



Privacy Policy

LEGAL AND LEGISLATION

V1.0 | July 2025

TABLE OF CONTENTS

1.	PURPOSE	3
2.	SCOPE	3
3.	AUTHORITY	3
4.	RELEVANT LEGISLATION AND DOCUMENTS.....	4
5.	COLLECTION OF PERSONAL INFORMATION	4
6.	DEFINITIONS	12
7.	DOCUMENT INFORMATION	13
8.	VERSION HISTORY	13

1. PURPOSE

The *Information Privacy Act 2009* (**IP Act**) and its Queensland Privacy Principles (**QPPs**) set the rules for how Queensland government agencies – including the Queensland Building and Construction Commission (**QBCC**) – handle personal information. These rules include a requirement under QPP 1 that every agency have a QPP privacy policy in place.

The Privacy Policy supports the QBCC acting in accordance with the right to privacy and reputation under the *Human Rights Act 2019*, and explains how the QBCC manages 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 the personal information we collect, store, manage, use, and disclose in discharging our statutory functions and to:

- the Chief Executive Officer and Commissioner of the QBCC (**Commissioner**)
- the Queensland Building and Construction Employing Office
- Statutory Office Holders
- Senior Executive Service (**SES**) or equivalent officers
- Employees of the Queensland Building and Construction Employing Office (**QBCEO**) who undertake work for the QBCC
- Members of the Queensland Building and Construction Board (**QBC Board**) and the QBC Board Committees, including the Industry Advisory Committee (**IAC**)
- Members of the Service Trades Council (**STC**) and its panels, the Service Trades Licensing Advisory Panel (**STLAP**) and the Notifiable Work Panel
- Individuals who are engaged as contractors, consultants, or service providers who provide services to the QBCC.

For this policy, the above individuals are collectively referred to as the ‘QBCC’s officers’.

3. AUTHORITY

Authority	Queensland Building and Construction Board
Document Owner	Chief Legal Officer
Date	June 2025
Version	V1.0 Release version
Review Date	July 2026

Related Documents – forms and procedures	Privacy Management Framework Data Breach Policy Data Breach Response Plan Risk Management Policy Risk Management Framework
--	--

4. RELEVANT LEGISLATION AND DOCUMENTS

- *Information Privacy Act 2009 (IP Act)*
- *Privacy Act 1988 (Cth)*
- Privacy (Tax File Number) Rule 2015
- Information Security Policy (IS18:2018)
- *Public Records Act 2023*
- *Public Sector Act 2022*
- Code of Conduct for Queensland Public Service
- *Queensland Building and Construction Commission Act 1991 (QBCC Act)*

5. COLLECTION OF PERSONAL INFORMATION

The definition of ‘personal information’ is set out in [Section 5.8: Definitions](#).

The QBCC collects personal information in writing, through audio recording, metadata, or by recording information provided to QBCC officers verbally. The QBCC collects personal information directly from individuals and indirectly from third parties as part of carrying out its functions. These functions include:

- Licensing – Regulating building and trade contractors, including certifiers and plumbers,
- Education – Informing and educating the building and construction industry and consumers,
- Dispute Resolution – Providing resolution services for defective building work and payment disputes,
- Safer Buildings – Administering the ‘Safer Buildings’ program to identify and manage combustible cladding,
- Compliance – Monitoring and enforcing compliance with legislative obligations relating to the Queensland building and construction industry, and compliance with building codes and standards to protect the public from poor quality building work in Queensland,
- Monitoring and protecting the financial wellbeing of the Queensland building and construction industry,
- Home Warranty Scheme – Managing the Queensland Home Warranty Scheme for eligible residential construction work,
- Adjudication and Advisory – Providing services under the *Building Industry Fairness (Security of Payment) Act 2017 (BIF Act)*,
- Ministerial and Departmental responses, and

- Business Functions – Carrying out business functions, such as human resource management, recruitment, responding to enquiries from the public and licensees, investigating licensee compliance with the relevant legislation, and internal operations.

SENSITIVE INFORMATION

The QBCC also collects sensitive information to carry out our business functions, e.g., human resources management and recruitment processes. The definition of ‘sensitive information’ is set out in [Section 5.9: Definitions](#) and outlined in the IP Act. Sensitive information includes:

- Criminal history information
- Health information
- Details of your membership with professional or trade associations
- Details of your membership with a trade union, and/ or
- Information about your racial or ethnic origin.

