

Privacy Policy – Queensland Privacy Principles

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Purpose

The *Information Privacy Act 2009* (Qld) (**IP Act**) and its Queensland Privacy Principles (**QPPs**) set the rules for how Queensland government agencies – including the Central Queensland Hospital and Health Service (**CQHHS**) manage [personal information](#). These rules include a requirement, under QPP 1, that every agency have a QPP privacy policy.

This QPP privacy policy details how CQHHS manages personal information in an open and transparent way, including:

- (a) the kinds of personal information CQHHS collect and hold,
- (b) how CQHHS collects and holds that personal information,
- (c) the purposes for which CQHHS collects, holds, uses and discloses personal information, and
- (d) the process for raising complaints about the handling of personal information.

Within CQHHS, personal information is defined by three terms:

1. Personal information
2. Sensitive information
3. Confidential information

The laws that apply to CQHHS use these terms.

The CQHHS is committed to ensuring all personal information collected is managed in accordance with the Queensland Privacy Principles (IP Act) [Appendix 1](#), [Queensland Government Information Standard 18](#) and Information Security Classification Framework, and the [Hospital and Health Boards Act 2011](#).

Dealing with the CQHHS anonymously or using a pseudonym

There are some circumstances in which you can deal with the CQHHS anonymously, including:

- (a) when providing feedback,
- (b) reporting a data breach,
- (c) making general enquiries about our health services, or
- (d) accessing some confidential health services.

In most circumstances, total anonymity in a health service is not possible and the CQHHS does not have to deal with you anonymously, where it is; unlawful, not practical, or it is unsafe to do so.

Collection of personal information

Personal information is defined by the *Information Privacy Act 2009*. Put simply it is information that identifies a living person (or could lead to them being identified).

CQHHS only collects personal information required to carry out its functions and activities which include:

- a) provision of health services to improve your health and wellbeing.
- b) communicating with you and receiving your feedback.
- c) Research activities to improve health care practices
- d) Human resources management and recruitment
- e) Security and safety management

CQHHS collect personal information directly from individuals who access our services and indirectly from third parties as part of carrying out our functions. CQHHS will take reasonable steps to inform the individual of what information needs collecting and why it needs to be collected. This may be done verbally, or more formally using a collection notice.

Where CQHHS receives unsolicited personal information, it will be assessed and managed in accordance with QPP 4.

Collection of Sensitive Information

Sensitive information is a subset of personal information which includes health information as well as other information outlined in [Appendix 2](#).

CQHHS will generally only collect sensitive information directly from the individual it is about or with their consent, or otherwise consistently with our obligations under the IP Act. CQHHS take additional care in collection and handling of sensitive information.

Confidential Information

Confidential information is information about a person who is receiving or has received a public health service.

Confidential information includes care and treatment information. Unlike personal information, which is only about a living person, confidential information can be about a living or deceased person.

Queensland laws set out requirements for how CQHHS handle confidential information. These laws include:

- *Hospital and Health Boards Act 2011* – Part 7 Confidentiality
- *Public Health Act 2005*
- *Mental Health Act 2016*

To keep things simple, CQHHS use the term personal information in this Privacy Policy.

Use and disclosure of personal information

What does use and disclosure mean?

Use refers to the treatment and handling of personal information within CQHHS, particularly when it involves making decisions based on the information. For example, if you are a patient, CQHHS use your personal information to assess your health care needs, formulate a care plan, and provide you appropriate health care services.

Disclosure refers to making personal information available to people outside CQHHS, other than to the individual concerned, and includes the publication of personal information.

Where health information has been collected in the context of providing a health service, use and disclosure is generally managed by the duty of confidentiality in Part 7 of the *Hospital and Health Boards Act 2011 (HHB Act)*.

CQHHS only uses your personal information for the purposes for which it was given to use, or for purposes which are directly related to one of our functions or activities. CQHHS do not give your personal information to other government agencies, organisations, or anyone else unless one of the following circumstances applies:

- you (the individual) have consented
- you would reasonably expect, or have been told, that information of that kind is usually passed to those individuals, bodies, or agencies
- it is otherwise required or authorised by law
- it will prevent or lessen a serious and imminent threat to somebody's life or health
- it is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue.

Contracted service providers and personal information

CQHHS uses contracted service providers to provide certain services and functions to the Health Service. Some examples include:

- electronic document management
- cloud-based storage
- community surveys and feedback collation
- diagnostic imaging services
- corporate and Clinical record storage

To provide these services and functions, service providers may collect and use personal information on our behalf. CQHHS still controls and is responsible for the information.

