



Queensland Government
Stadiums Queensland

Stadiums Queensland

PRIVACY PLAN

April 2010

Stadiums Queensland Privacy Plan

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1. Introduction

This Privacy Plan outlines Stadiums Queensland's strategy for compliance with the Information Privacy Principles under the requirements of the *Information Privacy Act 2009* (the Act).

The purpose of the Act is to establish a framework for the responsible collection and handling of personal information within the Queensland Government. The Act identifies eleven Information Privacy Principles (IPPs) with which Stadiums Queensland must comply. A summary of the IPPs is provided in *Appendix 1 - Information Privacy Principles*.

This plan aims to provide:

- guidance to members of the public and Stadiums Queensland staff to assist them to understand how personal information is managed in the organisation and how they can exercise their privacy rights in respect of Stadiums Queensland's activities; and
- guidance to officers of Stadiums Queensland who deal with the types of personal information documented in the Act and its associated guidelines.

Stadiums Queensland does not, as a matter of principle, disclose or distribute personal information unless:

- a) it is required to do so by legislation;
- b) it is required to do so by a court, a court order, law enforcement agency or other investigative body with specific statutory powers authorising its access to such material; or
- c) the information is required by an agency providing a service to the individual (e.g. a bank or insurance company seeking verification of personal details). In these circumstances, Stadiums Queensland would require written consent from the individual concerned, before releasing such information.

2. Personal information

Personal information is defined in the Act as:

information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

The information does not have to clearly identify a person. It need only provide sufficient information to lead to the identification of a person. It is not limited to confidential or sensitive personal details. It covers information held in paper or electronic form and includes photographs and videos.

The following personal information is exempt from the Act:

- covert activity, under the *Police Powers and Responsibilities Act 2000*;
- witness protection, under the *Witness Protection Act 2000*;
- disciplinary actions and misconduct arising out of a complaint made under:
 - Part 7 of the *Police Service Administration Act 1990*; or
 - the *Crime and Misconduct Act 2001*.
- whistleblowers, under the *Whistleblowers Protection Act 1994*;
- Cabinet and Executive Council documents; and
- information arising out of a Commission of Inquiry.

3. Stadiums Queensland

Stadiums Queensland (formerly known as Major Sports Facilities Authority) was constituted pursuant to the *Major Sports Facilities Act 2001 (MSF Act)*, passed by the Queensland Parliament and assented to on 3 December 2001. Stadiums Queensland commenced on 21 December 2001 and is charged with the management of major sports facilities that are declared under Queensland Government regulation as being venues having the capacity to stage national or international sports, recreational or entertainment activities.

Under the MSF Act, Stadiums Queensland's functions are to manage, operate and promote the use of major sports facilities. The MSF Act obliges Stadiums Queensland to perform its functions in a way that is consistent with sound commercial principles and has regard to the requirements of tenants at the venues under its control.

Stadiums Queensland is responsible for the collection, storage, use, disclosure and distribution of personal information at the following sites:

- Stadium Queensland's corporate office;
- Brisbane Cricket Ground;
- Brisbane Entertainment Centre;
- Queensland Sport and Athletics Centre;
- Sleeman Sports Complex;
- Suncorp Stadium;
- Dairy Farmers Stadium;
- Skilled Park;
- Queensland Tennis Centre; and
- Gold Coast Stadium (under construction).

Stadiums Queensland is subject to a number of state and federal Acts, including:

- *Industrial Relations Act 1999*;
- *Financial Accountability Act 2009*;
- *Financial and Performance Management Standard 2009*;
- *Right to Information Act 2009*;
- *Public Records Act 2002*;
- *Statutory Bodies Financial Arrangements Act 1982*;
- *Statutory Authorities (Superannuation Arrangements) Act 1994*;
- *Workers' Compensation and Rehabilitation Act 2003*; and
- *Workplace Health and Safety Act 1995*.

4. Types of personal information held by Stadiums Queensland

Stadiums Queensland collects, stores and uses personal information in the following record types:

- employee personnel records;
- correspondence;
- financial management information systems;
- information systems;
- administration records; and
- member, patron and hirer records.

