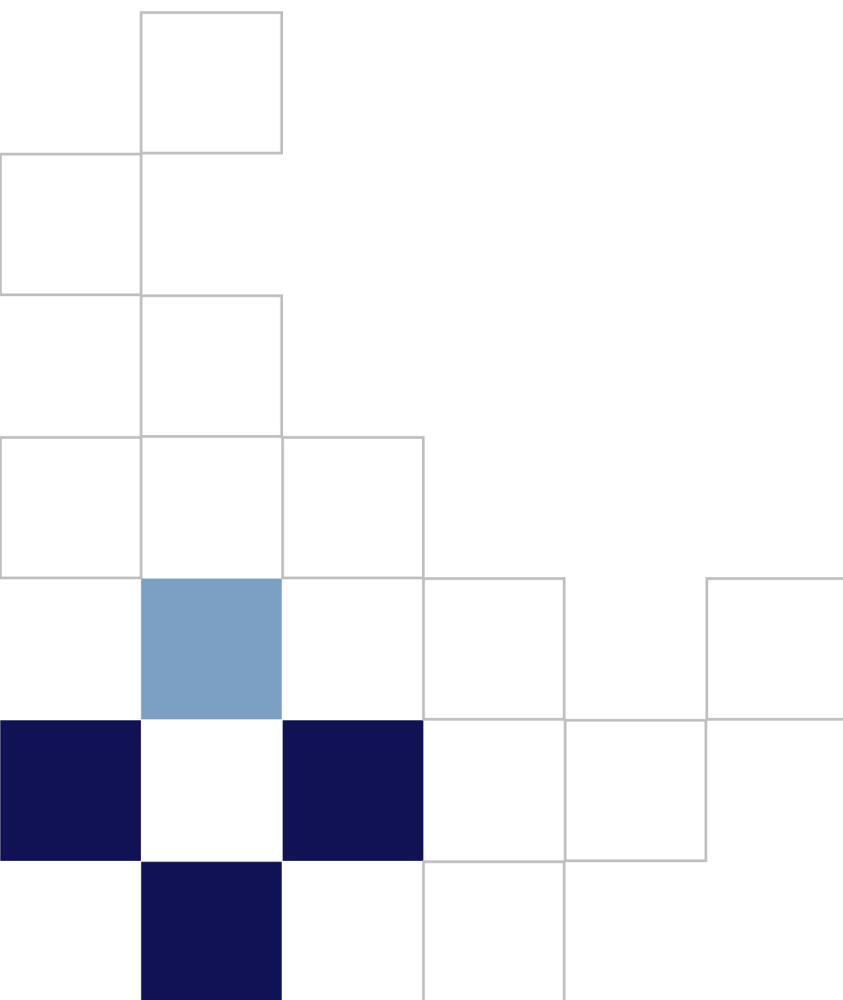


Queensland Police Service

QPP Privacy Policy



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Contents

Creative Commons.....	2
1. Introduction	5
2. Purpose and scope.....	5
3. Privacy and law enforcement agencies	5
4. Collection of personal information	6
5. Use and disclosure of personal information.....	7
6. Access and correction of personal information.....	7
7. Disclosure out of Australia	7
8. Dealing with QPS anonymously or using a pseudonym.....	7
9. Security of personal information	8
10. Privacy complaints about the QPS.....	8
Appendix A – Classes of records and types of personal information collected by the QPS	10
Appendix B – Exempt personal information.....	16

1. Introduction

The Queensland Police Service (QPS) is committed to protecting your privacy and handling personal information responsibly and transparently when we conduct business and deliver services to the Queensland community.

The QPS manages personal information in accordance with legislation including, the *Police Service Administration Act 1990* (PSA Act), *Public Sector Act 2022*, *Public Sector Regulation 2023*, and the *Information Privacy Act 2009* (IP Act). Accountability requirements under these legislative provisions and the *Crime and Corruption Act 2001* apply to any alleged contravention of authorised procedures.

The object of the IP Act is to provide for the fair collection and handling of personal information in the Queensland public sector.

