

SOUTH BANK CORPORATION

INFORMATION PRIVACY PLAN

Update November 2002

SOUTH BANK CORPORATION INFORMATION PRIVACY PLAN

South Bank Corporation is a Statutory Authority responsible for the administration of the *South Bank Corporation Act 1989*. Pursuant to the Act, the Corporation's shareholding Minister is the Premier of Queensland.

South Bank Corporation complies with the Queensland Government's Information Standard No 42 "Information Privacy" (the "Information Standard") issued in September 2001. The Corporation is also bound by the *Freedom of Information Act 1992* and other State and Federal legislation. Where any inconsistency occurs between the requirements of the Information Standard and the statute provisions, the statutes will prevail over the Standard.

Types of Personal Information Held by South Bank Corporation

South Bank Corporation collects, stores and uses:

- Employee personal information, which is required for the conduct of regular human resource management functions including wage and salary payments, taxation compliance, leave calculations and performance management. This information is retained on computer and hard copy files by the Human Resources Co coordinator. The executive responsible for this information is the Corporate Services Manager.

Employees are entitled to access to all of their personal information held on the Corporation's files. Access to an employee's files is also granted to the Chief Executive Officer and the EMT member to whom the employee ultimately reports. An employee's direct report, if not an EMT member, (i.e. supervisor manager etc) may be provided access to information for the purposes of performance assessment. External bodies are not provided access to the information without the permission of the employee except to fulfill legislative requirements.

- Tenants, venue and equipment hire, land purchasers and other commercial client personal details, which are required for ongoing liaison, contact, insurance and billing purposes and to satisfy legal requirements. This information is retained on computer and hard copy files held or controlled by the, CEO, Byvan Qld Pty Ltd, Strategic Events Development Manager, Corporate Services Manager, Marketing and PR Manager, Parkland Services Manager, Asset Manager and Venue Manager as appropriate. Information retained will include names, addresses, services provided by the Corporation, taxation insurance and credit reference details (where appropriate) and records of conversations.

With the exception of exempt information under the *Freedom of Information Act 1992* and information subject to legal professional privilege, individuals are entitled to access their personal information held on the Corporation's files. Access to client files is also provided to those Corporation personnel (other than the holders of the information) who require the information in the conduct of the Corporation's day-to-day operations. These will include venue management, accounts, marketing and parkland services personnel. This information is not provided to external parties without the permission of the person concerned except where required by law or is provided to legal representatives under legal professional privilege.

- Personal information about vendors required for normal business processes to occur. Information retained will include: name, address for payment, bank account details to allow for electronic payment of accounts, taxation details required by GST legislation, and records of goods and service acquired by the Corporation. This information is retained on computer and hard copy files held or controlled by the, CEO, Byvan Qld Pty Ltd, Strategic Events Development Manager, Corporate Services Manager, Marketing and PR Manager, Parkland Services Manager and Asset Manager as appropriate.

Individuals are entitled to access their personal information held on the Corporation's files. Access to files is also provided to those Corporation personnel (other than the holders of the information) who require the information in the conduct of the Corporation's day-to-day operations. These will include venue management, accounts, marketing and parkland services personnel. This information is not provided to external parties except where required by law or is provided to legal representatives under legal professional privilege.

- Personal information predominantly names and addresses telephone numbers email addresses etc, which are collected from a variety of sources and are compiled into mailing lists for the distribution of information about the Corporation or are stored as contact lists. Material distributed will include brochures, pamphlets, Annual Reports, invitations, etc for the communication of issues relating to the parklands, Precinct and the Corporation Area generally and for general promotion purposes. This information is retained on computer and hard copy files held or controlled by the, CEO, Byvan Qld Pty Ltd, Strategic Events Development Manager, Corporate Services Manager, Marketing and PR Manager, Parkland Services Manager and Asset Manager as appropriate.

Individuals are entitled to access their personal information held on the Corporation's files. Access to files is also provided to those Corporation personnel (other than the holders of the information) who require the information in the conduct of the Corporation's day-to-day operations. These will include marketing and executive assistant personnel. This information is not provided without permission to external parties except where required by law.

