

INFORMATION PRIVACY FOR QUEENSLAND HEALTH STAFF

As one of the largest employers in the State, Queensland Health recognises the importance of managing personal information in a way that respects the privacy of staff. Information privacy is essentially about acknowledging that individuals should have control over, or at least be fully informed about, the way information about them is handled. This brochure aims to inform staff about how their personal information is handled.

How is information about me protected?

Information privacy requirements for Queensland Health are set out in 10 privacy principles contained in Queensland Government Information Standard 42A. The principles represent minimum standards for the collection, security, use and disclosure of all personal information held by Queensland Health, including personal information about staff.

The principles are supported by a range of Government and Departmental policies. These policies detail requirements regarding the security of information and establish the processes that apply when collecting, using or disclosing personal information. All Queensland Health staff must comply with the privacy principles and supporting policies.

What information does Queensland Health collect about me?

Queensland Health maintains both paper based and electronic records that contain personal information (eg. name, address, next of kin, employment history, salary and leave details) about staff.

As information is usually collected directly from you, you will be aware of the type and extent of information that is held. Information obtained from other sources (eg. referee reports, doctor's reports) is generally collected with your knowledge or agreement. Where unfavourable information about a staff member is received, Queensland Health is required (under the *Public Service Regulation 1997*) to provide the staff member with access to the information, unless that access would be likely to compromise an existing investigation.

Information that is collected enables Queensland Health to undertake a range of functions (discussed below) including meeting various obligations to you as an employee. Without the

relevant information, these functions and obligations may not be properly fulfilled.

How is information about me used or disclosed?

The following sections describe in general terms the purposes for which your personal information is used (within Queensland Health) and disclosed (to parties outside of Queensland Health).

Use of information within Queensland Health

Information is used primarily for administrative and personnel management functions (eg. managing and administering pay and leave entitlements, staff development, performance planning) and to meet operational needs (eg. staff rostering, delegation arrangements, budget forecasting and management). Access to the information is limited to relevant management and human resource management staff and occurs in accordance with approved processes.

Information is also used to manage or process matters such as:

- appeals
- rehabilitation and WorkCover claims
- industrial disputes or claims
- staff deployment/redeployment
- workplace health and safety incidents
- grievances
- complaints
- quality improvement activities
- diminished performance
- litigation claims

Only staff directly involved in investigating or managing these processes have access to this information.

For operational purposes, information about staff (eg. name, position, business unit and employment contact details) may be published in directories such as GroupWise, electronic and paper based Departmental telephone listings and on Govnet. If you have a genuine need to have your contact details withheld from such publications, you should discuss this matter with your line manager as soon as possible.

Some business units may also retain a list of after hours contact details for staff. Your agreement will be sought before your details are retained for such purposes. This information will be accessible only to appropriate staff (eg. a line manager) and will be used for legitimate work purposes (eg. managing rostering gaps or follow up of an urgent work related matter).

We may also use some information to meet wider obligations, such as workforce or workplace planning and development. Statistical information is compiled for the relevant management or other staff responsible for these activities. Your personal information will not be disclosed unless you have given consent.

Disclosure of information outside of Queensland Health

Usually we will only disclose information about you with your consent (eg. payroll deduction authorisations) or where the law authorises or requires us to, for example:-

- employment information must be provided for taxation purposes (to the Australian Taxation Office) and superannuation purposes (to QSuper)
- quarterly reports are provided for workforce planning and management purposes (under a Directive issued pursuant to the *Public Service Act 1996*)
- information disclosed to bodies with investigative functions including, for example, the Crime and Misconduct Commission (*Crime and Misconduct Act 2001*), the ombudsman (*Ombudsman Act 2001*), the Health Rights Commission (*Health Rights Commission Act 1991*), the Queensland Nursing Council (*Nursing Act 1992*) and boards established under health practitioner registration legislation
- information disclosed for the purposes of law enforcement or judicial processes including, for example, under a search warrant, subpoena, notice of non-party disclosure or pursuant to the *Evidence Act 1977*
- information disclosed to inspectors or authorised industrial officers under the *Industrial Relations Act 1999*
- information disclosed to Centrelink which may occur, for example, at the conclusion of employment (where the employee applies for Centrelink payments) or for the purpose of child support payments
- information disclosed to WorkCover Queensland in relation to claims made under the *Workers' Compensation and Rehabilitation Act 2003*
- information disclosed under the *Commission for Children and Young People Act 2000* or the *Aged Care Act 1997* (Cth) for the purpose of determining an individual's suitability for employment in a particular field.

Where an external party asks us for information in these circumstances, we will only provide the information requested after verifying that the request is legitimate.

