

QPP Privacy Policy

Version 1.0

Approval



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Electoral Commissioner

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Version history

Version	Notes	Author	Date of Change
1.0A	Draft	Senior Corporate Governance Officer, Corporate Services	July 2025
1.0	Issued for use	Director of Corporate Services	July 2025

Review

This policy will be reviewed **annually** from the approval date, and thereafter every three years, or if the relevant regulatory frameworks change in a way that means this policy is no longer contemporary.

Purpose

The purpose of this Queensland Privacy Principles (QPP) Privacy Policy is to ensure that the Electoral Commission of Queensland (ECQ) manages your personal information in an open and transparent way.

The ECQ is committed to protecting your privacy when you provide personal information to our organisation.

Like other Queensland public sector agencies, the ECQ is required to comply with the Queensland Privacy Principles (QPPs), contained in the [Information Privacy and Other Legislation Amendment Act 2023](#) (IPOLA Act) which updates the [Information Privacy Act 2009](#) (IP Act). The QPPs set out how personal information is collected and managed in the public sector environment.

Rationale

Schedule 3 to the *IP Act* creates privacy principles (the QPPs) which all Queensland government agencies are required to comply with. The ECQ must take reasonable steps to implement practices, procedures and systems relating to the ECQ's functions or activities that will:

- a) ensure it complies with the QPPs and any QPP code that binds the agency¹; and
- b) will enable the ECQ to deal with inquiries and complaints from individuals about its compliance with the QPPs or any QPP code that binds the agency.

Guiding Principles

The ECQ is committed to protecting your privacy. We recognise the importance of your privacy and understand that people are concerned about the security and confidentiality of their personal information.

The ECQ owes a duty to preserve the privacy to every individual it holds personal information about. The ECQ commits to carrying out its functions under Queensland's electoral laws in a way that complies with the QPPs set out in schedule 3 to the IP Act.

Policy

Any ECQ officer who is involved in performing functions under the *Electoral Act 1992* or the *Local Government Electoral Act 2011*, who gains information (including personal information) in the course of their duties, must keep that information confidential unless disclosing the information is required:

- under the *Electoral Act*;

¹ Under chapter 3, part 1 of the IP Act, the Information Commissioner may submit a draft Code to the Minister to apply to a particular agency, about how a QPP must be applied. The Code does not take effect until enacted as a regulation under the IP Act by the Governor in Council.

- under another Act (including the *IP Act* and the *Right to Information Act*);
- as part of a proceeding in a court or tribunal.

In accordance with section 58(5) of the *Human Rights Act 2019*, the ECQ will give proper consideration to human rights, including identifying any human rights that may be affected by the subject matter of this policy and consider whether or not any decision or action in relation to the policy would be compatible with human rights under section 13 of that Act.

In particular, it will have due regard to your right to privacy and reputation under section 25 of the *Human Rights Act 2019*.

On 1 July 2025, new provisions came into force under the *IP Act* which streamline how Queensland government agencies collect, hold, use and disclose an individual's personal information.

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 a material form or not.

Although the *IP Act* governs how a government agency collects, holds, uses and discloses an individual's personal information, applications to access both an individual's personal information, and documents held by a government agency must be made under the *Right to Information Act 2009* on the [ECQ website](#).

1. What we collect - The ECQ collects and holds the following kind of personal information

The types of personal information that the ECQ collects includes:

- 1.1. *Enrolment information*: the Australian Election Commission (AEC), on behalf of the ECQ, collects personal information as required in its [enrolment form](#)
- 1.2. *Election participant information*: Personal information provided by election participants when complying with their statutory obligations under the *Electoral Act 1992* and *Local Government Electoral Act 2011*
- 1.3. *Public submissions*: made to the ECQ in relation to the drawing of local council and State electoral boundaries
- 1.4. *Feedback and complaints*: personal information given in the context of providing feedback or making a complaint to the ECQ
- 1.5. Contact details provided in the context of correspondence with the ECQ
- 1.6. *Right to information* application information
- 1.7. *Website analytics data*: see our [Website Privacy Statement](#)
- 1.8. Contracts and procurements: personal information provided to the ECQ by service providers in the context of contract and procurement activities
- 1.9. Employment related information given in the context of ECQ recruitment
- 1.10. Photographs taken or provided after consent has been given by the subject.