- Personal information including names, addresses, contact information, incident details, video images, etc relating to incidents occurring within the Corporation Area are collected and stored in compliance with legislative requirements. The information is collected by Corporation employees and / or contractors engaged by the Corporation particularly Security and Lifeguard service providers. The information is retained on computer and hard copy files held or controlled by the CEO, Parkland Services Manager and Asset Manager as appropriate. The information is provided to various external bodies in accordance with the legislation and with the conduct of the Corporation's business processes. These external parties include Queensland Police, Queensland Ambulance Service, Queensland Fire Service, the Corporation's insurers, claims managers and legal representatives and Government bodies including the Workplace Health and Safety Commission and Workers Compensation Board.

Individuals are entitled to access their personal information held on the Corporation's files subject to the limitations imposed by the various statutes, which govern the collection of the information, the *Freedom of Information Act 1992* and by legal professional privilege.

Existing Contracts, Licences and Outsourcing Arrangements

The Corporation has entered into contracts, leases, licences and outsourcing arrangements with external non-Government bodies for various goods and services. These include but are not limited to; leases with tenants and equipment suppliers, contracts for cleaning, landscaping, security, waste removal, lifeguard services and with various suppliers, outsourcing contracts for information technology and contracts for the sale of land by leasehold. Where required by the Privacy Amendment (Private Sector) Act 2000, these parties should comply with the requirements of the IPP's as set out in that legislation. Over time as current contracts and agreements expire and are renegotiated appropriate provisions will be included to ensure that all contracts and agreements comply with the requirements of the Information Standard.

Public Registers

The Corporation does not maintain any public registers.

Implementation Timetable

The implementation timetable for the Corporation is set out in Appendix 1.

Procedure to Gain Access to Personal Information

An individual or their duly appointed (and evidenced) personal representative may gain access to personal information maintained, controlled or held by the Corporation. Applications for access to information shall:

- Be made in writing;
- Provide such description of the information sought as is reasonably necessary for the responsible officer within the Corporation to identify the document.

Applications made by email will not be accepted.

Applications are to be sent to:

The Privacy Contact Officer
South Bank Corporation
PO Box 2001
South Bank Q 4101

The Corporation shall use its best endeavours to process the application for access to personal information expeditiously within the following maximum timeframes:

- Respond to the applicant acknowledging receipt of the request within 14 days of receipt;
- Provide a decision on the request for access to the information within 45 days of receipt of the application.

Personal information to which the applicant is permitted access shall be made available for viewing at the offices of the Corporation or at some other location agreed to by the applicant and the Corporation at a time agreeable to both parties. If so requested, the Corporation shall provide photocopies of the information at the standard rate prescribed in the *Freedom of Information Act 1992* (currently 20 cents per A4 page).

The Corporation does not intend to charge an applicant for processing a request for access to personal information (other than photocopies as noted above). However, it reserves the right to impose a charge should, in the reasonable opinion of the Privacy Contact Officer, the processing of the application require the diversion of an abnormal amount of resources. Costs shall be charged at the rate set in the *Freedom of Information Act 1992 Regulations* from time to time (currently \$5 for each 15 minutes)

Other Legislation may Restrict an Individual's Right to Access

An individual's right of access is limited by the exemptions detailed in the Information Standard and to existing rights under the *Freedom of Information Act 1992*.

Prior to providing access to personal information, which pursuant to Section 51 of the *Freedom of Information Act 1992* would reasonably be expected to be of concern to another party, the Corporation shall obtain the views of that party as to whether any of the information sought contains exempt information. Where such consultation is required, the Corporation may, by notice in writing to the applicant, extend the maximum time for advising its decision by 15 days.

