



Privacy Policy

Policy Title	Privacy Policy
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Delegate	Commissioner
Authorisation	
Approval Date	5/02/2026
Effective date	5/02/2026
Review date	5/02/2027
Alignment to Strategic Plan 2023-2027	• Support the restoration of socially responsible standards of behaviour and local authority in welfare reform communities. • Help people in welfare reform communities to resume primary responsibility for the wellbeing of their communities. • Create a capable, culturally safe, agile and innovative organisation. • Improve engagement through codesign and partnerships.

1. Policy Statement and Purpose

The Family Responsibilities Commission (FRC) is committed to protecting the personal information it collects, holds, uses and discloses in accordance with the Information Privacy Act 2009 (Qld) (**IP Act**) and the Queensland Privacy Principles (**QPPs**). The FRC will manage personal information lawfully, securely, transparently and only for purposes connected to its statutory functions.

The IP Act and its QPPs set the rules for how Queensland public sector entities handle [personal information](#). These rules include a requirement, under QPP 1, that every agency have a QPP privacy policy.

The FRC Privacy Policy explains how we manage personal information, including:

- (a) the kinds of personal information we collect and hold, how we collect and hold that personal information, and the purposes for which we collect, hold, use and disclose personal information.

- (b) how you may complain about our handling of your personal information, and how we will deal with the complaint.

2. Scope

This policy applies to all FRC Commissioner members, Registry staff, contractors, and volunteers in relation to the collection, storage, management, use, and disclosure of personal information.

3. Legislative and Policy Context

This policy aligns with the:

- *Information Privacy Act 2019*
- *Right to Information Act 2009*
- *Family Responsibilities Commission Act 2008 (FRC Act)*

4. Definitions

For the purposes of this policy and related policy documents, the following definitions apply:

Term	Definition
Affected individual	A person: • to whom the information subject to unauthorised access, unauthorised disclosure or loss relates, and • who a reasonable person would conclude is likely to suffer serious harm resulting from the data breach.
Data Breach	The unauthorised access or disclosure of information held by an agency, or the loss of personal or non-personal information held by an agency where unauthorised access or disclosure is likely to occur.
Eligible Data Breach	A data breach will be an eligible data breach if the actual or potential unauthorised access to, or disclosure of, personal information is likely to result in serious harm to an individual to whom the personal information relates.
Mandatory Notification of Data Breach (MNDB) Scheme	Means the mandatory notification of data breach scheme established under Chapter 3A of the IP Act. See Data Breach Policy and Data Breach Response Plan
Personal information	Information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion; a) whether the information or opinion is true or not; and b) whether the information or opinion is recorded in a material form or not.

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Queensland Privacy Principles (QPPs)	Means the QPPs established under Schedule 3 of the IP Act that govern the collection, storage, use and disclosure of personal information by Queensland public sector agencies.
RTI Act	<i>Right to Information Act 2009</i> (Qld)
Sensitive information	Means the following: (a) information or an opinion about an individual's: (i) racial or ethnic origin; or (ii) political opinions; or (iii) membership of a political association; or (iv) religious beliefs or affiliations; or (v) philosophical beliefs; or (vi) membership of a professional or trade association; or (vii) membership of a trade union; or (viii) sexual orientation or practices; or (ix) criminal record; (b) health information about an individual; or (c) genetic information about an individual that is not otherwise health information; or (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or (e) biometric templates.
Serious harm	Harm that results from unauthorised access to or unauthorised disclosure of personal information, including serious physical, psychological, emotional, financial, or reputational harm.
Unauthorised access	Occurs when personal information that the Commission holds is accessed by someone who is not permitted to have access. This includes unauthorised access by a Commission employee, or an independent contractor, as well as unauthorised access by an external third party (for example, hacking).
Unauthorised disclosure	Occurs when the Commission, whether intentionally or unintentionally, makes personal information accessible or visible to others outside of the Commission, and releases information from its effective control in a way that is not permitted under the IP Act.

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5. Policy Details

All Registry Staff and Commission members are required to read this policy, the Data Breach policy and attend in house Information Privacy training when required and when amendments are made to this Policy and legislation.

5.1 Collection of personal information

The FRC collects personal information required to exercise our statutory functions and meet our regulatory and administrative obligations. We also collect personal information to carry out our business functions, e.g. human resources management and recruitment processes.

We may collect and store this personal information in several formats, including hard copy, video and audio or in a digital format.

The FRC collects personal information directly from individuals who engage with the FRC and indirectly from third parties as part of carrying out our functions, and as required under the FRC Act.