Schedule 3 of the IP Act contains the Queensland Privacy Principles (QPP) which are a set of rules that regulate how Queensland government agencies, including the QPS handle personal information. These principles ensure that personal information is collected, stored, used and disclosed responsibly. QPP 1 includes a requirement that every government agency develop and publish a QPP Privacy Policy.

2. Purpose and scope

The QPS QPP Privacy Policy explains how the QPS manages personal information, including:

- (a) the kinds of personal information the QPS collects and holds, how the information is collected and held, and the purposes for which personal information is collected, held and disclosed by the QPS, and;
- (b) how complaints may be made about how the QPS handles personal information and how the QPS will deal with the complaint.

This Policy applies to all QPS members, as defined by the PSA Act and to the personal information the QPS collects, stores, manages, uses and discloses in most of the functions set out in s2.3 of the PSA Act. These functions include community safety, road safety, justice services, the investigation of offences, the detection of offenders and the gathering of intelligence information. QPS also collects personal information required to perform administrative functions including recruitment, management and human resources functions, community feedback and complaint management.

Not all functions are subject to the obligations imposed by the QPPs due to certain exemptions and allowable exceptions set out in the IP Act. For example, when the QPS exercises functions associated with law enforcement, and it is reasonably necessary, certain and allowable exceptions to the QPPs apply.

3. Privacy and law enforcement agencies

The term **law enforcement agency** is defined in the IP Act and includes the QPS. The IP Act recognises that QPS collection, use and disclosure of personal information for investigations and enforcement purposes may not be compatible with the QPPs in all circumstances. For example, it would defeat the purpose of covert surveillance if the QPS were to inform an individual that their personal information is being collected.

Section 29 of the IP Act provides the QPS with an allowable exception to certain QPPs if the QPS is satisfied on reasonable grounds that noncompliance with the QPP is necessary for the performance

of activities related to the enforcement of laws. Allowable exceptions may apply to the following QPPs:

- QPP 3.6: collection of personal information only from the individual
- QPP 5: notification of the collection of personal information
- QPP 6: use or disclosure of personal information
- QPP 10.1: collection of personal information which is accurate, up to date and complete

4. Collection of personal information

Section 12 of the IP Act defines **personal information** as:

‘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.’

The QPS collects personal information required to exercise our statutory functions and meet our legal obligations. The kinds of personal information collected by the QPS include a person’s name, address, phone number, date of birth, gender and physical characteristics including height, birthmarks, tattoos, body samples and biometric data.

The QPS may collect this personal information in writing, by recording information provided verbally and by the use of Body Worn Camera (BWC). Personal information can be stored in a variety of media such as paper, electronic databases, photographic and video images, audiotape and digital formats.

Due to the nature of the functions carried out by the QPS it may be necessary to collect personal information which includes **sensitive information** defined in the IP Act as:

- (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.

Sensitive information may be collected by the QPS when we reasonably believe that the information is reasonably necessary for, or directly related to a QPS function or activity.

The personal information (including sensitive personal information) collected by the QPS contains personal identifiers including name, date of birth, address, gender, telephone numbers, employment records, education details, and passport, motor vehicle registration and driver's licence details. The classes of records and kinds of personal information collected by the QPS are listed in **Appendix A**.

5. Use and disclosure of personal information

QPS uses and discloses personal information for the purposes for which it was collected, including:

- (i) duties and activities associated with QPS' law enforcement functions including community safety, road safety, justice services, the investigation of offences, the detection of offenders, and gathering intelligence information; and,
- (ii) managing associated administrative processes including recruitment and human resources administration and staff management functions.

QPS may also use or disclose personal information for secondary or alternative purposes as permitted under the IP Act. This may include where we are authorised or required under Australian law, where the person to whom the information relates has consented or where it would be reasonably expected that the information would be used or disclosed for a related – or in the case of sensitive information, directly related – secondary purpose. The QPS is exempt from the limitations on use and disclosure of personal information when it is reasonably necessary, in order to conduct law enforcement activities effectively.