Access will not be granted to information including personal information about an individual:

- Arising out of or in connection with a controlled operation or controlled activity within the meaning of the *Police Powers and Responsibilities Act 2000*;
- Arising out of or in connection with a covert undertaking of an operation, investigation or function of a law enforcement agency;
- Arising out of a warrant issued under the *Telecommunications (Interception) Act 1979* of the Commonwealth;
- Which is already in the public domain
- Which forms part of documents provided to Cabinet or Executive Council
- The release of which may adversely affect the State's relations with other Governments or the financial or property affairs of the State.
- Information or opinions, which form part of the Corporation's deliberative processes.
- The release of which may adversely affect law enforcement processes or public safety
- Which is subject to legal professional privilege.
- Which involves the personal affairs of another person
- Which is provided on a confidential basis
- The release of which may breach secrecy provisions of State or Federal legislation or be in Contempt of the Parliament or the Courts

Accuracy and Correction of Personal Information

All care is to be taken by information collectors to ensure that information collected is complete and accurate. It is acknowledged that errors may occur in the collection and recording certain details of fact particularly concerning contact information. Where such errors are brought to the attention of the Corporation reasonable steps will be taken to correct the data as quickly as possible.

Where an individual believes that matters of substance or opinion are inaccurate, incomplete out of date or misleading, a written request for the information to be corrected must be made. Such request shall be in the same form as required for an application for access to information.

Review Procedure

If an individual believes that the Corporation has not dealt with their personal information in accordance with the Information Standard, they may make a complaint in writing to the Corporation. A complaint must be made in writing within six months from the date when the breach was suspected to have occurred.

Complaints should be addressed to the Privacy Contact Officer at the following address:

Privacy Contact Officer
South Bank Corporation
PO Box 2001
South Bank Q 4101

Complaints will be acknowledged in writing within 14 days from the date on which the written complaint was received. The Corporation will process each complaint within 60 days from the date on which it is received. The complainant will be advised in writing of the Corporation's complaint investigation decision, including any remedies that are considered appropriate to resolve the complaint.

If an applicant does not agree with the Corporation's decision, they can apply in writing to the Internal Review Officer – Privacy for internal review of the initial decision. Applications for internal review must be made within 28 days of the complainant receiving the written notice of the Corporation's complaint investigation decision. The postal address for applications for internal review is: -

Internal Review Officer – Privacy
South Bank Corporation
PO Box 2001
South Bank Q 4101

The internal review may be carried out by the CEO or if so directed by the CEO, an officer who is no less senior than the initial decision maker and who has not previously been involved in the matter. The internal review will be carried out within 45 days of receipt of the application for internal review. The CEO will provide a response in writing to the individual who requested the internal review.

There is no mechanism for external review of a CEO's decision.

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APPENDICES

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APPENDIX 1 – IMPLEMENTATION TIMETABLE

Update Dec 2002

Steps	Objectives	Actions / Outcomes	Responsibility	To be done by	Due date
1	Determine responsibility for: 1. Developing the privacy plan 2. Implementing the actions identified in the plan 3. Developing the agency privacy and security statement 4. Accessing records 5. Complaint handling and resolution.		CEO	CSM	Complete
2	Appoint Privacy Contact Officer	CSM appointed.	CEO	N/A	Complete
3	Inform staff of IPPs and privacy requirements under the Information Standard and Guidelines, together with name of the privacy contact officer.	1. Brief EMT on plan and implementation timetable 2. CEO email or letter informing staff of the new standard and the requirement to comply with the IPPs; or 3. Briefing sessions for staff	CSM CSM CSM	Internal Internal Internal	Jan 2003 Dec 2002 Progressive briefings in Jan
4	Develop privacy plan: Undertake Personal Information Audit (if necessary). Identify any statutory requirements that will supersede requirements of the IPPs Review contracts, licence agreements for compliance with IPPs	Personal Information Audit is not required for 1 st year. Audit to be conducted for 2 nd year Key legislation: SBC Act, FOI Act, Police Powers Act, Taxation Acts incl GST ▪ External bodies to comply with Federal privacy legislation. When any current licenses or contracts cease legal obligations under the new privacy regime will apply.	CSM CSM CSM	Internal Internal	30 June 2003 Complete review by June 2003 On going