5.2 Sensitive Information

The FRC collects sensitive information including, health information and criminal record information about clients. This information is required to be provided to the FRC as part of its function to receive agency notices under the FRC Act. Any additional sensitive information that the FRC collects is directly from the individual it is about or with their consent, or otherwise consistent with our obligations under the FRC Act.

5.3 Information types

The kinds of personal information (including sensitive information) we collect and hold are set out in the table below.

FRC Function	Kind of personal information, how and why we collect that personal information
FRC Act	The FRC collects, holds, uses and discloses personal information to discharge its statutory duties and functions under the FRC Act. This includes personal information required to: • decide who is within the jurisdiction of the Commission • decide who the Commission should have a conference with • decide on appropriate conference outcomes • monitor compliance with Family Responsibilities Agreements, Orders and Case Plans. The Commission receives personal information from the Australian Government including: • information from the Services Australia Business Hub including address history, welfare payment information, and income management information.

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	The Commission receives agency notices, which are given to the Commission about community members of welfare reform community areas in the following circumstances: • a person's child is absent from school within a welfare reform community three times in a school term, without reasonable excuse • a person has a child of school age who is not enrolled in school • a person is the subject of a Child Safety and Welfare Notice, where the child protection chief executive becomes aware of alleged harm or risk of harm to a child • a person is convicted of an offence in a Court • a person who is a child is convicted of an offence, and the person is not a first-time offender • a court makes a protection order against a person • a person is a respondent to a Police Protection Direction • a person breaches his or her tenancy agreement in relation to social housing in a welfare reform community – for example, by using the premises for an illegal purpose, causing a nuisance or failing to remedy rent arrears. The Commission maintains records of conference proceedings and outcomes including personal information that is collected during the course of a conference. The Commission also collects and holds personal information in monitoring a person's compliance with a Family Responsibilities Agreement or Order, such as progress reports from service providers to which Commission clients have been referred under a Case Plan, and case notes relevant to the client. The Commission also collects personal information about community members who seek voluntary referral to the Commission and enter into voluntary agreements or income management arrangements. The FRC collects and holds personal information in conducting Client Engagement, including case notes relevant to the client.
Privacy and Right to Information	The FRC may collect and hold information about individuals who make privacy complaints to the FRC, including names, contact details, the personal information of the subject of the complaint and what resolution the complainant is seeking. A failure to provide this information may mean the FRC is unable to deal effectively with the privacy complaint. The FRC may collect and hold personal information about individuals who make a Right to Information application for information held by the FRC.
Information and Assistance	The FRC collects and holds personal information about people who contact the FRC by phone, post, web form, or email. This information may include names, contact details, and the enquirer's circumstances which led to or are relevant to their enquiry. The FRC may also collect and hold information about reasonable accommodations required by an enquirer.

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Human Resources	The FRC collects and holds personal information about the FRC's employees (current and past) and Commission members relevant to their employment and engagement at FRC, including their contact details, home address, date of birth, tax file number, qualifications, work history, required reasonable accommodations, entitlements, and next of kin and/or emergency contacts. The FRC may also collect Driver's Licence and Blue Card information and travel logs for relevant positions. Personal injury or health information may also be retained for Workers Compensation and work capability purposes. Payroll and leave are managed internally by the FRC and not through a service level agreement.
Complaints about the FRC	The FRC collects and holds personal information about people who make complaints to the FRC about our services, including their names, contact details, interactions with the FRC, expressions of dissatisfaction, investigation into the complaint and the outcome of the complaint. The FRC may collect and hold personal information, and sensitive personal information in receiving and responding to a complaint under the <i>Human Rights Act 2019</i>. This may include: • complainant details, including name and contact details • details of the complaint • personal circumstances or information about the complainant's identity that are relevant to the complaint, including for example race, religion, gender. • supporting evidence • respondent information • investigation records • complaint outcomes and resolution information
Recruitment and Contractors	The FRC collects and holds personal information about people who apply to work at the FRC. This includes names, contact details, application documentation, identification information, assessments for suitability, referees and references.
Information collected through FRC's website	The FRC's public website www.frcq.org.au is hosted in Australia. The FRC's web measurement tools and Internet Service Providers record only anonymous information about site visitors for statistical purposes including: • server and IP address • the name of the top-level domain • type of browser used • date and time the site was accessed • pages accessed and documents downloaded

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	the previous site visited The FRC collects personal information through our website where it is provided by individuals who provide feedback and enquire through our contacts page.
Surveys	The FRC may use survey platforms to conduct reviews and evaluations of its services or projects from time to time. If you agree to participate in our surveys, we will collect and hold your personal information by way of Microsoft Forms and Survey Monkey (including holding that information overseas – in the United States of America, via Microsoft Forms, or in the Republic of Ireland via Survey Monkey UC). Microsoft Forms' privacy statement can be viewed here. Survey Monkey's privacy policy can be viewed here.