6. Access and correction of personal information

Access and correction rights are contained in the *Right to Information Act 2009*. QPS members or members of the public may make an application to seek access to personal information held about them by the QPS. Some types of personal information may be available through Administrative Access schemes. More information about accessing information held by the QPS, including the Disclosure Log and Publication Scheme is available on the QPS [Right to Information and Subpoena](#) website.

7. Disclosure out of Australia

The QPS would generally only disclose personal information overseas when necessary, in accordance with QPS functions and pursuant to the provisions of the IP Act.

However, when you communicate with us through social media platform such as YouTube the social media provider and its partners may collect and hold your personal information overseas. The QPS may use Survey Monkey to conduct voluntary surveys from time to time, which may involve the collection and disclosure of participants' personal information overseas. Where we disclose 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.

8. Dealing with QPS anonymously or using a pseudonym

Pursuant to QPP 2 you have the option of remaining anonymous or using a pseudonym when dealing with the QPS, unless:

- the QPS is required or authorised by, or under an Australian law or a court/tribunal order, to deal with individuals who have identified themselves; or
- it is impracticable for the QPS to deal with you if you do not identify yourself.

In prescribed circumstances provisions of the *Police Powers and Responsibilities Act 2000* authorise police officers to require individuals to state their name and address.

- The following options are available to report crime to the QPS: If a crime is happening or someone is in immediate danger call police on Triple Zero (000).
- Crime reports can be made online via the [QPS' website](#).
- If you wish to report a crime anonymously contact Crime Stoppers on 1800 333 000.

9. Security of personal information

The QPS holds personal information securely and takes reasonable steps to protect it from misuse, interference, loss, unauthorised access, modification or disclosure. QPS complies with relevant Queensland government Information Standards and security protocols to protect personal information and ensure it can be accessed by authorised staff members only.

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

10. Privacy complaints about the QPS

If you believe that QPS has not handled your personal information in accordance with the IP Act, you can make a privacy complaint. Making a privacy complaint will help us resolve your grievance and understand where we can improve our management of your personal information. Please note your complaint may involve aspects of misconduct or breach of discipline. We may need to investigate these other aspects which may require additional time as those investigations may result in disciplinary or criminal processes.

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 another legal authority to act for them.

To make a privacy complaint about QPS you must make your complaint to the QPS 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 the QPS do or not do with your personal information that you believe breached the QPPs and the IP Act).

You must make your privacy complaint and provide it to us in writing (by either of the ways below) within 12 months of becoming aware of the act or practice you think constitutes a breach by QPS 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 they are a minor child, and you are their parent).

10.1 Making a privacy complaint to the QPS

The following options are available to make a privacy complaint to the QPS:

Online: QPS [Feedback form](#)

Post: Queensland Police Service
Attention: State Coordinator, Complaint Management

GPO Box 1440
BRISBANE QLD 4001

10.2 Timeframe for handling a privacy complaint

The QPS has 45 business days from the date of receipt to resolve a privacy complaint. We take your complaints seriously so please be patient while we investigate all aspects of your complaint.

If you are not satisfied with the outcome you can refer your privacy complaint to the Office of the Information Commissioner as follows:

Email: administration@OIC.qld.gov.au

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

Appendix A – Classes of records and types of personal information collected by the QPS