Steps	Objectives	Actions / Outcomes	Responsibility	To be done by	Due date
		<ul style="list-style-type: none"> Follow up main contractors re their compliance with Privacy Act and agree to insert relevant clause or exchange letters in form of the relevant clause 	CSM	EMT	Mar 2003

Steps	Objectives	Actions / Outcomes	Responsibility	To be done by	Due date
4 (cont)	Review all notices, application forms, questionnaires etc. to ensure they comply with IPPs	Modify forms or notices where necessary to ensure compliance. Put in place interim measures if necessary eg. To ensure compliance with IPP 2 existing stocks of forms could be stamped with a suitably worded IPP 2 statement, or a printed slip could be attached	CSM	M'ktg Asset	Mar 2003
	Review park signage to ensure notices re video surveillance comply and privacy info included.	Modify where required.	CSM	Mgt and P'land Services	Jan Feb 03
	Identify policies and procedures that will need to be developed	Modify where required.	CSM	HR, M'ktg Parkland Services	30 June 2002
	Completed privacy plan with implementation schedule approved by CEO.		CEO	CSM	30 Nov 2002
	Completed Privacy Statement to be approved and included on website		CEO	CSM	22 Dec 2002

Steps	Objectives	Actions / Outcomes	Responsibility	To be done by	Due date
5	Document how the Corporation will comply with the IPPs	Update Business Plan, marketing, human resources plans and policy and procedures of Parkland Services (incl Security and Lifeguards), Marketing and Human Resources to reflect commitment to the IPPs.	CSM	Internal	June 2003
6	Ensure staff notified of procedures to store, process and use their personal information	Notify existing staff via email, circular or briefing session/s. Update induction /staff training material	CSM	HR Co-ord	March 2003
7	Ensure venue hirers, tenants, tenderers, suppliers and mailing list participants are notified of procedures to store, process and use personal information.	Provide copy of Privacy Statement to existing parties as appropriate. Ensure future parties are advised	CSM	Internal	Next mail-out or March 2003
8	<ol style="list-style-type: none"> 1. Ongoing monitoring and training (as required) 2. Provision of access to records 3. Ongoing annual review and updating of privacy plan 4. Complaint handling 5. Internal review. 		CSM	Internal	All ongoing

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APPENDIX 2 – PRIVACY STATEMENTS

Update November 2002

DRAFT PRIVACY STATEMENTS

This appendix contains draft forms of privacy statements for each of the following circumstances:

- Mail out to individuals included on Corporation mailing lists;
- Inclusion on the Corporation website
- Inclusion on notice boards within the Parklands and Goodwill Bridge and other areas, which are under surveillance of South Bank's Security Control Room.
- Privacy Statement reference to be included on all unsolicited publications sent out by mail or email eg Around the Precinct etc.
- Statement to be included in all contracts with external parties

The website privacy and security statement can be linked from the website home page, or alternatively can be a link in a consistent footer that appears on each page throughout the site; for example,

Copyright | Disclaimer | Privacy and Security Statement.

The links are to be prominently displayed on the website.

PRIVACY STATEMENT – MAIL OUT

OUR PRIVACY POLICY

South Bank Corporation (the Corporation) respects your privacy and is committed to protecting your personal information. We understand and appreciate that you are concerned about the privacy, confidentiality and security of any information that may be provided to us.

The Queensland Government has established a privacy regime for the Queensland Statutory Authorities based on 11 Information Privacy Principles. These are contained in an Information Standard that the Corporation is required to adhere to. A copy of this standard can be accessed at <http://www.iie.qld.gov.au>.

How we use your personal information

We collect the personal information, which we need to keep you informed of the activities of the Corporation, upcoming events and promotions within the South Bank Precinct and issues affecting the Precinct and the Corporation. Personal information may be shared within the organization and with the South Bank Business Association.

The Corporation will continue to send you information and to share your contact details in the manner detailed above. If you would prefer that we do not use your information in this way, please contact us on 3867 2000 or email **{insert email address for feedback}**.