2. This is how the ECQ collects personal information

2.1. We collect personal information when you:

- 2.1.1. enrol to vote in a Queensland state or local government election via the AEC
- 2.1.2. visit our website (www.ecq.qld.gov.au)
- 2.1.3. take part in surveys
- 2.1.4. provide public submissions in relation to local council and State electoral boundaries
- 2.1.5. communicate with us or provide us with feedback
- 2.1.6. fill in a form (including online and paper forms) as part of your compliance with your obligations under the *Electoral Act 1992* and *Local Government Electoral Act 2011*
- 2.1.7. apply for a job with us
- 2.1.8. ask us a question or make a complaint
- 2.1.9. request access to, or correction of, your personal information
- 2.1.10. tender to provide to the ECQ goods or services
- 2.1.11. provide the ECQ with a quote for goods or services

2.2. You have the option of not identifying yourself (i.e. you may deal with the ECQ anonymously or pseudonymously) unless providing your personal information is required or authorised under law, or it is impracticable to interact with the ECQ anonymously.

3. This is how the ECQ holds and manages personal information

- 3.1. The ECQ ensures the accuracy of the personal information we hold and keeps it secure through its lifecycle. In addition to the QPPs, we also apply *Information Standard 18* of the [Queensland Government Information Security Classification Framework](#).
- 3.2. Our contracted service providers also observe strict personal information management requirements.
- 3.3. **Accuracy:** Before we use your personal information, we may check with you to make sure it is accurate, complete and up to date. If you think we hold personal information about you that is inaccurate or out of date, please contact us. Find out more about [correcting your personal information](#).
- 3.4. **Security:** The ECQ securely handles and destroys personal information. To do this we have a range of information security practices that align with the Queensland Government information security standard. This includes, for example, only allowing certain staff to access your information, using a login and password. Protection of personal information from unauthorised access and disclosure is a priority for us. Any concerns about the security of your personal information held by the ECQ should be reported.
- 3.5. **How we manage data breaches:** A data breach means either: unauthorised access to, or unauthorised disclosure of, information we hold or the loss of information we hold in circumstances where unauthorised access to, or unauthorised disclosure of, the information is likely to occur. If we identify a data breach, we will handle it in accordance with our data breach policy. Please see the ECQ's [Data Breach Policy](#) for more information.

3.6. *How we hold your personal information:* The ECQ stores personal information that we collect in both electronic and analogue formats; that is, we use paper-based and electronic storage systems. The privacy rules apply, irrespective of how we store personal information.

3.6.1. For electronically held and managed personal information, we use Australian/Queensland data centres and back-up systems wherever possible. We take care to ensure that privacy and security controls are in place (e.g. through strict contractual requirements and avoiding storage locations where privacy rules appear insufficient).

3.6.2. The ECQ operates two cloud-based platforms, that enable it to carry out its election functions: the Electronic Disclosure System (for election participants' compliance with election disclosure laws) and the Election Management System, which enables the ECQ to manage information relevant to the conduct of elections.

3.6.3. Like many workplaces today, the ECQ uses Microsoft 365 for applications such as Microsoft Teams, SharePoint and OneDrive. The ECQ uses these platforms in a manner consistent with our responsibilities and obligations under the *Information Privacy Act 2009* (Qld), *Right to Information Act 2009* (Qld) and *Public Records Act 2023*; and the [Queensland Government Customer and Digital Group Collaboration platform \(Microsoft Teams\) guideline](#).