Kinds of personal information, how and why we collect that personal information

Community policing records	These records document the development and implementation of strategies and initiatives which are primarily aimed at increasing community involvement in assisting police to reduce and prevent crime. The information contained in these records may include personal identifiers collected as a part of police liaison with the community through police beat shopfronts, policing in schools, etc.
Community Relations Records	These records document the QPS' engagement with the community, including public reaction to policies and services, letters of concern / complaints, including privacy complaints, congratulations / appreciation and requests for the use of police resources. The information contained in these records may include personal identifiers relevant to the purpose of the document or record.
Crime Prevention and Detection Records	These records document the function of prevention, detection and investigation of offences on minor and major / organised levels and assist in the effective and efficient performance of the functions of the QPS under the <i>Police Service Administration Act 1990</i> and associated information collected from, or provided to, various agencies. Subject to the individual authorisations and operational needs, a Queensland Police Service employee may access these documents. Certain information may be disclosed for law enforcement purposes to other state agencies or to Australian and/or foreign law enforcement organisations. This material may be used in criminal or civil proceedings.
Custody Records	These records document the placing and keeping persons in custody, including release, escapes or attempted escapes from custody. These records may contain personal identifiers collected by a police officer and operational support staff in compliance with the policing related purpose for which the record has been made. The information that is contained in custody records may be disclosed to government organisations, external agencies and to other law enforcement agencies.
Education, Training and Development Records	These records document the development and delivery of training and other activities, programs and events, designed to encourage QPS staff to develop their skills and abilities and increase their productivity. The records may contain personal identifiers of QPS staff who have undertaken training and development activities.
Emergency Response Records	These records document the QPS response to, and coordination and control of emergencies, disasters (including natural disasters), high risk incidents and major events within the state of Queensland. These records may contain personal identifiers of QPS staff and members of the public
Equal Employment Opportunity Records	These records document the function of establishing programs which will result in fair outcomes for all staff in relation to staff recruitment and development, including the management of

	grievances. These records may contain personal identifiers including sensitive information of QPS staff.
Equipment Records	These records document the function of acquiring, maintaining, repairing and disposing of QPS equipment. Registers detailing the allocation of personal protective equipment to police officers will contain personal identifiers.
Financial Management Records	These records are used to account for expenditure and revenue. The personal information in these records relates to creditors and debtors including external providers if they are identified personally. Access to this personal information is restricted to financial management staff across the QPS as well as to external auditors. This information is not normally disclosed to other persons or organisations.
Fleet Management Records	These records document the function of acquiring, managing, maintaining, repairing and disposing of QPS vehicles, including watercraft and aircraft. Vehicle logs will contain personal identifiers of QPS staff.
Forensic Examination Records	These records support the function of scientific/medical examination of physical evidence to assist in legal and/or criminal investigations, including the analyses of fingerprints, photographs, ballistics, document examinations, scenes of crime, etc. Subject to the individual authorisations and operational needs, a QPS employee may access these documents. Certain information may be disclosed for law enforcement purposes to other state agencies or to Australian and/or foreign law enforcement organisations. This material may be used in criminal or civil proceedings.
Government Relations Records	These records document the function of administering the relationship between the QPS and those processes of government not covered by other record types. These records include the QPS' relationship with Ministers and Members of Parliament and the political processes of Government; liaison with other government agencies on legislation and regulations enforcement; liaison with bodies carrying out investigations and participating in formal inquiries and investigations such as Royal Commissions, and inquiries by Parliamentary Committees, the Crime and Corruption Commission and the Ombudsman; relationships with other State, Commonwealth or overseas government and relationships with the Court system. These records may contain personal identifiers.
Health and Safety Records	These records document the implementation and co-ordination of occupational health and safety and associated legislation throughout the QPS, including the monitoring of safe work practices, procedures and preventative measures. These records also support the promotion of healthy work practices, employee health and fitness, rehabilitation and injury management, and the establishment of Health & Safety Committees to investigate and advise on health and safety issues in the workplace. Records such as WorkCover claims will contain personal identifiers and sensitive information of QPS staff.
Industrial Relations Records	These records document the function of establishing formal relations with QPS employees and their representatives to achieve a harmonious workplace, including negotiations conducted to obtain