The Corporation does not sell or give personal information to third parties unless consent has been given to do so.

Obtaining Access to Your Personal Information

You have the right to access personal information, which the Corporation collects and holds about you. If at any time your details change please let us know by contacting the Corporation by telephone (07 3867 2000) or email us at **{insert email address for feedback}**. If you would like to access to any personal information about you, which we hold, you or your duly appointed (and evidenced) personal representative may gain access to personal information maintained, controlled or held by the Corporation. Applications for access to information shall:

- Be made in writing;
- Provide such description of the information sought as is reasonably necessary for the responsible officer within the Corporation to identify the document.

Applications made by email cannot be accepted.

Applications should be sent to:

The Privacy Contact Officer
South Bank Corporation
PO Box 2001
South Bank Q 4101

Your right of access is only limited by the exemptions detailed in the Information Standard and to existing rights under the *Freedom of Information Act 1992*.

For information regarding your rights to access any such information, please refer to our website at **{insert privacy statement website address}**.

PRIVACY STATEMENT – NOTICE BOARDS

South Bank Corporation (the Corporation) respects your privacy and is committed to protecting your personal information. We understand and appreciate that you are concerned about the privacy, confidentiality and security of any information that may be provided to us.

The Queensland Government has established a privacy regime for the Queensland Statutory Authorities based on 11 Information Privacy Principles. These are contained in an Information Standard that the Corporation is required to adhere to. A copy of this standard can be accessed at <http://www.iie.qld.gov.au>.

The Corporation advises that for the safety and security of our visitors the parklands and other areas within the Precinct are subject to video camera surveillance. Personal information in the form of video images may be recorded on the Corporation files. Except where required by law, video images are destroyed after 28 days.

For information regarding your rights to access any such information, please refer to our website at ***{insert privacy statement website address}***.

PRIVACY STATEMENT - PUBLICATIONS

South Bank Corporation (the Corporation) respects your privacy and is committed to protecting your personal information. We understand and appreciate that you are concerned about the privacy, confidentiality and security of any information that may be provided to us.

The Queensland Government has established a privacy regime for the Queensland Statutory Authorities based on 11 Information Privacy Principles. These are contained in an Information Standard that the Corporation is required to adhere to. A copy of this standard can be accessed at <http://www.iie.qld.gov.au>.

We collect the personal information, which we need to keep you informed of the activities of the Corporation, upcoming events and promotions within the South Bank Precinct and issues affecting the Precinct and the Corporation. Personal information may be shared within the organization and with the South Bank Business Association.

The Corporation will continue to send you information and to share your contact details in the manner detailed above. If you would prefer that we do not use your information to send you this publication, please contact us on 3867 2000 or email {insert email address for feedback}.

For information regarding your rights to access any such information, please refer to our website at {insert privacy statement website address}.

PRIVACY STATEMENT – WEB SITE

South Bank Corporation respects your privacy and is committed to protecting your personal information. We understand and appreciate that; visitors to and users of this web site are concerned about their privacy and the confidentiality and security of any information that may be provided to us.

The Queensland Government has established a privacy regime for the Queensland Statutory Authorities based on 11 Information Privacy Principles. These are contained in an Information Standard that the Corporation is required to adhere to. A copy of this standard can be accessed at <http://www.iie.qld.gov.au>.

Use of cookies, web bugs (single pixel GIFs) or other similar information collection technologies

This is a cookie-free site. When you look at this web site, the Internet Service Provider makes a record of your visit and logs the following information for statistical purposes only - your server address, your top level domain name (for example .com, .gov, .au, etc), the date and time of visit to the site, the pages accessed and documents downloaded, the previous site visited, and the type of browser used. 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.

Handling of e-mail correspondence and feedback information

The Queensland Government owns South Bank Corporation. Accordingly, E-mail correspondence sent to this site will be treated as a public record and will be retained as required by the *Public Records Act 2002* and other relevant regulations.