5.4 Use and disclosure of personal information

The FRC uses and discloses personal information for the purpose for which the personal information was collected, including:

- (a) Exercising our powers or performing our statutory functions and duties, such as determining whether a person is a 'community member', collating and preparing information for conferences, making decisions at conference, to give effect to income management decisions, and monitoring compliance with case plans.
- (b) Managing business processes, such as recruitment and human resources administration.

We may also use or disclose personal information for secondary or alternative purposes as permitted under the IP Act. This may include situations where we are authorised or required to do so under Australian law, where the individual has provided consent, or where the individual would reasonably expect us to use or disclose personal information for a related purpose (or, in the case of sensitive information, a directly related purpose). This may also include disclosures necessary to meet our procedural fairness obligations.

Disclosures may also occur in the context of legal proceedings, including to a court or tribunal. For example, this may arise where a person appeals a decision of the FRC to the Magistrates Court on a question of law. However, under section 55 of the FRC Act, anything said or admitted during a conference, and any document or copy of a document prepared for or produced in the course of a conference, is privileged and not admissible as evidence in legal proceedings. This means that while some disclosures may be required for legal purposes, information arising from an FRC conference remains protected.

5.4.1 Information Exchange under the FRC Act

Part 8 of the FRC Act provides for information exchange about community members between the Commission and other entities to assist the Commission to make decisions under the FRC Act and to support cohesive and coordinated service provision to community members.

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Part 8 of the FRC Act sets out that the FRC may **give** personal information to prescribed and relevant entities in certain circumstances, and that the FRC can **ask** for 'relevant information' which may include personal and sensitive personal information, from prescribed entities.

When the FRC may give personal information

Section 92 of the Act sets out when the Commissioner may disclose personal information. The Commissioner may give **personal information** to a **prescribed entity** if:

- giving the information may help the entity to decide whether particular information should be given to the Commissioner or the Commission or
- it is necessary to help the Commissioner or the Commission, or the entity, coordinate support services for the person.

Prescribed entities are:

The chief executives of the departments that are mainly responsible for:

- child protection services
- education
- housing services
- adult corrective services
- criminal justice matters Queensland Police Service
- principals of non-State schools
- community support service providers (State and Australian Government entities and non-government organisations) to which a person has been referred
- school attendance case managers/officers.

For example, details about the children in the care of a Commission client may be given to a non-government service provider in order to help the service provider coordinate parenting support services for the client.

The Commissioner may also give personal information to Centrelink if the person is subject to income management, or the Commission is considering making an income management order, if it may help the Commissioner or the Commission to:

- decide whether a person is a community member, and therefore within the jurisdiction of the Commission or
- make an appropriate decision under the Act about the person.

For example, the Commission may provide the date of birth of a Commission client to Centrelink in order to establish whether that person is in receipt of a welfare payment.

The Commissioner may also give personal information to a **relevant entity** if it is necessary to help the Commissioner or the entity evaluate the effectiveness and operation of the Commission under this Act.

Relevant entities are:

The chief executives of departments that are mainly responsible for:

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- child protection services
- education
- housing services
- criminal justice matters
- Centrelink

When the FRC may *request* information

Section 93 of the Act sets out when the Commission may ask other entities for relevant information. The Commissioner may ask a **prescribed entity** for **relevant information** in the entity's possession or control. Relevant information may include personal information or sensitive personal information.

Prescribed entities are defined above.

Relevant information is information that may assist the Commission in its decision-making. It is information that may help the Commission to:

- properly consider matters to which an agency notice relates
- decide whether to hold a conference
- decide whether a person is a community member
- identify appropriate persons to attend a conference
- make appropriate decisions at conference
- prepare Case Plans or
- assess the effectiveness of, and monitor compliance with a Case Plan.

Relevant information may be about:

- a relevant person for an agency notice
- a student the subject of a school attendance notice
- a child the subject of a child safety notice or
- the family of a relevant person, student or child mentioned above.

The Commissioner may only request relevant information from a community support service provider if the information is about a Commission client who has been directed to attend a community support service under a case plan.

