

Chief of Staff Office Fact Sheet

Supporting ethical and equitable outcomes

Privacy and Right to Information

What is the Information Privacy Act?

The *Information Privacy Act 2009* applies to all Queensland Government agencies and public authorities including universities. The *Information Privacy Act 2009* has two broad schemes:

- a scheme which allows people to access and amend their own information; and
- a scheme which regulates the management of personal information held by the University.

JCU's obligations are further outlined in the Information Privacy Policy. This policy applies to all University staff, students, contractors and any other third party who collects or manages personal information on behalf of the University.

What is Personal Information?

Personal information is any information which identifies an individual or allows their identity to be reasonably ascertained.

What are the Information Privacy Principles?

The Information Privacy Principles are a set of rules which regulate the way in which personal information is to be managed by the University throughout its lifecycle from initial collection to eventual disposal. The Information Privacy Principles cover the following functional activities:

- collection of personal information;
- storage and security;
- access and amendment;
- use within the University of personal information;
- disclosure of personal information to person's outside the university.

JCU must only collect personal information that is necessary for legitimate University functions and activities. When collecting personal information from staff or students, they must be made aware of:

- why the information is being collected;
- the authority for the collection;
- the types of organisations to which the University usually discloses the information;
- the right of the person to access their personal information;
- the contact details of the Right to Information and Privacy Contact Officer.

Staff must also take reasonable steps to protect personal information from misuse, loss, unauthorised access, modification or disclosure – it must only be used for the primary purpose of collection. If the private information is to be used for another purpose, then consent must be obtained from each individual.

Individuals must also be informed about their right to access their personal information in accordance with Right to Information and Information Privacy laws

What is the Right to Information?

Right to Information is the Queensland Government's approach to giving the community greater access to information. The Queensland Government has made a commitment to provide access to information held by the Government, unless on balance it is contrary to the public interest to provide that information.

Right to Information aims to make more information available, provide equal access to information across all sectors of the community, and provide appropriate protection for individuals' privacy. Further information is available in the University's Right to Information and Privacy websites here: <https://www.jcu.edu.au/right-to-information-and-privacy>

The University's Right to Information Policy specifies the right to access information and documents containing non-personal information held by the University. Documents may be in hard copy or electronic format and include files, reports, emails, correspondence, computer printouts, maps, plans, photographs, and audio and video recordings.

Suspected Breach of Privacy

A Person who believes that their privacy has been breached can complain to the University. If they are dissatisfied with the University's response, they can take their complaint forward to the Office of the Information Commissioner and the Queensland Civil and Administration Tribunal (QCAT). If QCAT is satisfied that a privacy breach has taken place, it can make various orders, including an order for the award of compensation.

If a staff member believes they may have inadvertently disclosed an individual's private information they should contact the University's Right to Information and Privacy Contact Officer as per below.

Advice

If you have any doubts or would like to discuss any Privacy or Right to Information issues please contact the University's Contact Officer:

- Deputy University Secretary, Ian Troupe – 4781 4124

[Click here for access to the Information Privacy Policy](#)

[Click here for access to the Right to Information Policy](#)

[Click here for access to the Privacy and RTI Guidelines](#)