Except where you indicate otherwise, your name and address details will not be added to any mailing list. We will not disclose your details to third parties without your consent unless required by law. E-mail messages may be monitored by our Internet Service Provider for system trouble shooting and maintenance purposes.

Obtaining Access to Your Personal Information

You have the right to access personal information, which the Corporation collects and holds about you. If at any time your details change please let us know by contacting the Corporation by telephone (07 3867 2000) or email us **at {insert email address for feedback}**. If you would like to access to any personal information about you, which we hold, you or your duly appointed (and evidenced) personal representative may gain access to personal information maintained, controlled or held by the Corporation. Applications for access to information shall:

- Be made in writing. Applications made by email cannot be accepted;
- Provide such description of the information sought as is reasonably necessary for the responsible officer within the Corporation to identify the document.

Applications should be sent to:

The Privacy Contact Officer
South Bank Corporation
PO Box 2001
South Bank Q 4101

If you have any queries about our privacy and security practices, please contact us on 07 3867 2000.

PRIVACY STATEMENT – CONTRACTS

1. CONTRACTS WITH SUPPLIERS; LESSEES; ETC

“The [supplier, lessee, contractor etc as appropriate] confirms and agrees that it complies with the requirements of the *Privacy Amendment (Private Sector) Act 2000 (Privacy Act)* and /or the Queensland Government’s Information Standard # 42 in relation to the collection, management, storage and use of private information collected in the performance of this contract.

The [supplier, lessee, as appropriate] indemnifies South Bank Corporation for any penalty or costs arising from any failure by the [supplier, lessee etc as appropriate] to comply with the Privacy Act or Information Standard and confirms that it will take such steps to correct any deficiencies in its procedures in this regard.”

2. HIRING AGREEMENTS – EQUIPMENT, VENUES ETC

“South Bank Corporation confirms that it complies with the requirements of the Queensland Government’s Information Standard # 42 in relation to the collection, management, storage and use of the hirer’s personal information. The information is collected and used solely in the performance of this contract or as otherwise required by law.

For information regarding our privacy policy and your rights to access the information, please refer to our website at {insert privacy statement website address}.”

3. OUT SOURCING CONTRACTS

Definitions Section of Contract

"Personal Information" means 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

Contract Wording:

Privacy Obligations

Where the Contractor has access to Personal Information in order to fulfill its obligations under this Contract, it must

- (a) Where the Contractor is responsible for holding Personal Information, ensure that Personal Information is protected against loss and against unauthorized access, use, modification or disclosure and against other misuse
- (b) Not use Personal information other than for the purposes of the Contract, unless required or authorized by law
- (c) Not disclose Personal Information without the written agreement of a person authorized in writing by the Corporation, unless required or authorized by law
- (d) Ensure that only authorized personnel have access to Personal Information

- (e) Immediately notify the Corporation if it becomes aware that a disclosure of Personal Information is, or may be required or authorized by law;
- (f) Make its employees, agents and subcontractors aware of the Contractor's obligations under this clause including, when requested by the Corporation, requiring those employees, agents and subcontractors to promptly sign a Privacy Deed, substantially in the form appearing in the Schedule, relating to Personal Information;
- (g) Indemnify the Corporation for any liability arising from a breach by the Contractor of this clause notwithstanding any other provision of this Contract
- (h) Together with the Corporation follow agreed procedures for dealing with complaints relating to the services provided by the Contractor; and
- (i) Comply with such other privacy and security measures as the Corporation reasonably advises the Contractor in writing from time to time.

The Contractor must immediately notify the Corporation upon becoming aware of any breach of the above clause

PRIVACY STATEMENT – EMAIL

STATEMENT TO BE ADDED TO CURRENT EMAIL ANNEXURE

E-mail correspondence sent from the Corporation or addressed to it will be treated as a public record and will be retained as required by *The Public Records Act 2002* and other relevant regulations.

Except where you indicate otherwise, your name and address details will not be added to any mailing list. We will not disclose your details to third parties without your consent unless required by law. E-mail messages may be monitored by our Internet Service Provider for system trouble shooting and maintenance purposes.