3.6.3.1. Microsoft may collect your personal information as a result of using Microsoft 365 services and applications. [Microsoft's privacy statement](#) explains the personal data Microsoft processes, how Microsoft processes it, and for what purposes.

3.6.4. *Retention and Disposal:* the ECQ will keep your personal information for the minimum period of time as required in a retention and disposal schedule approved by the Queensland State Archivist. The minimum retention period varies between classes of records according to the purpose and use of the records. Once the minimum retention period has been met, records (including any personal information associated with the records) are securely destroyed using disposal methods appropriate for the type of format and security classification of the records.

3.6.5. *Social media:* the ECQ maintains a number of social media accounts for the purpose of promoting information about enrolment and Queensland elections. Please be aware that personal information given to us or posted on any social media site becomes captured by that social media platform's privacy policy. You may instead choose to contact us directly via the ECQ website at www.ecq.qld.gov.au/about-us/contact-us.

3.7. The ECQ discloses personal information contained in the electoral roll as required under section 61 of the Electoral Act to local councils, candidates and registered political parties for their use in contacting their constituents in the course of the functions and duties as election participants.

3.8. The ECQ does not disclose your personal information to overseas entities.

4. These are the purposes for which the ECQ collects, holds, uses and discloses personal information

- 4.1. The ECQ is an independent statutory authority that delivers fair and transparent State, local government and industrial elections and regulates compliance with funding and disclosure laws. It also regulates electoral participants and supports the periodic reviews of State and local government boundaries and electoral arrangements.
- 4.2. As such, the ECQ collects, holds, uses and discloses personal information in order to perform these statutory functions under the *Electoral Act* and the *Local Government Electoral Act*. These include making the name and address of electors on the electoral roll public (except for 'silent electors' whose address details are not disclosed) and disclosing the electoral roll to local councils, candidates and registered political parties under section 61 of the *Electoral Act*.

5. Here's how you may access your personal information that is held by the ECQ and to seek correction of the information if necessary

- 5.1. *Accessing your personal information and/or documents held by the ECQ:* If you wish to access, update or correct your personal information that is held by the ECQ, or wish to access documents held by the ECQ, which are in the public interest to make public, please visit the [ECQ Right to Information webpage](#).
- 5.1.1. The [Right to Information Access Application Form](#) may be used to access both types of information. General information on your rights to information is available on the [Queensland Government Right to Information webpage](#).

6. Here's how you may complain about a breach of the QPPs, or any QPP code that binds the ECQ, and how the ECQ will deal with your complaint

- 6.1. *Privacy complaint:* If you believe the ECQ has breached your privacy or mismanaged your personal information, you can make a privacy complaint by visiting the [Feedback and Complaints webpage](#) on the ECQ website.
- 6.2. You may only make a complaint about your own personal information or make a complaint on behalf of a child (if you are their parent or guardian). The complaint should be in writing and can be sent to the ECQ via the complaints webpage linked above.
- 6.3. The way in which the ECQ manages complaints complies with Australian Standard AS 10002:2022 *Guideline for complaints management in organisations* and complies with section 264 of the *Public Sector Act 2022*.

Appendix 1 — Definitions

Definitions

Term	Definition	Reference
Personal Information	Information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion – (c) Whether the information or opinion is true or not; and (d) whether the information or opinion is recorded in a material form or not.	Section 12 of the <i>Information Privacy Act</i>
Election Participants	Include candidates, political parties and third parties. More information on election participants can be found on the ECQ Election Participants webpage .	Section 197A of the <i>Electoral Act</i> Sections 123U and 218 of the <i>Local Government Electoral Act 2011</i>
QPP	Queensland Privacy Principles (QPPs), are a set of rules for how government agencies are to deal with personal information. For more details, please see the QPP Guide on the Office of the Information Commissioner website.	Schedule 3 to the <i>Information Privacy Act</i>