The QBCC collects sensitive information where authorised or required by law, or with your consent.

DETAILED COLLECTION

Depending on how you interact with the agency, the QBCC may collect your personal information via:

- forms, email, post, phone, or in person when you attend a QBCC office
- customer experience or feedback surveys, or via registration to QBCC events
- audio recordings during inspections or interviews
- CCTV recordings when attending a QBCC office
- audio recordings of phone calls
- metadata, e.g., when you access our website, log into the customer portal, or download documents
- myQBCC when you register or access QBCC services via the customer portal, or when you visit or interact with the QBCC via its website or social media accounts
- the issuing of statutory notices under the *Queensland Building and Construction Commission Act 1991* or search warrants.

The kinds of personal information (including sensitive information) that the QBCC collects and holds are set out in the table below.

QBCC FUNCTION	PERSONAL INFORMATION COLLECTED	WHY THE QBCC COLLECTS IT
Licensing	<p>Personal information of applicants, licensees, and owner builders.</p> <p>This may include name, contact details, physical business address (which may also be a personal residence), birth date, identification documents, work eligibility information, memberships, qualifications</p>	<p>To grant, renew, maintain, and cancel licences and permits under the QBCC Act, the <i>Building Act 1975</i>, and the <i>Plumbing and Drainage Act 2018</i>.</p> <p>Personal information may also be used to provide advice, and to monitor, audit, and review licences and permits</p>

QBCC FUNCTION	PERSONAL INFORMATION COLLECTED	WHY THE QBCC COLLECTS IT
	and experience, QBCC licence number, financial information, credit card details, criminal history, disciplinary information, health information, signatures, and referee details.	to ensure compliance. The QBCC is also authorised to publish licence registers and provides a voluntary 'Find a Local Contractor' service.
Education	<p>Personal information of licensees, homeowners, other QBCC customers, event attendees, and industry stakeholder contacts.</p> <p>This may include name, contact information, QBCC licence number, date of birth, and other details about you needed to facilitate an event (e.g., dietary requirements and accessibility needs). Where it is practicable, the QBCC may also provide an option for you to attend some QBCC events anonymously.</p> <p>The QBCC may also collect personal opinions, views, or feedback through customer research and engagement activities.</p>	<p>To provide and promote education to the building and construction industry and consumers, as obligated by the QBCC Act. The QBCC may use your contact information to send you educational materials, or you may choose to participate in online or in-person events facilitated by the QBCC. Personal information is also used for customer research and engagement activities to improve the delivery and effectiveness of the QBCC services. You may receive email requests to participate in these activities (such as feedback or annual customer research surveys). You can opt out of receiving these emails.</p>
Dispute Resolution	<p>Personal information about parties involved in a dispute (e.g., contractor and homeowner, property owner, or neighbour). This may include name, contact details, QBCC licence number, building or site location, details of the building work, property purchase information, details about the complaint, family relationship information (if relevant), supporting evidence and attachments (e.g., contracts, rates notice), audio recording of building inspections, information and photos gathered from inspections.</p>	<p>To provide dispute resolution services for defective building work and contracts (e.g., payments, variations, delays). This includes:</p> <ul style="list-style-type: none"> • Assessing submissions • Working with both parties to facilitate an agreement or outcome • Inspecting the work • Issuing directions to rectify where appropriate • Providing mediation and conciliation services.
Safer Buildings	<p>Personal information of building owners, building occupants, and building agents. This includes name, contact details, building information, building street address, combustible cladding checklist information, signature, and audit information.</p>	<p>To administer the Safer Buildings program to identify and manage combustible cladding materials. This includes (1) administering the combustible cladding checklist, (2) monitoring compliance and taking regulatory action, and (3) conducting</p>