	determinations, agreements or awards, industrial disputes settled within the organisation or by an external arbitrator and reports of the state of industrial relations within the organisation. These records may contain personal identifiers of QPS staff.
Information Access Records	These records document the function of coordinating and making the QPS' information available to approved individuals and groups. This includes applications for access to confidential information gathered on offenders and criminals, and amendments to information. The information contained in these records may include personal identifiers relevant to the purpose of the document or record. The sensitive details that are contained in these records may include information about employment records of QPS personnel, criminal convictions and criminal intelligence.
Information Technology and Telecommunications Records	These records document the development or acquisition, implementation and management of all types of technology and associated resources to capture, store, retrieve, process, transfer, communicate or disseminate information through the use of electronic information systems. This also includes the determination of requirements, preparation, issue and evaluation of a tender, completion of a tender contract and implementation of systems. Audit trail records will contain personal identifiers of QPS members.
Litigation Records	These records document the function of administering conflict between two or more parties (in which the QPS or the State of Qld is one of the parties), and which covers both civil and criminal jurisdictions. Records for court purposes are used to record arrest, search, seizure and extradition and to present evidence for prosecution. This material may be produced by order of a court or tribunal in non-criminal matters. Included in these records are administrative law documents, briefs of evidence, affidavits, warrants and family law documents and files. Personal identifiers including sensitive information will be contained in these records. Subject to individual authorisation and operational needs, a QPS member may access court records. Information may be disclosed to the Director of Public Prosecutions, members of the judiciary, members of tribunals and to legal practitioners and defendants.
Personnel Records	These records are used to maintain all employment activity including payroll, recruitment and associated administrative activity relating to all current and former employees, contract employees and applicants for positions within the QPS. Contents of personnel records include personal identifiers, sensitive information and information volunteered or collected as part of a person's employment history. Access to personnel records is restricted to managers and personnel management staff, selection committees (as appropriate), the individual to whom the record relates and, as appropriate, personnel specialists, investigators (in the case of misconduct), security officers, and to internal and external auditors. Information held in personnel records may be disclosed, as appropriate, to superannuation authorities, the Australian Taxation Office and a receiving agency following a transfer. QPS members can obtain information regarding access to their personnel records

	by contacting their Human Resources officer or representative (see HRMM 25.3).
Premises Records	These records document the function of managing working, storage, or living space within premises, and of acquiring, constructing, fitting-out, managing, maintaining, protecting and disposing of premises. Premises includes buildings and land allotments either owned, rented, leased or occupied by the organisation and its employees, such as office blocks, living quarters, police stations and police establishments. These records may contain personal identifiers of QPS staff.
Professional Responsibility Records	These records document the function of providing accountable, corruption-free policing services to the Queensland community, including the promotion and maintenance of high standards of integrity, conduct, discipline, professionalism and performance within QPS. These records will contain personal identifiers of QPS staff and members of the public.
Property Records	These records support the function of recording, maintaining and disposing of items which lawfully come into the possession of the police as a consequence of their duty, regardless of the means by which possession is gained. Property may be used in court cases or criminal prosecutions as evidence and/or as an exhibit, including found and unclaimed property, seized drugs, recovered stolen property, and property taken from prisoners whilst in custody to which they are lawfully entitled to upon release. Property records will contain personal identifiers.
Records Management Records	These records document the creation, capture, registration, classification, indexing, storage, retrieval and management of records to their ultimate disposal. This includes the design of recordkeeping systems, involvement in strategies to ensure the creation of records to satisfy recordkeeping requirements, setting recordkeeping policy and standards, auditing compliance with recordkeeping requirements, and the identification, creation and management of records of continuing value (archives). Recordkeeping system metadata (data about each record kept in the system) will contain personal identifiers of QPS staff, members of the public and staff of other agencies. The use of these systems is routinely monitored by internal and external control systems. Staff are routinely made aware of system usage rules and monitoring procedures concerning the collection and use of the information.
Recruitment and Selection Records	These records document the function of recruiting and selecting (staff members and police recruits) which includes applying for approval to fill existing vacancies, the advertising of vacant positions in the Qld Police & Qld Government Gazettes, and the handling of applications, interviews, selection, culling and appointment. These records will contain personal identifiers. Access to recruitment records is restricted to managers and personnel management staff, selection committees (as appropriate), the individual to whom the record relates and, as appropriate, personnel specialists, investigators (in the case of misconduct), security officers, and to internal and external auditors.