Appendix 2 — Regulatory Framework

Regulatory framework

- *Electoral Act 1992 sections 33 and 61*
- *Local Government Electoral Act 2011*
- *Human Rights Act 2019*
- *Information Privacy Act 2009 (including Schedule 3 - Qld Privacy Principles)*
- *Public Records Act 2023*
- *Right to Information Act 2009*

Appendix 3 — Overview of QPPs

QPP 1 – Open and transparent management of personal information

Requires agencies to manage personal information in an open and transparent way.
Requires a clear, up-to-date and accessible QPP privacy policy, and practices and procedures to ensure QPP compliance.

QPP 2 — Anonymity and pseudonymity

Requires agencies to allow individuals the option of not identifying themselves (i.e. to deal with the agency anonymously or pseudonymously) unless it is:

- required or authorised under law, or
- impracticable

QPP 3 — Collection of solicited personal information

Provides that agencies:

- can only collect personal information that is reasonably necessary for, or directly related to, one of their functions or activities
- must collect it lawfully and fairly, and
- must collect it from the individual unless an exemption applies (including consent, lawful authority/requirement and law enforcement), or it is unreasonable or impracticable to do so.

Higher standards apply to the collection of sensitive information.

Personal information is only *collected* if the agency solicits it, i.e., they ask someone for it or otherwise takes active steps to acquire it. Unsolicited personal information sent to an agency is not collected and must be assessed under QPP 4.

QPP 4 — Dealing with unsolicited personal information

Requires agencies to assess *unsolicited* personal information to determine whether they could have collected it under QPP 3 and/or whether it is a public record. If not, agencies may be required to destroy or de-identify unsolicited personal information, subject to public record laws. Otherwise, QPPs 5 to 13 apply.

QPP 5 — Notification of the collection of personal information

Requires agencies that collect personal information to take reasonable steps to make sure individuals are aware of the matters listed in QPP 5 including agency contact details, the fact and circumstances of the collection if collected from someone other than the individual and the consequences if the information is not collected.

This applies when personal information is collected from an individual or from a third party. Agencies do not need to provide a formal QPP 5 notice. The QPP 5 matters can be communicated in other ways, for example, informally or verbally.

QPP 6 — Use or disclosure of personal information

Agencies can only use or disclose personal information for the reason it was collected, unless QPP 6 allows it to be used or disclosed for a secondary purpose. These include:

- instances where the individual has consented to the use or disclosure of the information

- QPP 6 specific secondary purposes, including where:
 - the individual would reasonably expect the agency to use or disclose the information for the secondary purpose (subject to limitations)
 - where it is required or authorised by law or reasonably necessary for law enforcement activities
- permitted general situations such as lessening or preventing a serious threat or locating a missing person (set out in schedule 4, part 1 of the IP Act), and permitted health situations (set out in schedule 4, part 2 of the IP Act).

QPP 10 — Quality of personal information

Requires agencies to take reasonable steps to ensure the personal information:

- they collect, use, or disclose is accurate, up to date, complete, and
- for use or disclosure, is relevant to the purpose of the use or disclosure.

QPP 11 — Security of personal information

Requires agencies to *take reasonable steps to protect* the personal information it holds from

- misuse, interference or loss, and
- unauthorised access, modification or disclosure.

Requires agencies to take reasonable steps to destroy or deidentify personal information that is no longer needed for any purpose and is not a public record or otherwise required to be retained under law or court or tribunal order.

QPP 12, QPP 13 — Access to/correction of personal information

Requires agencies to give access to and correct personal information they hold, subject to limitations.

The following QPP's are not used (i.e. the corresponding Australian Privacy Principles (APPs) were not implemented in the IP Act):

QPP 7 – Direct marketing

- QPP 8 — Cross-border disclosure of personal information, noting that similar requirements to APP 8 are contained in s.33 of the IP Act
- QPP 9 — Adoption, use or disclosure of government related identifiers.