QBCC FUNCTION	PERSONAL INFORMATION COLLECTED	WHY THE QBCC COLLECTS IT
		proactive audits of cladding fire risk buildings.
Compliance	<p>Personal information of QBCC licensees, owners, or other third parties. The types of personal information collected will be dependent on the matter. This may include name, contact details, QBCC licence number, details of memberships of professional or trade associations, details of the matter (e.g., property address, contract details, description of issues, opinions), financial information, complaint information, and information obtained through the investigation process (e.g., bank statements, phone records, criminal history records, health information) and prosecution information.</p> <p>This information may be collected directly from individuals, from third parties (e.g., complainants, other regulators, governments, and agents), or via audits and inspections.</p>	<p>To monitor and enforce compliance with:</p> <ul style="list-style-type: none"> Legislative obligations relating to the Queensland building and construction industry Compliance with building codes and standards to protect the public from poor quality building work in Queensland. <p>This may include carrying out audits, investigating complaints and alleged breaches, and conducting prosecutions.</p>
Finance	<p>Personal information of licensees, accountants, and trustees. This includes name, date of birth, QBCC licence number, contact details, financial information (including annual reporting information, external financial statements, and internal management accounts where required), estimated revenue, qualification, signature, and other supporting documents (e.g., contracts, invoices, etc).</p>	<p>To monitor and protect the financial wellbeing of the Queensland building and construction industry, including:</p> <ul style="list-style-type: none"> Administering the <i>Minimum Financial Requirements Regulation 2018 (MFR Regulation)</i> Investigating monies owed, complaints, and individuals excluded from holding a QBCC licence as per the QBCC Act, MFR Regulation, and the BIF Act Administering trust accounts and conducting audits on project trust accounts as per the BIF Act Taking regulatory action.
Home Warranty Scheme	<p>Personal information of contractors, homeowners, and prospective owners. This includes name, contact information, QBCC licence number, payment details, property information, a description of the work, and insurance cover number.</p>	<p>To administer the Queensland Home Warranty Scheme established under the QBCC Act.</p> <p>This includes:</p> <ul style="list-style-type: none"> Establishing and managing insurance policies

QBCC FUNCTION	PERSONAL INFORMATION COLLECTED	WHY THE QBCC COLLECTS IT
	In recovering the cost of a claim, the QBCC may also collect contractor financial information and personal information contained in a contractor submission (that may include health or hardship information).	<ul style="list-style-type: none"> • Assessing and processing claims • Recovering the cost of claims • Processing property insurance search requests.
Adjudication and Advisory	Personal information of the claimant and respondent, or an agent acting on their behalf. This may include name, QBCC licence number, QBCC owner builder number, contact details, details of the work undertaken, project and contract details, payment claim details, payment details, signature, and supporting documentation (such as copies of a contract, payment claim or schedule, invoices, photos, and communications).	<p>To undertake its adjudication and advisory function under the BIF Act, including to process adjudication applications, decide disputed payment claims, and take disciplinary action where appropriate.</p> <p>The Adjudication Registry is required to publish records of adjudication decisions on the QBCC website.</p>
Business Functions	<p>Personal information of job applicants, referees, QBCC officers, emergency contacts, visitors, contractors and consultants, suppliers and supplier contact persons, individuals with general enquiries or feedback, industry stakeholder contacts, website visitors, and other individuals who interact with the QBCC.</p> <p>The type of personal information collected will depend on the individual's interactions with the QBCC. This may include name and other identifying information, including information relating to employment, health and diversity, contracts, feedback and complaints, financial, CCTV recordings, or information regarding your interaction with the QBCC website.</p>	<p>To carry out business functions, such as:</p> <ul style="list-style-type: none"> • Human resource management • Recruitment • Conducting internal operations • Responding to general enquiries, feedback, and complaints • Responding to requests for information • Conducting internal reviews • Securing QBCC offices and systems • Conducting procurement activities and managing suppliers • Managing relationships with industry stakeholders • Business improvement and reporting

5.1 USE AND DISCLOSURE OF PERSONAL INFORMATION

The QBCC uses and discloses personal information for the purpose for which it was collected, including exercising its powers or performing its regulatory and statutory functions and duties as outlined in [Section 5](#), and includes disclosing prescribed personal information on our registers as authorised by law.

The QBCC may also use or disclose personal information for secondary or alternative purposes as permitted under the IP Act. This may include where we are authorised or

required under Australian law (including to meet our procedural fairness obligations), with your consent, or where you would reasonably expect us to use or disclose for a related – or in the case of sensitive information, directly related – secondary purpose.

