

Privacy Policy

1. Policy statement

The National Injury Insurance Agency, Queensland (NIISQ Agency, 'we', 'us', 'our') is committed to protecting your personal information and right to privacy. We commit to collect, use, disclose and store your personal information in accordance with the:

- 11 Information Privacy Principles (IPP's) contained in schedule 3 of the *Information Privacy Act 2009* (Qld) (IP Act) and other privacy provisions in the IP Act; and
- *National Injury Insurance Scheme (Queensland) Act 2016* (NIISQ Act); and
- *National Injury Insurance Scheme (Queensland) Regulation 2016* (NIISQ Regulation).

The purpose of this document is to explain how NIISQ Agency collects and manages your personal information.

2. What is personal information?

Personal information is defined in section 12 of the IP 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.'

In general terms, personal information is any information that can be used to identify you.

3. Why do we collect personal information?

We collect your personal information for a range of reasons, including:

- to assess eligibility under the National Injury Insurance Scheme, Queensland (NIISQ)
- to assess what reasonable treatment, care and support will be paid for by us
- to carry out our main functions under the NIISQ including:
 - to administer and provide information about the NIISQ; and
 - monitor and review the NIISQ; and
 - conduct research and collect statistics about the NIISQ; and
 - give advice and information to the Treasurer and the Motor Accident Insurance Commission about the NIISQ; and
 - provide support and funding for programs, research and education relevant to the treatment, care and support of participants in the NIISQ; and
 - manage the fund; and
 - keep a register of providers of services under the NIISQ
- to process and respond to information access requests
- to process and respond to complaints and feedback
- for recruitment purposes if you are applying for employment with us; or
- to carry out any other function given to us under the NIISQ Act or any other Act.

4. How do we collect personal information?

We will only collect personal information from you when it is necessary for the particular function or activity we are carrying out. We may collect personal information in the following ways:

- directly from you, for example, when we request personal information from you through forms; or
- through your authorised representative, for example, a lawyer; or
- through our website (please see our [website privacy policy](#) for further information); or
- through email lists or events you sign up to with us; or
- through social media services, such as Facebook.

5. What types of personal information are collected and held by us?

The types of information we may collect and hold about you will depend on how you interact with us. Some examples of the types of personal information we typically collect and hold include:

- full name and contact details
- date of birth
- gender
- relationship details and family circumstances
- family history
- medical or health information
- financial details
- diversity and cultural background
- photographs
- divers licence, passport or other documents that evidence your identity
- occupation, employment history and educational background
- personal information provided by individuals using our complaint management system, including details of the complainant, subject of the complaint, witnesses etc.; and
- personal information provided during recruitment processes (e.g. curriculum vitae or referees).

6. How do we use your personal information?

Under the IP Act we may only use your personal information for the purpose for which it was collected. However, we may use your personal information for a secondary purpose where:

- you have expressly or impliedly consented to your personal information being used for the secondary purpose; or
- the secondary purpose is directly related to the primary purpose; or
- use of the information for the secondary purpose is necessary to protect the life, health, safety or welfare of an individual or the public; or
- use of the information for the secondary purpose is authorised by law; or
- use of the information for the secondary purpose is required for law enforcement purposes; or
- use of the information for the secondary purpose is necessary for research or statistical purposes.

7. Do we disclose your personal information?

In order to perform our functions under the NIISQ we may be required to disclose your personal information to third parties. We will take all reasonable steps to ensure the third party recipient of your personal information (apart from a third party recipient specified in the NIISQ Act) will not use or disclose the

information for a purpose other than the purpose for which it was disclosed by us, unless required or authorised by law.

Under our legislation, how and who we disclose your personal information to will differ depending on whether you are:

- a participant in the NIISQ or an injured person applying to participate in the NIISQ; or
- another individual.

7.1. Participants in the NIISQ or injured persons applying to participate in the NIISQ

If you are a participant in the NIISQ or applying to be a participant in the NIISQ, we may disclose your personal information to the following entities:

- the Motor Accident Insurance Commission
- the Nominal Defendant under the *Motor Accident Insurance Act 1994* (Qld)
- an entity that is the same as or similar to the Nominal Defendant under a law of the Commonwealth or another State
- an insurer carrying on the business of providing workers' compensation insurance, personal accident or illness insurance, or insurance against loss of income through disability
- an entity that is the same as or similar to us under a law of the Commonwealth or another State;
- a department, agency or instrumentality of the Commonwealth, the State or another State
- the agency under the *National Disability Insurance Scheme Act 2013* (Cwlth)
- a hospital, including a private hospital
- an ambulance or other emergency service
- a doctor
- a person who is appropriately qualified to assess the treatment, care or support needs of a person
- a provider of treatment, care or support services, including, for example, attendant care and support services
- an employer or previous employer of an injured person
- an educational institution
- an entity that provides services under the NIISQ to a participant, if giving the information may help in providing the services
- an entity engaged in work relating to:
 - the administration of the NIISQ
 - monitoring or reviewing the operation of the NIISQ; or
 - conducting research or collecting statistics about the NIISQ
- an insurer; or
- a medical tribunal.

