

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, as a law enforcement agency, is not subject to IPPs 2, 3, 9, 10 and 11 if the Independent Assessor (IA) is satisfied on reasonable grounds that noncompliance is necessary for the performance of functions or activities directed to the prevention, detection, investigation, prosecution or punishment of offences, and other breaches of laws, for which penalties or sanctions may be imposed.

Amendment of personal information

The IA will consider applications under the IP Act for amendment of personal information in OIA documents where an applicant claims the information is inaccurate, incomplete, out of date or misleading.

Applicants should use the [Information Privacy Personal Information Amendment Application Form](#) and send it to the [Right to Information Team](#).

Reference documents

OIA right to information and review
Right to information and information privacy access application

Document control

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