CQHHS ensures that service providers meet our privacy and confidentiality requirements. CQHHS do this by entering into a contract or service agreement with the service provider that includes privacy and confidentiality clauses.

Disclosure outside of Australia

CQHHS will only transfer personal information outside of Australia in compliance with the IP Act and for legitimate purposes only.

The IP Act allows the transfer of personal information outside of Australia only in certain circumstances, such as:

- when you have agreed/consented
- the transfer is authorised or required under a law
- (e) CQHHS is satisfied on reasonable grounds that the transfer is necessary to lessen or prevent a serious threat to the life, health, safety, or welfare of any individual, or to public health, safety and welfare; or
- if two or more of the following criteria apply:
 - the recipient is subject to equivalent privacy obligations
 - the transfer is necessary to perform a function of CQHHS
 - the transfer is for the individuals benefit
 - reasonable steps have been taken by the CQHHS to ensure the information is protected.

An instance where CQHHS may transfer personal information outside of Australia includes where a member of the public has requested correspondence via a web-based email service whose servers are based in another country (e.g., Hotmail or Gmail).

Transmission of personal information via Email

Email transmission of patient identifying information over public networks is prohibited by Queensland Health unless appropriate encryption processes are in place.

CQHHS staff are advised to **NOT** email any identifying information outside of Queensland Health.

Only those staff that have the specialised encryption programs such as Secure Web Transfer/Secure Transfer Service (SWT/STS) installed on their computer and have been trained and approved to do so, may forward documents securely to external recipients.

Social Media

When you communicate with CQHHS via a social media platform such as Facebook, Instagram, LinkedIn or YouTube, the social media provider and its partners may collect and hold your personal information overseas. You may choose to [contact us](#) directly instead.

Closed Circuit Television (CCTV) Cameras and Body Worn Cameras

Some CQHHS locations are equipped with CCTV cameras which are used to monitor safety and accessibility, as well as to deter (and capture evidence of) unlawful behaviour. Signage is visible at the entry of each facility where CCTV is in use.

Fire, Safety and Security staff within the CQHHS may also be equipped with body worn cameras and may record footage when undertaking specific duties relating to the safety of staff, patients and visitors. Staff using Body Worn Cameras, where possible, will advise you when they are recording.

[Authorised public health officers may use BWC's](#) when undertaking specific regulatory activities in accordance with the *Public Health Act 2005*.

The CCTV and Body Worn Cameras in use throughout the health service are all owned by the CQHHS, and footage is generally stored for 30 days before it is destroyed.

CCTV or Body Worn Camera footage may be provided to law enforcement agencies or other regulatory bodies where CQHHS are legally required or permitted to. If you are seeking access to CCTV footage held by CQHHS, please contact the [CQHHS Release of Information Unit](#).

Security of personal information

CQHHS holds personal information securely and takes reasonable steps to protect it from misuse, interference, loss, unauthorised access, modification, or disclosure.

To do this CQHHS have a range of information security practices that align with the Queensland Government information security standard, ensuring it can be accessed by authorised staff members only. This includes, for example, only allowing certain staff to access your information, using an individual login and complex password, auditing user access and memberships regularly, and applying appropriate security classifications.

Protection of personal information from unauthorised access and disclosure is a priority for CQHHS. Any concerns about the security of your personal information held by CQHHS should be reported.

If CQHHS is notified of a data breach, it is managed in accordance with our Data Breach Policy.

Applications and Information Systems - Data Custodians – Roles & Responsibilities

To ensure that CQHHS correctly manages the personal information in its possession, CQHHS has created a framework of documents and procedures for all local applications.

For each local application used within CQHHS, a Senior Management position is identified as the Application Custodian and has overall accountability and responsibility for decision making in relation to the ongoing development, management, compliance, care, and maintenance of the application.

Data Custodians are responsible for decision making in relation to the data set / data collection and the ongoing capture, compliance, development, management, care, and maintenance of data to support business needs.

Retention of personal information

CQHHS will keep your personal information for the minimum period of time as required by the *Public Records Act 2023* (Qld) and as outlined 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 CQHHS hold may be securely destroyed using disposal methods appropriate for the type of format and security classification of the records.