We may also disclose your personal information in the manner described in **part 7.2**.

7.2. Another individual

We may need to disclose your personal information even if you are not a participant in the NIISQ or an injured person applying to participate in the NIISQ. We will only disclose your personal information if:

- you have expressly or impliedly consented to the release; or
- we have made you aware that it is NIISQ Agency's usual practice to disclose the information to a third party; or

- the disclosure is necessary to lessen or prevent serious threat to life, health, safety or welfare of the public or an individual; or
- the disclosure is authorised or required by law; or
- the disclosure is necessary for law enforcement purposes; or
- the disclosure is necessary for research or statistical purposes.

8. How do we store your personal information?

We will take all reasonable steps to ensure your personal information is protected from loss, unauthorised access, use, modification or disclosure and any other misuse. We may hold your information in either secure electronic record keeping systems or hard copy form. Where reasonable and practicable to do so, personal information is destroyed or de-identified when no longer needed.

9. How do contracted service providers deal with personal information?

Occasionally, NIISQ Agency may enter into contracts with service providers for the performance of our functions. If your personal information is required, for any reason, to be disclosed to those service providers, we will take all reasonable steps to ensure that the service provider is bound by the same rules and regulations that bind NIISQ Agency in relation to the collection, use, disclosure and storage of personal information under the IP Act. Once bound, the service provider is responsible for any breach of the privacy rules under the IP Act and individuals are able to make privacy complaints against the provider.

10. Will my personal information be transferred outside Australia?

We will only transfer your personal information outside Australia if it is required for a legitimate purpose and only if:

- you consent to the transfer; or
- the transfer is authorised or required under a law; or
- the transfer is necessary to lessen or prevent serious threat to the life, health, safety or welfare of the public or an individual; or
- two or more of the following apply –
 - the recipient is subject to equivalent privacy obligations; or
 - the transfer is necessary to perform a function of NIISQ Agency; or
 - the transfer is for your benefit; or
 - reasonable steps have been taken by the NIISQ Agency to ensure the information is protected.

11. How do I access my personal information held by NIISQ Agency?

You have the right to request access to your personal information held by us. There are a number of ways you can request access to your personal information.

Administrative access

In some cases, personal information of individuals can be released without the need for a formal application under the IP Act. Our [Administrative Release Policy](#) provides further information about when NIISQ Agency will release information administratively.

Please contact our Privacy Officer via the contact details below for advice on whether your personal information can be released to you administratively.

Application under the IP Act

The IP Act gives individuals the right to access their personal information held by government agencies. You can make a formal application under the IP Act for access to your personal information by completing [this form](#).

Please send the completed form to our Privacy Officer via the contact details below.

Amending your personal information

We take all reasonable steps to ensure the personal information we hold about you is current and accurate. However, if you believe that the personal information NIISQ Agency holds about you is:

- inaccurate
- misleading
- out of date; or
- incomplete

you may apply to have that information amended under the IP Act. You can apply to amend your personal information held by NIISQ Agency by completing [this form](#).

Your amendment application should contain:

- details of the information you want to amend
- why you believe the information is inaccurate, misleading, out of date or incomplete
- the amendments you want to be made; and
- certified evidence of your identity.

Please send the completed form to our Privacy Officer via the contact details below.

12. Privacy complaints

If you believe that NIISQ Agency has not dealt with your personal information in accordance with the IP Act, you may make a privacy complaint.

Complaints to NIISQ Agency

If you wish to lodge a privacy complaint with us, please submit your complaint in writing to our Privacy Officer via the contact details below. Our Privacy Officer will contact you within two days to discuss your complaint.

Complaints to the Office of the Information Commissioner

You must lodge a privacy complaint with NIISQ Agency prior to applying to the Office of the Information Commissioner (OIC). However, you can make a privacy complaint to the OIC if:

- at least 45 days have elapsed since the complaint was made to NIISQ Agency; and
- you have not received a response from us, or you do not consider the response received is adequate.

You can find out further information about OIC's privacy complaint process [here](#).

13. Privacy Officer contact details

If you have any questions about how we collect, use, disclose and store personal information, you can contact our Privacy Officer:

Phone: 1300 607 566

Email: NIISQ-Privacy@niis.qld.gov.au

Post: The Manager
Administrative Review
The National Injury Insurance Agency, Queensland
GPO Box 1391
Brisbane QLD 4001