4.1 Employee personnel records

These records are required so that Stadiums Queensland can manage its human resources. The purpose of these records is to maintain employment history, payroll and administrative information relating to all permanent, contract, temporary and casual employees of the organisation. Records include:

Personnel and payroll

- records relating to overtime and higher duties;
- leave applications and leave approvals;
- medical records;
- payroll and pay related records, including banking details and deduction records;
- tax file number declaration forms;
- personal history files;
- performance appraisals;
- records relating to personal development and training;
- trade, skill and aptitude test records;
- records relating to relocations; and
- contracts and conditions of employment.

Recruitment

- applications for employment and resumes;
- records relating to character checks and security clearances;
- selection reports; and
- advice relating to successful or unsuccessful applications.

Other

- records of accidents and injuries;
- compensation files;

- rehabilitation files;
- records relating to counselling and discipline matters, including disciplinary, investigation and action files; legal action files, records of criminal convictions, and any other employee and establishment records as appropriate; and
- complaints and grievances.

These records may also include sensitive information such as medical records, disabilities, racial or ethnic origin, disciplinary investigations and actions, criminal convictions, relationship details and personal financial information.

The following Stadiums Queensland employees have access to personnel records:

- senior management and human resources management and payroll staff, to undertake their day-to-day duties;
- members of selection committees, for the purposes of selection assessments only;
- audit staff, if a specific business need exists; and
- the individual to whom the record relates.

Information held in personnel files may be disclosed outside Stadiums Queensland, as appropriate, to:

- the Australian Taxation Office;
- QSuper and other superannuation funds, as nominated by employees;
- the Queensland Audit Office;
- Stadiums Queensland's internal audit service provider;
- Crime and Misconduct Commission; and
- third party organisations such as banks and insurance companies, with the employee's written consent.

Access to personnel records by organisations or persons, other than those previously listed, is only permitted where a specific legislative requirement allows such access, or with the employee's written consent.

Personnel records are located with the Human Resources Unit in the Corporate Office and with payroll officers at the venues.

Individuals can access their personal information by contacting the Human Resources / Payroll Officer or the Privacy Contact Officer on (07) 3008 6100.

4.2 Correspondence

Correspondence that has been addressed to the Chief Executive Officer or Stadiums Queensland staff from the public or other Government agencies is referred to the relevant areas within the organisation for consideration and preparation of advice and responses.

The correspondence may include personal information arising from any subject matter related to the organisation's functions and venues. Information may include: name, address, personal opinions about Stadiums Queensland's venues or events, complaints and grievances and any other matter that the correspondent wishes to convey to the organisation.

Correspondence records are stored at the Corporate Office and at Stadiums Queensland's venues.

Individuals can obtain information regarding access to their personal information in the correspondence records by contacting the Privacy Contact Officer on (07) 3008 6100.

4.3 Financial management information systems

General content in Stadiums Queensland's financial management information systems may include: name, address, bank account details and types of goods and services being provided. The personal information may relate to creditors and debtors. The purpose of these records is to process and account for expenditure and revenue.

Finance officers, at the corporate office and venues, have access to this personal information within the organisation.

Information in the financial information management systems may be disclosed outside of Stadiums Queensland, as appropriate to:

- the Queensland Audit Office; and
- Stadiums Queensland's internal audit service provider.

Access to financial records by organisations or persons, other than those previously listed, is only permitted where specific legislation requires such access.

Financial records are stored within the Finance Unit at the Corporate Office and at the administration offices of each venue.

Individuals can obtain information regarding access to their personal information in financial records by contacting the General Manager Corporate Services or the Privacy Contact Officer on (07) 3008 6100.

4.4 Information systems

Stadiums Queensland's information systems regularly process and store personal information. Information includes names, phone numbers and e-mail addresses. This information is stored and used in Stadiums Queensland's e-mail systems and for network and system administration and access purposes.

The following people have access to this information:

- individuals via their e-mail contacts list; and
- staff within the IT Services Unit including the Manager, Information Technology; Information Security Administrator; IT Support Officers and Business Systems Administrators.

Individuals can obtain information regarding access to their personal information maintained in Stadiums Queensland's information systems by contacting the Manager, Information Technology or the Privacy Contact Officer on (07) 3008 6100.

4.5 Administration records

Stadiums Queensland maintains a number of records and registers for administrative purposes. These include:

- correspondence registers;
- fleet information;
- corporate memberships and subscriptions;
- travel bookings; and
- emergency action plans and contact lists.