For example, the Commissioner may request information about a person's attendance at a community support service to help the Commission make a decision about whether the person should be subject to income management.

When a request for information is made by the Commissioner under section 93 of the Act, a relevant entity must comply with the request unless an exemption applies.

5.5 Access and correction of personal information

Under the IP Act, QPPs 12 and 13 recognise that individuals have the right to access their personal information held by the Commission and to request amendment where information is inaccurate, incomplete, out of date, or misleading. In addition, under the RTI Act, individuals may apply for access to documents containing their personal information and may request

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amendment of that information, subject to the exemptions and public interest considerations set out in the Act.

This right applies to all individuals whose personal information is retained by the Commission.

5.6 Dealing with FRC anonymously or using a pseudonym

Under the IP Act, QPP 2 requires that individuals be given the option to remain anonymous or to use a pseudonym when dealing with an agency in relation to a particular matter, except where it is impracticable for the agency to do so.

People can make enquiries, report a data breach, or use the enquiry form on our website anonymously or by using a pseudonym.

Complaints about the FRC can be made anonymously or by using a pseudonym but, depending on nature of the complaint, the FRC may not be able to action a complaint and/or provide a response without a person's identity (e.g. where a complaint relates to a particular individual's conduct).

Anonymous or pseudonymous interaction is not possible for other FRC functions, such as holding conferences about agency notices. The FRC is required to collect information such as name, contact details and details of the matters to which the agency notice relates, so we can deal with the matter effectively and in accordance with our statutory duties.

5.7 Security of personal information – recordkeeping obligations

Under QPP 11 of the IP Act, the Commission must take reasonable steps to safeguard personal information from misuse, interference, loss, and unauthorised access, modification, or disclosure. To ensure compliance with these requirements, the FRC adheres to the relevant Queensland Government Information Standards and Security Protocols to protect personal information and ensure it is accessible only to authorised staff members.

Where permitted by the *Public Records Act 2023* (Qld), the FRC will destroy or de-identify unsolicited personal information, or personal information no longer required for any of its functions, where it is lawful and reasonable to do so.

Section 141 of the FRC Act requires the Commission to destroy copies of agency notices concerning individuals confirmed as being outside its jurisdiction. These records are to be destroyed as soon as practicable.

5.8 Privacy complaints about FRC

If an individual believes that FRC has not handled their personal information in accordance with the IP Act, they may make a privacy complaint.

A privacy complaint may only be made on behalf of another person if that person has authorised the individual to act on their behalf. This includes situations where:

- the person is a minor/child and the complainant is their parent or guardian;
- the person lacks capacity and the complainant is their guardian; or
- the complainant has legal authority to act for the person.

To make a privacy complaint about the FRC, the complaint must:

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- Be submitted to the FRC in writing (if you have difficulty doing so, the FRC can help you put your complaint in writing).
- Include contact details for response (e.g. an email address).
- Clearly state the matter or issues being complained about (e.g. how the FRC handled or failed to handle personal information in breach of the QPPs and the IP Act).

Written complaints can be sent to:

The Privacy Officer (the Registrar)
complaints@frcq.org.au

or

The Privacy Officer
 PO Box 5438, **Gimuy** (Cairns), QLD 4870

5.8.1 Timeframe for handling a privacy complaint

A privacy complaint must be submitted to the FRC within 12 months of becoming aware of the act or practice that breached privacy obligations.

When submitting a privacy complaint on behalf of another person, authority to act on their behalf or supporting evidence must be provided (e.g. a birth certificate confirming the person is a child and that the complainant is their parent).

Complaints will be acknowledged in writing within 14 days of receipt by the Commission. The Commission will endeavour to process each complaint within 30 business days from the date of receipt. The complainant will be notified in writing of the outcome of the Commission's investigation within seven business days of the decision being made.

All complaints must be resolved by the FRC within 45 business days.

If this timeframe is not met, the complainant may escalate the complaint to the Office of the Information Commissioner.

6. Roles and Responsibilities

Roles and responsibilities support compliance with the Policy and the IP Act.

