

## Information Privacy Complaints Management Policy

**Version:** 2.0 | **Version effective date:** 01/07/2025

**Supersedes:** Information Privacy Complaints Management Policy and Procedure 1.1

### Scope

This policy covers complaints by individuals who have had the Queensland Public Trustee (QPT) collect and handle their personal information and have a complaint about an act done or practice engaged in by QPT in relation to their personal information that may be in breach of QPT's obligations under the *Information Privacy Act 2009* (Qld) (IP Act) or other privacy-related legislative obligations. This includes all QPT employees and volunteers (whether permanent, part-time, full time, casual or contractors) and customers who may have concerns about the way QPT deals, or has dealt, with their personal information.

A privacy complaint covered by this policy can be a standalone privacy complaint, or form part of a customer complaint or an individual employee grievance.

This policy is supported by the Information Privacy Complaints Management Procedure.

This policy applies organisation-wide, to all staff including permanent and temporary employees, consultants, contractors or any other person who provides the Queensland Public Trustee (QPT) with services on a paid or voluntary basis.

### Purpose

The purpose of this policy is to support QPT's obligations for managing customer complaints or individual employee grievances that are also privacy complaints by:

- setting out how QPT seeks to comply with the Queensland Privacy Principles (QPPs) and privacy complaint provisions under the IP Act and other privacy-related legislative obligations, and
- summarising QPT's approach to managing privacy complaints.

### Policy statement

QPT is committed to maintaining a culture of transparency and accountability when handling personal information, and ensuring that it has a consistent and effective approach to managing privacy complaints by:

- managing personal information with integrity
- adhering to the QPPs set out in the IP Act
- properly assessing privacy complaints and, where appropriate, reviewing or investigating privacy complaints thoroughly, impartially and with procedural fairness
- managing all privacy complaints in a responsive manner and treating all complainants with respect throughout the privacy complaints management process

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## Principles

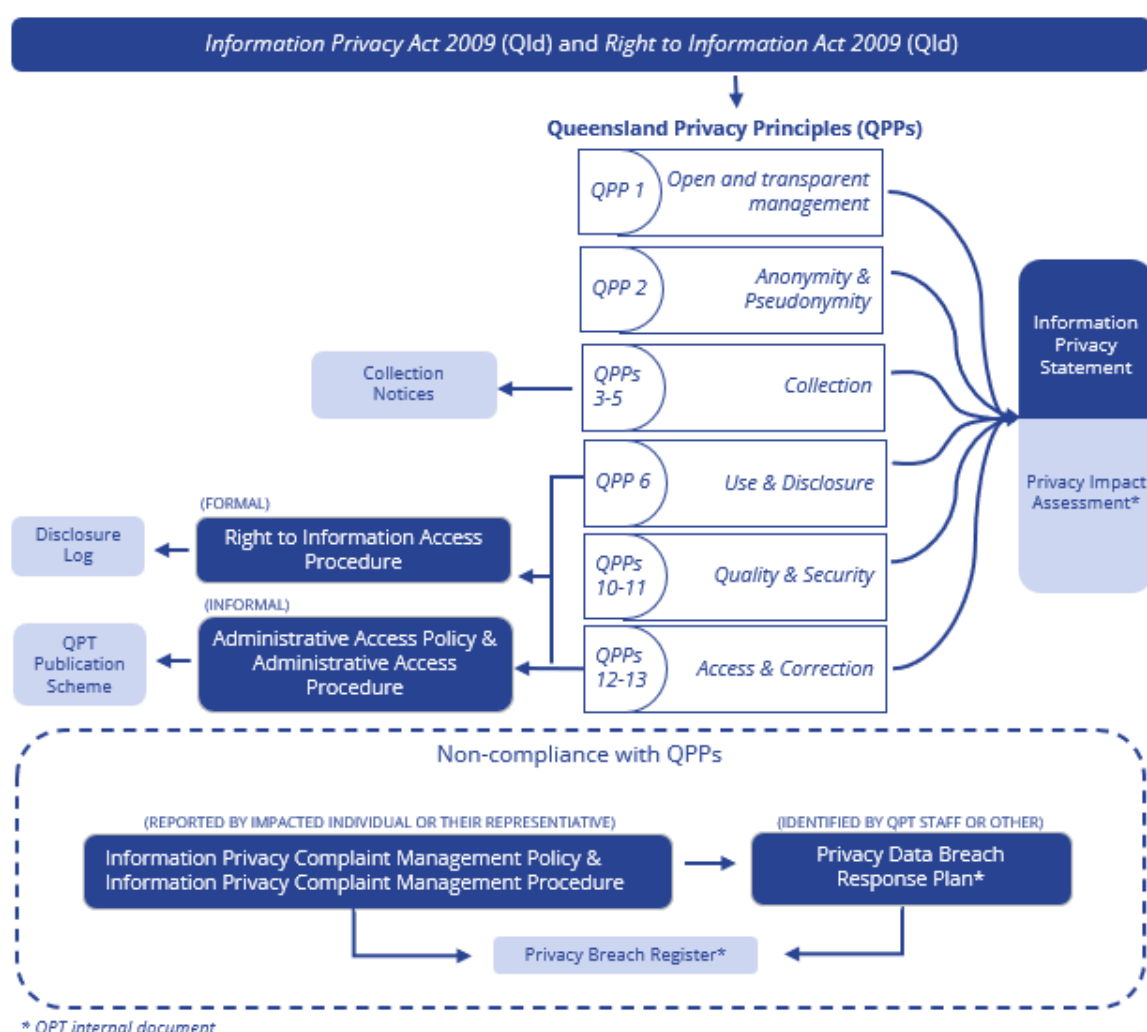
Depending on the source of the complaint, the principles of either the Customer Complaints process (if made by a customer) or the Individual Employee Grievance process (if made by an employee) will apply.