Depending on how you interact with the agency, the QBCC may disclose your personal information to the following third-party entities:

- **Health and safety regulators** in relation to notifiable incidents, under section 28A of the QBCC Act.
- **Other government agencies** where an information sharing arrangement is in place, and where the information sharing helps the QBCC or the other agency to perform its functions. This may include Commonwealth or State government agencies, or local government agencies, as per section 28B of the QBCC Act.
- **Interstate or New Zealand (NZ) licensing bodies**, where:
 - a licence applicant applies for a licence outside of Queensland, as per the *Mutual Recognition Act 1992 (Cth)*, *Trans-Tasman Mutual Recognition Act 1997 (Cth)*, *Mutual Recognition Act (Queensland) Act 1992*, and the *Trans-Tasman Mutual Recognition (Queensland) Act 2003*.
 - The QBCC is aware that a licensee holds an interstate or NZ licence, and their QBCC licence is cancelled, suspended, etc., as per section 28C of the QBCC Act.
- **Registrar of Titles**, where the QBCC grants an owner builder permit, as per section 46 of the QBCC Act.
- Publication of personal information in **registers on the QBCC website**, such as:
 - QBCC licensee and owner builder permit registers (refer [here](#)), as authorised under section 103E of the QBCC Act.
 - Registers of building certifiers, pool safety inspectors, and regulated pools (refer [here](#)), as authorised under sections 180, 246CC, and 246AT of the Building Act, respectively.
 - Adjudication Registry register (refer [here](#)), as authorised by section 154(e) of the BIF Act.
 - Register of public trusts and retention trusts (refer [here](#)), as authorised by section 53 of the BIF Act.
- **Prospective homeowners** where a Queensland Home Warranty Scheme insurance search request is submitted, as per regulation 44 of the *Queensland Building and Construction Commission Regulation 2018*.
- Where a complaint is submitted, the **subject of the complaint** may be provided with certain information, such as complaint details or supporting documentation that may indicate the origin of the complaint. The types of information disclosed will be dependent on the type of complaint submitted to the QBCC.
- **Court or tribunal** under section 110(3)(d) of the QBCC Act, or where a complaint (e.g., privacy-related) is referred to the Queensland Civil and Administrative Tribunal
- Other disclosures that are necessary to exercise a power or performance of a function under the QBCC Act, or where the disclosure is necessary for administering, monitoring, or enforcing compliance with the QBCC Act, Building Act, or BIF Act, as per section 110(3) of the QBCC Act.

The above does not represent all disclosures made by the QBCC. The QBCC will only ever disclose personal information where authorised or required by law, or otherwise with an individual's consent.

5.2 ACCESS AND CORRECTION OF PERSONAL INFORMATION

Access and correction rights are contained in the *Right to Information Act* 2009 (RTI Act). You have a right to:

- Access your personal information held by the QBCC (where it is in the public interest)
- Apply to amend your personal information where you believe that it is inaccurate, incomplete, out of date, irrelevant, or misleading.

If you would like to request access to or amendment of your personal information, please follow the instructions available on the [Accessing information held by the QBCC](#) webpage or contact the QBCC's Right to Information team (rti@qbcc.qld.gov.au).

5.3 DISCLOSURE OUT OF AUSTRALIA

We generally disclose personal information overseas when necessary, and in accordance with our statutory functions and obligations. This is generally limited to:

- Where a complainant or applicant is located overseas
- New Zealand licensing bodies, as detailed in section 5.2 with respect to the [Disclosure of Personal Information](#).

Where we disclose personal information overseas, this will usually occur with agreement, where we are authorised or required by law, or otherwise consistent with our obligations under the IP Act.

STORAGE OF PERSONAL INFORMATION OUTSIDE AUSTRALIA

The QBCC primarily stores and processes information within Australia.

The QBCC engages with contracted service providers to provide various services, such as data storage and processing, event registration, and payment processing. These providers may store personal information overseas.

The QBCC takes all reasonable steps to ensure its contracted service providers enter into an agreement that requires compliance with the QPPs and IP Act.

5.4 DEALING WITH THE QBCC ANONYMOUSLY OR USING A PSEUDONYM

You can deal with the QBCC anonymously or using a pseudonym when making general enquiries, providing feedback, or submitting certain types of complaints. You may also be able to attend some QBCC educational events anonymously.

Where you do interact with the QBCC anonymously however, the QBCC will not be able to communicate with you (e.g., to provide you with updates or a response).

For most functions, the QBCC needs to identify you, for example, when you submit a licence application or make an insurance claim. The QBCC is required to collect information such as your name, contact details, and/or details of your matter so that it can deal with you and your matter effectively and as per its statutory duties.

