

POLICY TITLE:	WAGAIT SHIRE COUNCIL'S PRIVACY POLICY
POLICY NUMBER:	P30
CATEGORY:	COUNCIL POLICY
CLASSIFICATION:	GOVERNANCE
STRATEGIC PLAN REFERENCE:	Effective leadership and governance
CORPORATE GOVERNANCE AND PERFORMANCE :Provide systems of council governance and service delivery that are financially sustainable, accountable, equitable and efficient	
STATUS: Approved	

Date Approved:	19.5.2015	Approved By: Moved: Vice-President Lisa Marie Stones Seconded: Cr Kurt Noble Vote: AIF	Councillors – resolution no. 2015/187	Date for review:	Next Council Election
Date Approved:		Approved By:		Date for review:	
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2. PURPOSE:

In line with the Northern Territory Information Act, the Wagait Shire Council considers the privacy of all personal information to be an integral part of its commitment towards information accountability

To meet the information privacy principles (IPPs) set out in the Information Act, in relation to the management and handling of personal information within the public sector.

3. ORGANISATIONAL SCOPE:

This policy applies to all employees, elected members, contractors and volunteers of Wagait Shire Council.

This policy covers all personal information held by Wagait Shire Council, that is, information, or an opinion about an individual, whose identity is apparent, or can be reasonably ascertained, from that information or opinion. This includes information we have collected in any format including correspondence, in person, over the phone, and over the Internet. The policy also covers personal information that we have sourced from third parties.

4. POLICY STATEMENT:

4.1 A general statement outlining Council's position on the handling of personal information will be used at all points of collection and all outgoing correspondence that may request personal or health information. This will include Wagait Shire Council's web site, advertising material, standard forms and correspondence requesting personal or health information

4.2 Forms collecting information that is to be used for a specific purpose will include a privacy statement on the form including the purpose of collection

4.3 Council's privacy statements will be published in the relevant publications (e.g. forms, websites), confirming Council's commitment to the information and health privacy principles.

5. DEFINITIONS:

Personal Information – means information or an opinion (including information or an opinion forming part of a database), whether true or not about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion, but does not include information about an individual who has been dead for more than 30 years

IPPs – Information Privacy Principles. Set of principles that regulate the handling of personal information

Sensitive Information - personal information or an opinion about an individual's

Race or ethnic origin; or

Political opinions; or

Membership of a political association; or

Religious beliefs or affiliations; or

Philosophical beliefs; or

Membership of a professional trade association; or

Membership of a trade union; or

Sexual preferences or practice; or

Criminal record

6. PRINCIPLES:

The Wagait Shire Council will manage personal information as outlined in the following principles

6.1 Collection

6.1.1 The Wagait Shire Council will only collect personal information that is necessary for specific and legitimate functions of Council. Information will be collected by fair and lawful means

6.1.2 Council will advise individuals, where possible, of the purposes for which their personal information is being collected, and of those third parties to whom the information is usually disclosed

6.1.3 Sensitive information will only be collected where the individual has consented or collection is required or permitted by law.

6.1.4 Sensitive information (as defined in this policy) will be treated with the upmost security and confidentiality and only used for the purpose for which it was collected.

6.2 Use and Disclosure of Information

6.2.1 The Wagait Shire Council will not use or disclose information about an individual other than for the primary purpose for which it was collected unless one of the following applies:

- It's for a related purpose that the individual would reasonably expect;
- Where Council have the consent of the individual to do so;
- As required or permitted by the Information Act or any other legislation.

6.3 Data Quality

Council will take reasonable steps to ensure that all personal information collected, used or disclosed is accurate, complete and up to date.

6.4 Data Security and Retention

6.4.1 Council will take all reasonable measures to prevent misuse or loss or unauthorised access, modification or disclosure of personal and health information

6.4.2 Personal information will be managed confidentially and securely and destroyed or archived in accordance with the General Disposal Schedule

6.4.3 Council will monitor and implement reasonable and appropriate technical advances or management processes, to provide an up to date ongoing safeguard for personal information

6.5 Openness

6.5.1 The Wagait Shire Council's Privacy Policy will be available on its website or on request at Customer Service Centres.

6.6 Access and Correction to Information

6.6.1 Individuals have a right to request access to any personal information held about them, and may request any incorrect information be corrected

6.6.2 Council may decide not to allow access to personal information in accordance with the exemptions contained within Information Act

6.6.3 The process for requesting access to recorded personal information, i.e. documents, is through a Freedom of Information application

6.7 Unique Identifiers

6.7.1 Council will not assign, adopt, use, disclose or require unique other identifiers from individuals except for the course of conducting normal business or if allowed or required by law

6.8 Anonymity

6.8.1 Council will, where it is lawful and practicable, give individuals the option of not identifying themselves when entering into transactions with council

6.8.2 Council will ensure that individuals are aware of all, if any, limitations to services if the information required is not provided.

6.9. Transborder Data Flows

6.9.1 The Wagait Shire Council will only transfer personal information outside of the NT in accordance with the provisions outlined in the Information Act.

6.10 Sensitive Information

6.10.1 The Wagait Shire Council will not collect sensitive information unless an individual has consented or collection is required or permitted by law, or when necessary for research or statistical purposes as permitted under the Information Act

7. The Role of the Information Privacy Officer and Committee

7.1 The Council's Chief Executive Officer is responsible for appointment of the Wagait Shire Council's Privacy Officer and Committee

7.2 The Privacy Officer is required to inform all Council officers of their obligations under the Information Act and to handle difficult enquiries, complaints or adjustments concerning personal or health information

7.3 The Privacy Officer is required to maintain all documentation relating to the management and implementation of the Information for the Wagait Shire Council

7.4 The Privacy Officer has discretion to apply normal photocopying or administrative charges for information requested

7.5 Requests for personal information will be dealt with by Council Officers in accordance with Councils customer service standards and Information Privacy Policy

7.6 Complaints are to be addressed to Council's Privacy Officer in the first instance. Upon receipt of a complaint the Privacy Committee will be notified and Council's Complaints Manager will review the case. If the complainant is not satisfied with Council's response they may approach the Northern Territory's Privacy Commissioner for resolution.

7.7 Requests for information must be managed by the Privacy Officer in accordance with the Freedom of Information Act

7.8 The Privacy Committee is responsible for the annual review of the Privacy Policy and for the approval of privacy statements

8. PERIOD COVERED BY THE POLICY

This Policy is adopted and applies for the term of the council, unless amended by resolution.

REFERENCES:

Local Government Act