## Compliance framework

### Information Privacy Framework

QPT is required to comply with the IP Act, which outline QPT's obligations when handling personal information, including how personal information is collected, managed, used and disclosed.

QPT's Information Privacy Framework outlines the collection of policies, procedures and tools that QPT uses to manage information privacy, and investigate and resolve privacy complaints.



### Information Privacy Statement

QPT's Information Privacy Statement explains QPT's obligations under QPP 1, about how QPT collects personal information, the types of personal information QPT collects and holds, why the information is held, how the information is used and disclosed and how an individual can request access to (or amend) their own personal information.

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## Information Privacy Complaints Management Procedure

QPT's Information Privacy Complaints Management Procedure supports this policy and sets out the detail of how privacy complaints are managed, in addition to steps required in the Customer Complaints Procedure and Individual Employee Greivance Policy and Procedure.

## Privacy Data Breach Response Plan

QPT's Information Privacy Complaints Management Procedure is supported by QPT's Privacy Data Breach Response Plan which contains detailed information about how privacy data breaches are handled (whether initiated by a complaint or not), including the process for containment, assessment and mitigation of risks, notification, and review or prevention of future breaches. All reported privacy complaints and privacy data breaches are recorded in QPT's internal Privacy Breach Register.

## Managing information privacy complaints

QPT manages customer complaints and individual employee grievances that are also privacy complaints in accordance with this policy and QPT's Information Privacy Complaints Management Procedure.

QPT aims to resolve privacy complaints quickly, and where possible, at the point when the complaint is received. Depending on the source of the complaint, QPT follows the process outlined in the Customer Complaints Procedure or the Individual Employee Grievance Policy and Procedure.

Additionally, if a complainant is not satisfied with the response received outlining the outcome of their privacy complaint or does not receive a response within **45 business days** (or within an agreed timeframe beyond this), the complainant may apply for an external review with the Office of Information Commissioner of Queensland (OIC).

If the complaint cannot be resolved with the assistance of OIC, the complainant can ask OIC to refer the complaint to the Queensland Civil and Administrative Tribunal (QCAT).

## Policy controls and managing non-compliance

Compliance with this policy is mandatory. Managers must ensure the policy is embedded into practice within their teams, and staff are required to report any instances of non-compliance immediately through their manager to the Policy Owner or Policy Delegate (refer to QPT's internal policy register).

