



# PRIVACY POLICY

COUNCIL POLICY	
Effective Date:	20/11/2001
Last Review:	September 2013
Current Review:	May / June 2016
Adopted by Council:	21 June 2016
Next Review Date:	Annually
Responsible Officer/s:	Director, Corporate and Community

Council believes that the responsible handling of personal information is a key aspect of democratic governance, and is strongly committed to protecting an individual's right to privacy. Accordingly, Council is committed to full compliance with its obligations under the *Privacy and Data Protection Act (2014)*. In particular, Council will comply with the Information Privacy Principles contained in the Act. This Privacy Policy explains some of these Principles and how they may apply to you.

### **Personal Information**

This Policy applies to personal information held by Council. Personal information means information or an opinion about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion, other than certain health or generally available information.

Council holds personal information in order to carry out its functions and services. Personal information requested by council from individuals includes:

- Name
- Address
- Date of birth
- Phone number

Services for which council require this information are: Rates and Valuation, Planning, and Service Requests.

Personal information is contained on public registers including:

- Building permits
- Food premises permits
- Animal registration
- Planning and Subdivisions permit
- Heritage Properties

### **Sensitive Information**

Sensitive information includes information or an opinion about an individual's racial or ethnic origin, political opinions, trade union membership, philosophical or religious beliefs, sexual preferences or criminal record.

Council will only collect and store sensitive information when required under legislation to carry out council services and where the individual has consented to the information collection. Council will ensure the information is made secure and locked from all other individuals other than the staff members required to use the information to provide the identified service.

### **Collection**

Council will only collect personal information that is necessary for its functions and activities. In some instances, Council is required by law to collect personal information. Council will only collect sensitive information where you have consented or as permitted under the Act.

If it is reasonable and practicable to do so, Council will collect personal information about you directly from you. When doing so, it will inform you of the matters set out in the Act, including the purpose/s for which the information is collected, and will use lawful and fair means. If Council collects personal information about you from someone else, it will take reasonable steps to make you aware of these matters.

## **Use and Disclosure**

Council will only use personal information within Council, or disclose it outside Council, for the purpose for which it was collected or in accordance with the Act (eg where you have consented or where you would reasonably expect this to occur).

## **Security**

Council will endeavour to maintain secure systems for storing personal information. Technological and operational policies and procedures are in place to protect personal information from misuse and loss and from unauthorised modification or disclosure. Council will dispose of personal information where it is no longer necessary to fulfil the purposes for which the information was collected or as required by law and will take reasonable steps to destroy or permanently de-identify your personal information when doing so.

## **Openness**

Council's Privacy Policy is accessible to any member of the public upon request.

## **Access and Correction**

Should you wish to access your personal information, please contact Council's Privacy Officer (tel: 1800 065 993). Access will be provided except in the circumstances outlined in the Act, for example, where the information relates to legal proceedings or where the *Freedom of Information Act* 1982 applies.

If you believe that your personal information is inaccurate, incomplete or out of date, you may request Council to correct the information. Your request will be dealt with in accordance with the Act.

## **Anonymity**

Where lawful and practicable, Council will give you the option of not identifying yourself when supplying information or entering into transactions with it.

## **External Contractors**

While personal information is usually handled by Council staff, Council may outsource some of its functions to third parties. This may require the contractor to collect, use or disclose certain personal information. It is Council's intention to require contractors to comply with the Act in all respects. Current contractual agreements are in place for the following services:

- Garbage Collection
- Animal Management & Local Law Enforcement
- Building Services
- Environmental Health Services
- Planning Compliance Services
- Archived Permanent Records

## **Complaints**

If you feel aggrieved by Council's handling of your personal information, you may make a complaint to Council's Privacy Officer (tel: 1800 065 993). Your complaint will be investigated as soon as possible (but no later than 5 business days) and you will be provided with a written response. Alternatively, you may make a complaint to the Commissioner for Privacy and Data Protection (although the Commissioner may decline to hear the complaint if you have not first made a complaint to Council).

**Privacy Officer**

Council's appointed Privacy Officer is the Community Relations Coordinator.

**Changes**

Council may amend this Privacy Policy from time to time.

**Further Information**

If you have any queries about this Privacy Policy, please contact Council's Privacy Officer (tel: 1800 065 993).

**Legislative and other references:**

- Public Records Act 1973
- Freedom of Information Act 1982
- Health Records Act 2001
- Information Privacy Act 2000
- Local Government Act 1989
- Other legislative requirements as per Councils adopted Instrument of Delegation