Road Safety Records	These records document the functions associated with targeting Queensland road users in an effort to promote increased road safety, thereby decreasing the incidence of road related accidents and trauma, including the investigation of vehicle incidents. Traffic incident records kept by the Queensland Police Service are linked to Queensland Transport and may be used to assist the judiciary in determining penalties for traffic infringements. Subject to individual authorisation and operational needs, a Queensland Police Service employee may access these documents. The information that is contained in traffic incident records may be disclosed to courts, relevant government bodies and individuals. The information on traffic incident records may be disclosed to insurance companies and involved individuals. Queensland traffic histories, licensing details and registration information are held on Queensland Transport information systems, and while the QPS for policing purposes may access these records, Queensland Transport remains the custodian of this information.
Strategic Management Records	These records document the function of corporate governance with the Queensland Police Service, including the formulation and amendment of legislation which provides the legislative basis for the organisation. These records may contain personal identifiers of QPS staff.
Information collected through QPS websites	<p>QPS' website www.police.qld.gov.au is hosted in Australia and QPS does not generally collect personal information about site visitors. QPS' web measurement tools and internet service providers record only anonymous information about site visitors for statistical purposes including:</p> <ul style="list-style-type: none"> • server and IP address • the name of the top level domain for example: .gov, .com, .edu, .au) • type of browser used • date and time the site was accessed • pages accessed and documents downloaded <p>QPS collects personal information through our website where it is provided by individuals using an online form (e.g. to provide feedback, lodge a complaint or make an enquiry).</p>
Social media	<p>QPS uses Facebook, Instagram, YouTube, and X to communicate with the public about public safety, missing persons, crime detection and investigation, recruitment and other QPS services. QPS collects any personal information you provide when you communicate with us.</p> <p>Most social media platforms have their own privacy policies.</p>
Google Analytics	The QPS uses Google Analytics to support its commitment to providing a useful and effective online service by gathering statistics about how its website is accessed. Google Analytics uses cookies to gather information for the purpose of providing statistical reporting on website usage.

	<p>The information generated by a cookies transmitted to and stored by Google on servers located outside Australia. No personally identifying information is recorded or provided to Google.</p> <p>Information gathered using the Google Analytics includes:</p> <ul style="list-style-type: none">• the number of visitors to the QPS' website• how visitors arrive at QPS website, for example did they type the address in directly, follow a link from another webpage, or arrive via a search engine• the number of times each page is viewed and for how long• time and date of visit• geographical location of the visitor• information about what browser was used to view the QPS' website and the operating system of the computer• information about whether the browser supports Java and Flash and the speed of the user's internet connection <p>View Google's privacy policy</p>
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11. Appendix B – Exempt personal information

Documents to which the privacy principle requirements do not apply

Covert activity

Personal information about an individual arising out of a controlled operation or controlled activity within the meaning of the *Police Powers and Responsibilities Act 2000* or the *Crime and Corruption Act 2001* or arising out of a warrant issued under the *Telecommunications (Interception and Access) Act 1979* (Cwlth).

Witness protection

Personal information about a witness who is included in a witness protection program under the *Witness Protection Act 2000* or who is subject to other witness protection arrangements made under an Act.

Disciplinary actions and misconduct

Personal information about an individual arising out of a complaint made under Part 7 of the *Police Service Administration 1990* or an investigation of police misconduct or official misconduct under the *Crime and Misconduct Act 2001*.

Public Interest Disclosure Personal information about an individual that is contained in a public interest disclosure within the meaning of 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 documents

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.

Commissions of Inquiry

Personal information about an individual arising out of a commission of inquiry.

Generally available publications

A publication that is, or is to be made, generally available to the public, however it is published.

Reference and study documents

A document kept in a library, art gallery or museum for the purposes of reference, study or exhibition.

Public records

A public record under the *Public Records Act 2023* in the custody of Queensland State Archives that is not in a restricted access period under that Act.

Postal material

A letter, or anything else, while it is being transmitted by post.

(Schedule 1 of the IP Act)