The following retention and disposal schedules document the minimum retention periods for records maintained by CQHHS:

- [General Retention and Disposal Schedule](#) (PDF, 1.8MB)
- [Health Sector \(Corporate Records\) Retention and Disposal Schedule](#) (PDF, 693 KB)
- [Health Sector \(Clinical Records\) Retention and Disposal Schedule](#) (PDF, 439.6KB)

Access and correction of personal information

Access and correction rights are contained in the RTI Act and CQHHS supports your right to apply for access to information held about you.

Access to your personal health information

Information about how you can make an application to apply for access to your personal information is available on our website here [How to Access your Health Record](#) and here [Right to Information](#).

This includes information about seeking access 'administratively' (which is generally a simpler and quicker method of seeking access) or making a formal access application under the RTI Act.

Access under an administrative arrangement does not affect an individual's right to seek access to the documents under the RTI Act. In addition, if the application cannot be processed administratively, it will generally be referred for processing under the RTI Act.

Administrative access to your health records

Health records are the property of CQHHS, and you may apply for access to your **own** health records under the Administrative Access Scheme.

Administrative Access application forms can be obtained from:

- Front Reception of any hospital or multipurpose health service within CQHHS **Facility contact information can be found at:** www.cq.health.qld.gov.au/hospitals-and-health-centres
- Via email to cqhhs.roi@health.qld.gov.au
- Online: [CQHHS Administrative Access Application Form](#)

Further information about accessing your health records is available on the CQHHS Website: www.cq.health.qld.gov.au/patients-and-visitors/your-health-record

Access to employment records

If you are a current employee of CQHHS, under Part 3 of the *Public Service Regulation 2008*, you are entitled to access your own employee record by writing to the Manager Workplace Relations – CQHSHSR@health.qld.gov.au

Please note that in some instances, not all information can be provided through this administrative process, and you may wish to make an access application under the RTI Act.

Former employees of CQHHS may not be able to access their employment records administratively as the provisions referred to above may not necessarily apply once you have ceased employment with CQHHS. If Workforce Division are unable to provide the requested information administratively, you will be advised to make your application under the *Right to Information Act 2009*.

For further information: www.health.qld.gov.au/system-governance/contact-us/access-info/employee-records

Right to information applications

Formal access or amendment applications need to be made and processed in accordance with the *Right to Information Act 2009*. Applications must be made **in writing**, and can be lodged in person, post or via email. Applications should be accompanied by all required proof of identity and authorisation documents:

Email: cqhhs.roi@health.qld.gov.au

In person: First Floor Reception, Rockhampton Hospital

Post: CQHHS Release of Information Unit
Rockhampton Hospital
Canning Street, Rockhampton QLD 4700

If you request access to any documents that do not contain your personal information (e.g. non-personal in nature, or about somebody else), there is an **application fee** payable and further

processing and access charges may also be payable.

Applications requesting access only to documents that contain your personal information are made under the IP Act. There is **no application fee or processing charges**, however there may be access charges.

Please visit our website for further information www.cq.health.qld.gov.au/about-us/access-to-information/right-to-information

Access to Queensland Ambulance Service patient records

Queensland Ambulance Service have an access arrangement in place to request access to patient records. These records are known as an electronic Ambulance Report Form (eARF).

For further information, visit www.ambulance.qld.gov.au/our-services/patient-records

Access to other information held by the CQHHS

Routine information about our health service including our annual reports and strategic plans are available on our website here [Publications and Reports](#). A wide range of datasets and resources from various Queensland Government agencies, is also available on the [Open Data Portal](#).

Updating or correcting your personal information

CQHHS takes steps to ensure personal information held and collected is accurate, up-to-date and complete. These steps include maintaining and updating personal information when advised by individuals that their details have changed, and at other times as necessary.

If you believe any of the personal information CQHHS hold about you is incorrect, that is, the information is out-of-date, inaccurate, incomplete, or misleading; you can request the information to be updated or corrected.

Updating your personal details or contact information in patient registration system information can be done by contacting the last CQHHS facility you attended. Here is how you can contact any of our [Hospitals and Health Centres](#).

You may be able to correct your personal information in your health record without the need of a formal process by contacting the [CQHHS Consumer Feedback](#). If the information cannot be corrected this way, you may be required to [submit a formal application for amendment](#).

Please contact CQHHS Release of Information Unit via email [cqhhhs.roi@health.qld.gov.au](mailto:cqhhs.roi@health.qld.gov.au) prior to lodging a formal request for amendment. This application will be processed in accordance with the RTI Act.

Privacy Complaints about the CQHHS

If you believe that CQHHS has not handled your personal information in accordance with the IP Act, you can make a privacy complaint. 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 other legal authority to act for them.