The information is accessible by the relevant Stadiums Queensland staff. This information is disclosed only to those external persons and organisations where such information is necessary for them to undertake the day to day activities of Stadiums Queensland.

4.6 Member, patron and hirer information

Stadiums Queensland collects, stores and uses personal information about its members and venue hirers. Membership and hirer records

are stored throughout the organisation, both at the Corporate Office and venues.

Personal information is collected from gym members, childcare participants, venue members, organisations hiring or individuals attending any of Stadiums Queensland's venues.

This personal information includes names, addresses, phone numbers, date of birth, gender, health and fitness information, emergency contact details and financial/payment details.

This information is accessible by the relevant Stadiums Queensland staff, in order for them to effectively undertake their duties.

Information concerning members, hirers, attendees, patrons and users of Stadiums Queensland's venues is not disclosed to any persons or organisations without written consent from the individual concerned.

Individuals can obtain information regarding their member and hirer records by contacting the Privacy Contact Officer on (07) 3008 6100.

4.7 Retention of records

Stadiums Queensland's records are kept for variable periods according to the applicable provisions of the *General Retention and Disposal Schedule for Administrative Records*, issued by the Queensland State Archives. For more information regarding specific timeframes please refer to the Queensland State Archives website <http://www.archives.qld.gov.au>.

Stadiums Queensland is developing a Disposal Schedule for records not included in the *General Retention and Disposal Schedule for Administrative Records*. Stadiums Queensland's disposal schedule for core records will be submitted to Queensland State Archives for approval prior to implementation.

5. Existing contracts, licences and outsourcing arrangements

Stadiums Queensland has many existing contracts, licences and outsourcing arrangements, including:

- consultancy agreements;
- venue and event operation arrangements and contracts;
- tenancy and hirer agreements;
- service level agreements; and
- licence agreements.

As these agreements become due for renewal they will be reviewed for their compliance with the Information Privacy Principles. Future agreements will comply with the terms of the Information Privacy Principles.

6. Access or Amendment of Information

Under the *Information Privacy Act 2009* individuals are entitled to access any documents containing their personal information and if required seek amendment to such information if it is incomplete, inaccurate, misleading or out-of-date.

6.1 Access Applications

An individual who wishes to be given access to a document/s which contains personal information about themselves may apply for access to the document/s. Applications must be lodged in writing, by either completing the *Right to Information and Information Privacy Access Application* form available on the Right to Information website (www.rti.qld.gov.au) or by sending a written request to Stadiums Queensland containing:

- name, contact details and authorisation of the applicant;
- description of the documents required; and
- proof of identity.

Applications should be addressed to:

The Privacy Contact Officer
Stadiums Queensland
Level 11, Gabba Towers

411 Vulture Street
Woolloongabba QLD 4102

6.2 Amendment Applications

An individual who has access to a document containing personal information about themselves may apply for amendment of the personal information (personal information cannot be disposed of or deleted). Applications to amend personal information must be lodged in writing, by either completing the *Information Privacy Personal Information Amendment Application* form available on the Right to Information website (www.rti.qld.gov.au) or by sending a written application to Stadiums Queensland containing:

- name, contact details and authorisation of the applicant;
- the information the applicant claims is inaccurate, incomplete, out of date or misleading;
- required amendments to correct the information; and
- proof of identity.

Applications should be sent to the address set out in Section 6.1.

6.3 Processing Applications

When an Information Privacy application is received, it will be processed by the Privacy Contact Officer in accordance with the Act.

6.4 Application time frames

Applications will be processed within the time limits prescribed within the Act unless both the applicant and Stadiums Queensland agree to a change. This agreement must be documented in writing.

7. Complaints and Review Procedure

7.1 Review Process

If an applicant is aggrieved by a decision made by Stadiums Queensland in relation to their Information Privacy application, an internal and/or external review may be requested.

7.2 Internal Review

All applications for an internal review of a decision must be in writing and include:

- name, contact details and authorisation of the applicant; and
- details of the decision for review.

Stadiums Queensland will evaluate the review request as if it was a new application. Upon arriving at a decision, the applicant will be informed of the review result and the reason for the decision.

Applications should be sent to the address set out in Section 6.1.

