

Security obligations for contracted service providers (social services)

Introduction

The Department of Families, Seniors, Disability Services and Child Safety (**the department**) partners with contracted service providers (**CSP**) to deliver services.

The <u>Service Agreement - Standard Terms</u> (social services) creates obligations in relation to information privacy, confidentiality, record-keeping, and information security.

Clause 18 of the Service Agreement requires CSPs to comply with relevant parts of the *Information Privacy Act 2009* (**IP Act**).

This will include an obligation to either:

- ensure that documents containing personal information are protected against loss, unauthorised access, use, modification or disclosure, and any other misuse (Information Privacy Principle 4 – Storage and security of personal information), or
- to ensure that documents containing personal information are protected against misuse, interference or loss, and from unauthorised access, modification or disclosure (Queensland Privacy Principle 11 – Security of personal information).

Clause 18 also requires you to comply with other privacy and security measures we reasonably notify you about.

What security standards?

The department is required to comply with Information Standard 18 (<u>IS 18:2018</u>) and <u>ISO 27001</u> and expects that CSPs will provide an equivalent level of security in relation to the personal and confidential information they handle.

Resources

Guidance about meeting these obligations is available from many sources, including:

1. Australian Cyber Security Centre

The <u>Australian Cyber Security Centre</u> (ACSC) within the <u>Australian Signals</u> <u>Directorate</u> (ASD) provides advice to individuals, small and medium organisations, large enterprises and government about how to protect your business online.

This guidance includes strategies about how to prevent and respond to cyber incidents, ensure appropriate levels of education and awareness for your workforce, managing supply chain risks, and communicating the importance of good cyber security to executives and customers. See, for example:

 <u>The Essential Eight (baseline mitigation</u> <u>strategies)</u>

2. Office of the Information Commissioner

The Queensland Office of the Information Commissioner (**OIC**) is an independent statutory body whose functions include promoting information privacy in the community and within government.

The OIC provides a range of online services and information and resources to help community and government understand their rights and responsibilities under the IP Act. The OIC provides information and advice about privacy through their <u>enquiries service</u> and <u>their website</u>.

OIC publications about information security include:

- Basic guide to IPP4
- <u>QPP 11 Security, deidentification and</u> destruction of personal information
- Security, accuracy and relevance



CSP security obligations fact sheet

- <u>Protection and security of personal</u> information
- Portable storage devices and information
 privacy
- <u>Cloud computing and the privacy</u> principles
- IP addresses, Google Analytics and the privacy principles
- <u>Achieving effective privacy and information</u> security training

3. Office of the Australian Information Commissioner

The Office of the Australian Information

<u>Commissioner</u> (OAIC) has functions in relation to promoting and upholding privacy and information access rights under the federal *Privacy Act 1988* (Cth).

The OAIC provides information and advice about privacy obligations under the federal Privacy Act to individuals, businesses and government agencies through their <u>enquiries</u> team and their website.

Even if your contract requires you to comply with **chapter 2**, **parts 1 and 3** of the Queensland *Information Privacy Act 2009* (and is not varied after 1 July 2025), the guidance on the OAIC website may still be useful. For example:

- Guide to securing personal information
- <u>Privacy management framework: enabling</u> <u>compliance and encouraging good</u> practice
- <u>Sending personal information out of</u> <u>Australia</u>

Note: This guide does not constitute legal advice and is general in nature only. Additional factors may be relevant in specific circumstances. For detailed guidance, legal advice should be sought.