To make a privacy complaint about CQHHS, you must send your complaint to CQHHS in writing and include:

- (a) an address for CQHHS to respond to you (e.g. an email address).
- (b) details about the matter or issues you are complaining about (e.g. what did CQHHS do or not do with your personal information that you believe breached the QPPs and the IP Act).

You must send your complaint to CQHHS within 12 months of becoming aware of the act or practice you think constitutes a breach by CQHHS 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 that they are a minor/child and you are their parent).

Privacy complaints are managed in accordance with the IP Act, and the *CQHHS Consumer Feedback and Complaints Management* process. Your privacy complaint will be managed by a designated staff member who was not involved in the activities that are the subject of the complaint.

CQHHS has 45 business days to resolve the privacy complaint to your satisfaction.

If this does not occur or you feel that your privacy complaint has been managed unsatisfactorily you can escalate your complaint to the Office of the Information Commissioner (Qld) following [this procedure](#).

Further information is also available at <https://www.cq.health.qld.gov.au/patients-and-visitors/your-health-record>

How to contact us

To lodge a privacy complaint:

Online: [Give feedback | Central Queensland Hospital and Health Service](#)
Phone: 1300 030 909
Email: CQHHSConsumerFeedback@health.qld.gov.au
Post: Consumer Feedback Service
Central Queensland Hospital and Health Service
PO Box 871
Rockhampton Qld 4700

For privacy related queries please direct your enquiries to:

Email: cqhhs-privacy@health.qld.gov.au
Post: Privacy and Confidentiality Contact Officer
Central Queensland Hospital and Health Service
PO Box 831
Rockhampton Qld 4700

If you are an employee with CQHHS and believe that we have not managed your personal information in accordance with the QPP's please lodge your complaint directly to the Privacy and Confidentiality Contact Officer via email.

Administrative and Right to Information Access

For all general enquiries regarding accessing health records, please contact the Release of Information office:

Email: cqhhs.roi@health.qld.gov.au
Phone: (07) 4920 6734

Access to Employment Records

Applications for access to your employee records are to be made in writing to:

Email: CQHHSR@health.qld.gov.au
Post: CQHHS Workforce Division
Attn: Workplace Relations
PO Box 871
Rockhampton Qld 4700

If your query relates specifically to another HHS facility, you will need to contact the HHS directly. A list of Privacy and RTI contact officers is available at QH Decision Maker & Privacy and Confidentiality Contact Officer contacts | www.health.qld.gov.au/system-governance/contact-us/access-info/privacy-contacts

Appendix 1 Queensland Privacy Principles – A quick guide

QPP 1 - Open and transparent management of personal information

CQHHS manages the personal information held in an open and transparent way, through a clear, up to date and accessible QPP Privacy Policy, as well as procedures and practices that ensure our compliance with the QPP's.

QPP 2 – Anonymity and Pseudonymity

Wherever possible, CQHHS allows a person to interact with the health service anonymously, such as when providing feedback, making general enquiries about our health services, or accessing certain confidential health services. In most circumstances total anonymity is not possible, and CQHHS do not have to deal with you anonymously where it is unlawful, not practical, or it is unsafe to do so.

QPP 3 – Collection of personal information

CQHHS collects only what is necessary for its functions or activities, and does so lawfully, fairly and without unnecessary intrusion. CQHHS must collect personal information from the person it is about wherever possible.

QPP 4 – Dealing with unsolicited personal information

Where CQHHS receives unsolicited personal information, we will assess and manage the information appropriately. CQHHS may have to keep, destroy or de-identify unsolicited personal information, subject to relevant legislative requirements

QPP 5 – Notification of the collection of personal information

CQHHS will take steps to notify you about what information is being collected, why (including whether there is a lawful requirement to collect it) and what we intend to do with it. CQHHS may do this verbally, or more formally through a collection notice.

QPP 6 – Use or Disclosure of personal information

CQHHS will only use or disclose personal information for the reason it was collected, unless we have your consent, CQHHS are required by law, or the use and disclosure would be reasonably expected. If certain conditions are met, a person's consent to use and disclose their personal information is not always necessary.

QPP 10 – Quality of personal information

CQHHS will take reasonable steps to ensure the personal information we collect, use, or disclose is accurate, up to date, complete, and is related to the purpose of the use or disclosure.

QPP 11 – Security of personal information

CQHHS will take reasonable steps to protect the personal information we hold from misuse, interference, or loss, and unauthorised access, modification, or disclosure. And destroy or deidentify personal information that is no longer needed in line with relevant legislative requirements.