5.5 SECURITY OF PERSONAL INFORMATION

The QBCC holds personal information securely and takes reasonable steps to protect it from misuse, interference, loss, unauthorised access, modification, or disclosure. The QBCC complies with relevant Queensland government Information Standards and security protocols to protect personal information and ensure it can be accessed by authorised staff members only. This includes physical, technical, and administrative safeguards.

Where permitted by the *Public Records Act* 2023, the QBCC will destroy or de-identify unsolicited personal information or personal information no longer required for any of its

functions in accordance with our obligations under the QPPs if it is lawful and reasonable to do so.

5.6 QBCC WEBSITE AND SOCIAL MEDIA

WEBSITE AND COOKIES

When you visit the QBCC website, the QBCC collects information about your visit, such as the date and time of your visit, your operating system and device information, any information or documentation that you download, your browser type, and your IP address.

This information is collected via cookies. A 'cookie' is a small text file that is placed on your internet browser when you visit the QBCC website. The QBCC uses cookies for security, to obtain information about how the QBCC website is being used, and to improve and personalise the browsing experience.

SOCIAL MEDIA

The QBCC maintains several social media accounts, including Facebook, Instagram, LinkedIn, X, and YouTube.

When you communicate or interact with the QBCC through social media platforms, the social media provider may collect and hold your personal information. The QBCC encourages you to refer to the social media platform's privacy policy for more details regarding how it may handle your personal information.

You may instead wish to interact with the QBCC directly via its website and contact channels. Refer to the [Contact Us](#) webpage.

5.7 PRIVACY COMPLAINTS ABOUT THE QBCC

If you believe that the QBCC has not handled your personal information in accordance with the IP Act, you can make a privacy complaint. You can only make a privacy complaint on behalf of another person if they have authorised you to do so, they are a minor/child and you are their parent or guardian, they lack capacity and you are their guardian, or you have other legal authority to act for them.

To make a privacy complaint about the QBCC, you must send your complaint to us in writing and include:

- an address for us to respond to you (e.g., an email address).
- details about the matter or issues you are complaining about (e.g., what did the QBCC do or not do with your personal information that you believe breached the QPPs and the IP Act).

You must send your complaint to us within 12 months of becoming aware of the act or practice you think constitutes a breach by the QBCC of the IP Act. If you are making a privacy complaint for someone else, please include an authority from them or other evidence (e.g., a birth certificate showing that they are a minor/child, and you are their parent).

QBCC CONTACT DETAILS FOR PRIVACY COMPLAINTS

Attention: Queensland Building and Construction Commission Privacy Team
Email: privacy@qbcc.qld.gov.au
Post: GPO Box 5099
Brisbane QLD 4001

TIMEFRAME FOR HANDLING A PRIVACY COMPLAINT

The QBCC has 45 business days to resolve the privacy complaint to your satisfaction.

If this does not occur, you can escalate your complaint to the Office of the Information Commissioner (OIC) following [this procedure](#). Your complaint will be managed in the same way as complaints about other agencies are managed and will be dealt with by OIC officers who were not involved in handling the initial complaint or the activities, the subject of the initial complaint.

6. DEFINITIONS

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

TERM	DEFINITION
Personal information	<p>Personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion—</p> <ul style="list-style-type: none">(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. <p>(Section 12 of the IP Act)</p>
Sensitive information	<p>Sensitive information means:</p> <ul style="list-style-type: none">(a) information or an opinion about an individual's:<ul style="list-style-type: none">(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. <p>(Schedule 5 (Dictionary) of the IP Act)</p>

7. DOCUMENT INFORMATION

INFORMATION CATEGORY	DESCRIPTION
Title	Privacy Policy
Purpose	Details how the QBCC manages personal information in line with the Queensland Privacy Principles set out under Schedule 3 of the <i>Information Privacy Act 2009</i> .
Document Type	Policy
Category	Right to Information and Privacy
Sub-category	Privacy
Approver	Commissioner
Author	Director Right to Information and Privacy
Owner	Chief Legal Officer
Steward	Director Right to Information and Privacy
Version	V1.0 Release version
Effective date	July 2025
Review date	July 2027

8. VERSION HISTORY

VERSION	DATE	AMENDMENT DETAILS
V0.1	June 2025	Draft version
V1.0	July 2025	Release version