7.3 External Review

The Information Commissioner is responsible for performing external reviews of Information Privacy decisions. An applicant may choose to bypass the internal review process and proceed to an external review.

All applications for an external review of a decision must be in writing and include:

- name, contact details and authorisation of the applicant; and
- details of the decision for review.

7.4 Privacy Complaints

A person who believes their personal information has not been treated in accordance with the Act, or who believes Stadiums Queensland has mishandled their personal information may make a privacy complaint. In the first instance, the individual must lodge their complaint with Stadiums Queensland. The Privacy Contact Officer is responsible for reviewing Information Privacy complaints and responding to applicants. Stadiums Queensland will respond to the individual regarding their complaint within 45 business days in accordance with the Act.

Written complaints should be sent to the Privacy Contact Officer at the address set out in Section 6.1.

The Privacy Contact Officer can be contacted on (07) 3008 6100.

An individual may choose to make a complaint to the Information Commissioner if they are not happy with the decision made by Stadiums Queensland. In order to be valid, the complaint must:

- be written;
- include an address to which correspondence may be sent; and
- provide sufficient information about the privacy breach.

There is no fee or charge for making a privacy complaint.

Appendix 1 – Summary of Information Privacy Principles

Information Privacy Principles (IPPs)

The Act includes 11 IPPs which cover the collection, storage and security, access and amendment, accuracy and use and disclosure of personal information.

Collection

- Principle 1 - Collection of personal information (lawful and fair);
- Principle 2 - Collection of personal information (requested from individual); and
- Principle 3 - Collection of personal information (relevance, etc.).

Storage and Security

- Principle 4 - Storage and security of personal information.

Access and Amendment

- Principle 5 - Providing information about documents containing personal information;
- Principle 6 - Access to records containing personal information; and
- Principle 7 - Amendment of documents containing personal information.

Accuracy

- Principle 8 - Checking of accuracy, etc. of personal information before use by agency.

Use and Disclosure

- Principle 9 - Use of personal information only for relevant purpose;
- Principle 10 - Limits on use of personal information; and
- Principle 11 - Limits on disclosure.

Collection - Information Privacy Principles 1, 2 and 3

Stadiums Queensland will only collect personal information where it relates directly to the functions or activities being performed. The information will be collected by fair means, and will not unreasonably intrude upon the privacy of the person concerned. When collecting personal information, a privacy notice will be provided which includes information about any other additional purposes for which the information may be used (which may not be immediately evident to the person).

Storage and Security - Information Privacy Principle 4

Stadiums Queensland will take all reasonable steps to prevent the unauthorised access, use, disclosure, modification or destruction of personal information by

providing adequate security and storage systems and implementing appropriate practices.

Individuals providing information to Stadiums Queensland can expect the information will be stored securely and any access to personal information will be permitted for legitimate reasons only.

Access and Amendment - Information Privacy Principles 5, 6 and 7

Under the *Information Privacy Act 2009* individuals are entitled to access any documents containing their personal information and if required seek amendment to such information if it is incomplete, inaccurate, misleading or out-of-date (see Section 6 Access or Amendment of Information). As it is an offence to delete or dispose of a public record without proper authorisation (in accordance with the *Public Records Act 2002*), personal information may only be amended or a notation added to correct the information. Amendments may only be carried out by the Privacy Contact Officer.

Accuracy - Information Privacy Principle 8

Stadiums Queensland will take all reasonable steps to maintain the accuracy, currency and completeness of its personal information. Where possible, staff are to check the accuracy of personal information prior to its use.

Use and Disclosure - Information Privacy Principles 9, 10 and 11

Stadiums Queensland will use the personal information it holds for the sole purpose for which it was collected unless authorised by the person concerned, or authorised by legislation, to use it for an alternative purpose. Personal information will only be disclosed to those parties listed during the original collection or where the person concerned has consented to its disclosure.

Documents to which the privacy principles do not apply

Published personal information or publicly available personal information is not considered personal information under the Act and therefore the Information Privacy Principles do not apply. Additionally, personal information relating to covert law enforcement activities, witnesses in witness protection, whistleblowers, certain types of disciplinary and misconduct actions, cabinet and executive council material and commission of inquiry documents are exempt from application by the individual for access and amendment.