

Privacy complaint procedure

Reference number	PRI.05
Document owner	Manager, Privacy and Right to Information
Contact details	rtiandip@desbt.qld.gov.au
Effective date	1 July 2025
Next review	1 July 2027

1. Purpose

The purpose of this document is to outline how the department will respond to complaints about privacy, including breaches of the Queensland Privacy Principles (QPPs) contained within the *Information Privacy Act 2009* (Qld) (IP Act).

2. Scope

This policy applies to all employees working for the department regardless of whether they are permanent, temporary, full-time, part-time or casual employees and/or on secondment from another department. It also applies to non-employees including contractors, students gaining work experience and volunteers. For the purposes of this policy, the term contractor includes temporary labour services (agency staff).

3. How to make a complaint about privacy

3.1 Who should you make the complaint to?

If you believe that the department has breached your privacy, please email the Privacy Officer at rtiandip@desbt.qld.gov.au. There are other ways of making a complaint (see [Customer Complaints Management Guideline](#)) but emailing rtiandip@desbt.qld.gov.au will ensure your complaint is managed as quickly as possible.

Employees who receive complaints about privacy will refer them to the Privacy Officer.

3.2 What information do you need to provide?

You will need to make your complaint in writing and provide an email or postal address to receive correspondence.

It is good idea to specifically state that you are making a privacy complaint, to avoid any confusion.

Please explain the incident or practice that you are concerned about and how this has affected you.

You may wish to advise what you believe is an appropriate outcome of the complaint, for example:

- An acknowledgment from the department that your privacy was breached
- An apology for the impact on your privacy
- Information on the steps that the department will take to ensure the breach will not happen again



3.3 Timeframes for dealing with privacy complaints

The Privacy Officer will acknowledge your complaint within 3 business days of the date the complaint was received.

The Privacy Officer will provide a final response to non-complex complaints within 30 business days, and a final response to complex complaints within 45 business days.

4. How your complaint will be managed

4.1 Initial assessment

The Privacy Officer will make an initial assessment of your complexity of your complaint within 3 business days. The Privacy Officer may ask you for more information about the circumstances that give rise to your complaint.

4.2 Investigation

The Privacy Officer will investigate your complaint and consider whether your privacy was breached. In particular, whether any of the QPPs were breached (see [QPPs](#)).

The investigation may involve dealing with the business area that is alleged to have breached your privacy. The Privacy Officer will endeavour to ensure your identity remains confidential, but it may be necessary to disclose your identity to investigate the complaint.

4.3 Outcome

The Privacy Officer will advise you of the outcome of your complaint in a formal letter. This will include:

- The evidence considered by the Privacy Officer about whether the incident or practice complained about occurred
- A finding whether, on the balance of probabilities, the incident or practice did (or does) occur
- A finding whether the incident or practice breached one or more of the QPPs
- A statement of the reasons for the Privacy Officer's findings
- A statement of the actions to be taken by the department as a result of your complaint
- Information about how you may seek a review of the Privacy Officer's decision.

4.4 Ongoing improvement

The department is committed to protecting the privacy rights of individuals and acting on all kinds of feedback, including complaints.

4.5 Reporting

A complaint about privacy is a customer complaint. The department is required to prepare an annual report on all customer complaints under section 264 of the *Public Sector Act 2022* (Qld). The Privacy Officer will ensure that all privacy complaints are reported on, by advising the Strategy and Governance unit.

5. Responsibilities

Role	Responsibilities
Director-General	<ul style="list-style-type: none"> • Ensure that all privacy complaints are managed in accordance with this procedure

Deputy Director-General	<ul style="list-style-type: none"> • Ensure reasonable steps are taken to reduce the likelihood of a privacy breach reoccurring, or to mitigate the harm of recurrence
Employees	<ul style="list-style-type: none"> • Refer all privacy complaints, or suspect privacy complaints, to the Privacy Officer
Privacy Officer	<ul style="list-style-type: none"> • Acknowledge receipt of all privacy complaints within 3 business days • Investigate all privacy complaints • Determine whether a breach occurred • Provide an outcome letter in relation to the complaint • Inform Strategy and Governance of complaints so that the department can comply with its reporting obligations

6. Human Rights Capability

The department is committed to respecting, protecting and promoting human rights. Under the *Human Rights Act 2019*, the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. When making a decision relating to privacy, decision-makers must comply with this obligation.

Most relevantly, the department must ensure it does not unlawfully or arbitrarily interfere with your privacy or that, if it does so, it does so in a way that is reasonable and justifiable. This procedure is designed to ensure that the department will act and make decisions in accordance with the *Information Privacy Act 2009* (Qld) and as consistently across the department as practicable. To the extent that the procedure limits the right to privacy, it does so consistently with applicable legislation and the practical requirements of administering that legislation.

For further information on human rights, see:

- [QHRC: Queensland Human Rights Commission](#)
- [Human rights | For government | Queensland Government](#)

7. References

- [Information Privacy Act 2009 \(Qld\)](#)
- [Human Rights Act 2019 \(Qld\)](#)
- [Right to Information Act 2009 \(Qld\)](#)
- [Public Sector Act 2022 \(Qld\)](#)
- [Public Records Act 2023 \(Qld\)](#)
- [Queensland Government information security classification framework](#)
- [Queensland Government general retention and disposal schedule](#)
- [Customer Complaints Management Guideline](#)

8. Further information

For further information or clarification, please contact the Manager, Privacy and Right to Information.

9. Document control

Review frequency			Biennial			
Supersedes			N/A			
Version	Issue date	Reason	Author	Approver	Date of Approval	Ref
1.0	01/07/2025	Initial release	Manager, Privacy and Right to Information	Director - General		