## Definitions

Term	Definition
Business days	means a day that is not - (a) a Saturday or Sunday; or (b) a public holiday, special holiday or bank holiday in the place in which any relevant act is to be or may be done (Schedule 1 <i>Acts Interpretation Act 1954</i> (Qld)).
Complainant	is a person, organisation or their representative/advocate making an information privacy complaint as a result of QPT's actions or practices.
Customer complaint	An expression of dissatisfaction about a service or action of QPT by a person, other than a staff member, who is apparently directly affected by the service or action, and

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Term	Definition
	<p>where a response or resolution to the complaint is expected or legally required. Examples may include complaints about:</p> <ul style="list-style-type: none"> <li>• A decision made, or failure to make a decision, by an employee</li> <li>• An act, or failure to act, by the organisation</li> <li>• The formulation of a proposal or intention by the organisation</li> <li>• The making of a recommendation by the organisation</li> <li>• The customer service provided by an employee</li> <li>• The handling of a complaint.</li> </ul>
External review	is a process conducted by a review body outside the QPT (for example, Office of the Information Commissioner) to ensure decision making is fair, reasonable and proper.
Individual employee grievance	is a complaint from a QPT staff member, referred to as an individual employee grievance in Directive 11/20: Individual employee grievances.
Information privacy complaint (privacy complaint)	is a complaint by an individual about an act done or practice engaged in by QPT in relation to the individual's personal information that may be in breach of QPT's obligations under the <i>Information Privacy Act 2009</i> (Qld) and other related legislation.
Information Privacy Statement	is a document that aims to meet QPT's obligations under QPP 1 – to ensure that individuals are aware of how QPT collects personal information, the types of personal information QPT collects and holds, why the information is held, how the information is used and disclosed, and how an individual can request access to their own personal information or complain about a breach by QPT of the QPPs.
Personal information	<p>is information or an opinion about an identified individual who is reasonably identifiable from the information or opinion-</p> <ul style="list-style-type: none"> <li>(a) whether the information or opinion is true or not; and</li> <li>(b) whether the information or opinion is recorded in a material form or not.</li> </ul> <p>(section 12 of the <i>Information Privacy Act 2009</i> (Qld)).</p>
Privacy breach	occurs if the organisation does not deal with an individual's personal information in accordance with its obligations under the <i>Information Privacy Act 2009</i> (Qld) and associated Queensland Privacy Principles.
Privacy data breach	<p>occurs when there is:</p> <ul style="list-style-type: none"> <li>• unauthorised access to, or unauthorised disclosure of, personal information held by QPT, or</li> <li>• a loss of personal information held by QPT in circumstances that are likely to result in unauthorised access to, or unauthorised disclosure of, the information.</li> </ul>

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Term	Definition
Privacy Data Breach Response Plan	<p>is an internal, operational document, further documenting and detailing processes and lines of authority for employees and contractors in the event of an actual or suspected privacy breach, to assist QPT when responding to privacy breaches.</p> <p>The Plan aligns with and supports QPT's Information Privacy Complaints Management Policy and Procedure, and links to QPT's business continuity planning and information security management frameworks.</p> <p>The Plan is used in all circumstances of a privacy breach, whether there has been a complaint or not.</p>
Procedural fairness	<p>means providing any party who may be affected by an information privacy complaint with a fair opportunity to be heard and a reasonable opportunity to respond to any adverse claims. Procedural fairness is also known as natural justice.</p>

## Legislation and other compliance obligations

- [Acts Interpretation Act 1954 \(Qld\)](#)
- [Information Privacy Act 2009 \(Qld\)](#)
- [Information Privacy Regulation 2009 \(Qld\)](#)
- [Right to Information Act 2009 \(Qld\)](#)
- [Right to Information Regulation 2009 \(Qld\)](#)

## Supporting documents

- Information Privacy Framework
- Information Privacy Complaints Management Procedure
- Information Privacy Statement
- Privacy Data Breach Response Plan
- [Customer Complaints Management Policy](#)
- [Customer Complaints Management Procedure](#)
- [Individual Employee Grievance Policy and Procedure](#)

## Related resources and information

- [Your Complaints Journey](#)
- [Employee Complaints Management Policy](#)
- [Individual employee grievances \(Directive 11/20\)](#)

## Contact

For further information about this policy, please contact Compliance Systems and Governance via email to: [privacy@pt.qld.gov.au](mailto:privacy@pt.qld.gov.au).

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Information privacy complaints can be lodged in any of the following ways:

- in person by visiting a [QPT Office](#)
- over the phone by calling the complaints line at 1800 014 536 (Monday–Friday 9am–4pm)
- in writing and marked '*Private and Confidential*' and forwarded by:
  - email to: [privacy@pt.qld.gov.au](mailto:privacy@pt.qld.gov.au)
  - online: [Make a complaint - The Public Trustee of Queensland](#) (pt.qld.gov.au)
  - mail to: Compliance Systems and Governance  
Queensland Public Trustee  
GPO Box 1449  
Brisbane QLD 4001