QPP 12 and 13 – Access to / correction of personal information

You have a general right of access to your own personal information. CQHHS will give you access to your personal information unless there is a reason not to. You also have a right to have such information corrected if it is inaccurate, incomplete, out-of-date or misleading.

The QPPs are based on the Australian Privacy Principles (APPs) in the Privacy Act 1988 (Cth). The QPPs follow the APP numbering, but not all APPs were implemented in the IP Act.

Appendix 2 – Types of Personal Information Held by the CQHHS

CQHHS holds personal information of clients, patients, suppliers, business partners and employees, such as:

- (a) name
- (b) contact details
- (c) date of birth
- (d) signature
- (e) photographs
- (f) unique physical characteristics (e.g., tattoos, birthmarks)
- (g) fingerprint or other 'biometrics'
- (h) driver's licence number
- (i) financial/bank details
- (j) educational history
- (k) unique identifying number
- (l) medical/health/diagnostic information
- (m) cultural background
- (n) relationship details and family circumstances
- (o) details of office bearers in funded organisations (i.e. names)
- (p) disability funding and service provision
- (q) complaints and investigations
- (r) personal information recorded by way of camera surveillance systems (CCTV)
- (s) occupation and employment history
- (t) criminal history
- (u) recruitment information.

Sensitive personal information

Personal information includes sensitive information and health information. The types of sensitive personal information which CQHHS holds include personal information about any of the following:

- (a) race or ethnic origin
- (b) political opinions
- (c) membership of a political association
- (d) religious beliefs or associations
- (e) philosophical beliefs
- (f) membership of a professional or trade association
- (g) membership of a trade union
- (h) sexual preferences or practices
- (i) criminal records.

Appendix 3 – Why we collect personal information

Provide you with health and wellbeing services, appropriate treatment and follow up care	CQHHS may use your personal information to provide you with our services to improve your health and wellbeing, treatment and follow-up care that is appropriate for your needs.
Decide on applications for services or benefits	CQHHS may use your personal information to make decisions about your applications for our services or benefits.
Communicate with you and receive your feedback	When you communicate with us via our website (www.cq.health.qld.gov.au) your correspondence is treated as a public record. CQHHS keep your correspondence for as long as required by the <i>Public Records Act 2002 (Qld)</i> and other relevant laws. Your personal information included in the communication will never be shared with others unless you give us permission. CQHHS does not reply to all communication received via our website.
Conduct research to improve healthcare practices	CQHHS may use personal information for research to help us to improve Queensland healthcare practices. All research must meet ethical requirements and be authorised by our Health Service Chief Executive.
Conduct community wellbeing and other research through online surveys	CQHHS may ask you to take part in online surveys that appear on our website. The surveys, for example, may relate to health issues such as smoking. These surveys are voluntary, and you can often remain anonymous. If you would like to participate, you may be asked to agree to certain Terms and Conditions about the use and/or disclosure of your information. Our surveys are conducted with CitizenSpace, and responses provided remain the responsibility of the CQHHS.
Make payments to, and generally manage employment of CQHHS staff	If you are a CQHHS staff member, we will use your personal information to manage your employment and make payments to you.
Process requests to access or correct personal information or access other CQHHS information	CQHHS may use your personal information to process your request to access or correct your personal information or to access other CQHHS information. To find out more you can access our Right to Information page.
Investigate privacy complaints	CQHHS may use your personal information to investigate your privacy enquiry or complaint, and to communicate with you about your enquiry or complaint.
To conduct website analytics	When you visit our website (www.cq.health.qld.gov.au), we may make a record of your visit and for statistical purposes only log the following information: • server address • top level domain name (e.g. .gov) • date and time of your visit to • the site pages visited and • documents downloaded • previous sites visited

	• browser type. No attempt is, or will be, made to identify users or their browsing activities except, in the unlikely event of an investigation, where a law enforcement agency may exercise a warrant to inspect activity logs. We use Google Analytics (including display advertising features) on our website to gather anonymous information about visitors to our website. When you visit our web pages, your browser automatically sends anonymous information to Google. Examples of the information include the web address of the page that you're visiting, your IP address and demographic information. Google may also use cookies. We use this data to analyse the pages that are visited, to improve your experience and make sure our website is useful. Read more about: how Google How Google uses information from sites or apps that use our services – Privacy & Terms – Google uses data our Website Privacy Statement.
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