Role	Responsibilities
Commissioner	Holds ultimate responsibility for governance and lawful administration of the FRC under section 11 of the FRC Act and Chapter 3A of the MDBS (see legislative responsibilities below) Ensures organisational compliance with the <i>Information Privacy Act 2009 (Q/d)</i> including: — ss 50–54 (MNDB scheme: assessment, statement, notifications) — s 72 (Register of

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	Eligible Data Breaches) — s 73 (Serious harm test and eligible data breach threshold) Ensures compliance with relevant Queensland Privacy Principles, including: — QPP 1 (Agency privacy policy) — QPP 2 (Limits on use/disclosure) — QPP 3 (Lawful collection) — QPP 4 (Security of personal information) — QPPs 5–11 (Accuracy, access, amendment, identifiers, anonymity, transborder flow) Provides leadership in the response to serious or sensitive breaches, ensuring cultural safety and community considerations. May issue directions to the Registrar and staff relating to privacy, governance and data breach management.
Executive Management Team (EMT)	Provides strategic oversight during breaches. May, on request of the Registrar, approve significant containment or remediation actions. Reviews Situation Reports (SITREPs) from the DCRT and assesses organisational, legal and reputational risk. Endorses improvements arising from post-incident review processes.
Registrar (Privacy Officer)	Manages the Registry and ensures lawful handling of personal information. Is the statutory decision maker in accordance with the IP Act and the FRC Act (see legislative responsibilities below). Determines whether the FRC has a reasonable belief of an eligible data breach under s 73 of the IP Act. Decides whether the MNDB scheme applies. Approves and signs the statement to the Information Commissioner under s 51. Approves notifications to affected individuals under s 53 and public notices under s 54. Ensures the Register of Eligible Data Breaches is maintained in compliance with s 72. Ensures compliance with FRC Act confidentiality obligations (s 123).

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	Maintains Privacy Policy, Data Breach Policy and Response Plan.
	Receives and deals with Privacy Complaints.
Manager – Compliance & Legal Policy	Maintains the Register of Eligible Data Breaches (s 72 IP Act). Provides specialist advice on serious harm assessments and privacy compliance. Prepares and reviews notifications and correspondence with OIC. Ensures compliance with QPPs and privacy governance obligations.
ICT Administrator & ICT Support Officer	Conduct technical containment, including isolating systems, disabling accounts, and securing affected assets. Undertake forensic analysis to determine whether information was accessed, modified or exfiltrated. Provide technical evidence to inform the serious harm assessment under s 73. Assist with long-term remediation and systems strengthening.
Managers	Ensure staff comply with Data Breach and Privacy Policies. Assist the DCRT by identifying affected individuals, systems and records. Implement remediation actions and long-term preventive measures in their business areas.
All Staff, Local Commissioner members, Volunteers, Contractors	Must handle personal information in accordance with QPPs 1–11. Must take reasonable steps to protect personal information in accordance with QPP 4 (security) and s 123 of the FRC Act (confidentiality). Must immediately report any suspected or actual breach—concealment is prohibited. Must comply with Data Breach Policy, Privacy Policy and all instructions from DCRT, ICT and EMT.

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Legislative Responsibility Under the IP Act

Commissioner – Organisational Head

Under IP Act, the FRC is an “agency” and is responsible for complying with the QPPs and the MNDB scheme in Chapter 3A. As the head of the organisation under the FRC Act 2008 (section 11), the Commissioner provides leadership, oversight and governance to ensure the Commission meets its statutory obligations for the protection, security and lawful handling of personal information. The Commissioner ensures that organisational systems, resources and cultural practices support compliance with the QPPs and that the FRC is able to meet its mandatory assessment and notification obligations under ss 50–54 and recordkeeping requirements under s 72 of the IP Act.

Registrar – Statutory Decision-Maker

In accordance with ss 35–36 of the *FRC Act*, the Registrar is responsible for the administrative affairs of the Commission and exercises the powers necessary to ensure compliance with the IP Act. For the purposes of the MNDB scheme, the Registrar is the authorised officer responsible for:

- forming the reasonable belief required under s 73 that a data breach is an Eligible Data Breach;
- approving and issuing the written statement to the Information Commissioner under s 51;
- approving notifications to affected individuals under s 53 and public notices under s 54; and
- ensuring compliance with recordkeeping obligations, including maintaining the Register of Eligible Data Breaches under s 72.

7. Monitoring and Review

This policy will be reviewed one year after the effective date, given the breadth of legislative compliance requirements from the *Information Privacy and Other Legislative Amendments Act 2024*.

After such time, the Privacy Policy will be reviewed on a three yearly basis, or as required by changes in legislation or organisational priorities.

8. Approval and Version Control

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9. Contact Information

For further information and assistance contact:

The Registrar
Family Responsibilities Commission
184 Mulgrave Road, Westcourt
Telephone (07) 4081 8400 Fax (07) 4041 0974

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