As a new starter with Queensland Health, information about you may also be provided to a relevant trade union. Under enterprise bargaining arrangements, Queensland Health has made a

commitment to encourage union membership among its employees. On receipt of a request by an authorised union official, Queensland Health will provide the union with a list of names and work locations of all new starters. No other personal details (such as your home address) are provided.

Statistical information for workforce planning or policy development purposes is provided to external bodies. For example, information may be provided to the Australian Bureau of Statistics for monitoring and development of economic policy. Your personal information will not be disclosed unless you have given consent.

Employee Assistance Service

If you access the Employee Assistance Service (EAS), information you provide will remain confidential and will only be used or disclosed with your consent or where the law requires us to disclose your information. Information may be used to evaluate the operation or effectiveness of the EAS or to report issues to senior Department staff (eg. reports identifying the nature and frequency of concerns raised with EAS Officers). Names and identities of individuals accessing the EAS will not be provided in these reports.

Referee reports and pre-employment checks

If you have nominated a Queensland Health staff member as a referee for the purposes of a job application, employment related information may be disclosed by your referee. Referee reports provided by Queensland Health staff are required to be given in accordance with Office of Public Service Merit and Equity directives.

Information may also be given to another employer who is carrying out a pre-employment check. In these instances, the information is provided on the basis of your implied consent.

Transfer of personnel information

If you are appointed or seconded to another area within Queensland Health (eg. another District or between a District and Corporate Office), we will provide personal information to the receiving centre. The information provided will include your personnel file and any other details necessary to ensure continuity of your entitlements. Information provided typically includes your contact details, appointment and pay details prior to transfer (including taxation and superannuation information), payroll deduction authorities, service history and leave details. Information relating to matters such as appeals, complaints and grievances is not ordinarily transferred.

If you are appointed or seconded to another department or public service office, we will give your new employer information in accordance with the relevant directives issued by the Office of Public Service Merit and Equity. As with transfer within Queensland Health, the aim is to ensure smooth transition of your entitlements to your new place of employment.

Research

Occasionally, the Department will be approached to provide employee information for research purposes. Any release of information must be authorised by the Director-General (for Corporate Office staff), Senior Executive Director (for Directorate staff) or a District Manager (for Health Service District staff). Information will only be provided in a statistical or de-identified form or, if personal details are requested, with your consent.

Non work related requests

At times, Queensland Health receives requests to disclose information for non-work related purposes. These typically include:-

- *Friends, family members and others seeking your work or personal contact details.* To ensure your privacy, we will not automatically give out information in these circumstances. Rather, the caller's details will be taken and passed on to you. Where urgency is indicated, you will be contacted as promptly as possible.
- *Financial institutions seeking information or confirmation of your employment for loan purposes.* These requests are dealt with only by human resource management staff. We will ask the institution to provide us with a request for the information on their company's letterhead as well as a copy of the release form that you signed with them. If there is any doubt about the authenticity of the request, we will check with you before disclosing information.
- *Requests for documentation by legal representatives, accountants and others purporting to act on your behalf.* These requests are dealt with only by management and human resource management staff. Information will only be provided on receipt of a consent form or letter signed by you. Where disclosure may have legal implications for the Department, we will consult with Departmental legal advisers in the first instance.

How can I access information held about me?

If you are a current employee, you can usually access information held about you under an administrative access scheme. Health Service District staff wishing to access their information should submit a written request to human resource management within their particular Health Service District. Corporate Office

employees should submit their request to the Human Resource Business Centre – Corporate and Statewide.

Access under this arrangement does not affect your entitlements under the *Freedom of Information Act 1992*. This Act provides mechanisms to seek access to, and amendment of, information relating to personal affairs. If you wish to make an application you should consult your Freedom of Information Officer.

What can I do if I believe personal information about me has been managed inappropriately?

If you have concerns about how your personal information is or has been managed, you should talk to your direct line manager in the first instance. The Department will manage reported breaches of privacy in accordance with established processes. The process will depend upon the nature and circumstances of the concern raised.

Where can I get more information?

Further information is available from the following sources:

- Queensland Health information privacy pages on QHEPS, and also available at www.health.qld.gov.au/privacy/.
- Information about practices and procedures relating to personnel information can be obtained from District and Corporate Office human resource management staff.
- Information about Queensland Health's privacy scheme (eg. Information Standard 42A and the Privacy Principles) can be obtained from your Privacy Contact Officer. Privacy Contact Officer contact details are provided in the Queensland Health Privacy Plan available at www.health.qld.gov.au/privacy/.

12 July 2004