

## 1.13 PRIVACY POLICY

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<b>Policy Responsibility</b>	Council and Chief Executive Officer		

### Document History

Version	Date Amended	Details Comments e.g. Resolution Number

### INTRODUCTION

This Privacy Policy contains the Council's policies for management of the personal information it collects. It is part of the procedures put in place by the Council which aim to protect the privacy of personal information in accordance with the Information Privacy Principles ("IPPs") set out in the *Information Act* (NT) ("the Act").

A council must have a privacy policy protecting members and staff of the Council from undue intrusion into their private affairs. *Section 130 Availability of records for inspection - Local Government Act*

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### POLICY STATEMENT

#### Personal Information

Personal information is defined as "Council information from which a person's identity is apparent or is reasonably able to be ascertained."

#### Collection

The Council collects the personal information that it needs to carry out its functions and activities, including its statutory functions under the *Local Government Act 2008*.

#### Use and Disclosure

The Council may use personal information in a number of ways, including: to carry out the Council's functions, such as the maintenance of the assessment record (rates) and other records of a Council;

- to provide information about the Council's services;
- to determine and provide appropriate services and facilities;
- to administer and manage processes such as applications for permits, animal ownership, billing and collection of charges, and development proposals;
- to administer and make enquiries on personnel and recruitment matters

The Council will take reasonable steps to ensure that personal information is not disclosed to third parties except in certain circumstances, including where:

- there has been consent to the release;
- the Council is authorised or required by law or regulatory requirements to disclose the information to, for example, a law enforcement agency;
- the information is disclosed in accordance with section 152(4) of the *Local Government Act 2008*, which requires Council to make the assessment record available for inspection by any member of the public. The assessment record includes rate payer information such as the name and address of the owner or principal ratepayer, a brief description of the land, and its assessed value.
- the information is provided to a third party which provides services to the Council, in which case the Council will endeavor to ensure that the service provider agrees to preserve the confidentiality of personal information;
- the circumstances where the Council is not prohibited from disclosing the information, as described in the Act.
- Where possible Council will inform ratepayers, at or before the time of collecting personal information, of the third parties that Council intends to disclose personal information to.
- Prior to disclosing any personal information, Council will take all reasonable steps to ensure that the third party is committed to protecting personal information and has the consent to do so.

### **Access to Information**

If a person makes a written request to Council for access to the personal information the Council holds about them, the Council will provide access to that information, unless there is an applicable exception under the Information Privacy Principles (IPPs).

### **Publicly Available Material**

The following documents are available on Council's website and for inspection at Council offices, during normal office hours, in accordance with section 200 of the *Local Government Act 2008*:-

- notices and minutes of meetings of the Council;
- annual financial statement and annual report;
- auditor's report;
- policy concerning the payment of expenses incurred by, and the provision of facilities to Members;
- Council's code of conduct;
- register of Elected Members' interests;
- an approved rating proposal;
- notice of the declaration of rate and charges;
- any notices of Council's:

- intention to sell land for non-payment of rates,
  - assumption of the control and management of land, or
  - application for a variation of a trust and any order made on the application;
- register of by-laws and any notices of by-laws the Council intend to make;
- list of the categories of reviewable decisions
- draft and final regional management plan, and
- Council's draft and final shire plan
- agendas for meetings of the Council

The Council will also provide a copy of a document upon request, and may charge a photo copy fee for doing so.

A person may apply in writing to the CEO for the suppression of personal details from publicly available material under section 201 of the *Local Government Act 2008*.

## **Accuracy of Information**

It is important to the conduct of Council business that the personal information we collect use or disclose is and remains accurate, complete and up to date.

## **Privacy Commitment**

Council's Privacy Commitment has been created because we value our staff, council representatives and the community and recognise their right to keep personal information private.

Staff and Council Representatives' personal information that Council collects and holds usually falls into the following categories:

- Candidate Information submitted and obtained from the Candidate and other sources in connection with applications for work and Council
- Work performance information
- Information about incidents in the workplace
- Staff information

Council staff will have access to personal information to the extent that is required for them to carry out their duties i.e. "Need- to know"

Council staff required to access personal information in their role, are trained to respect the confidentiality of information and the privacy of individuals. Any breach will result in disciplinary action being taken, dependent upon severity.

## **Security of Information**

Safeguarding the privacy of personal information is important to Council.

Council takes steps to protect the personal information from misuse, loss, unauthorised access, modification or disclosure.

Personal information (paper based) is to be stored in a secure place in the Council and personal information may also be stored by the Council in electronic form, which is protected from unauthorised access by a password system.

Records may need to be kept for a significant period of time. When paper based information is no longer needed, it will be securely destroyed by shredding or contracting an authorised disposal company for secure disposal.