

	POLICY NUMBER:	P30
	PRIVACY POLICY	
	CATEGORY:	COUNCIL POLICY
	SP CLASSIFICATION:	GOVERNANCE
	LG ACT 2019 REF:	Part 10.6, Section 206 (3)
RESPONSIBLE OFFICER:	CHIEF EXECUTIVE OFFICER	

1. PURPOSE

The purpose of this policy is to set out Council's commitment to comply with the provisions of the *Information Act* (NT), the *Local Government Act* (NT) and Information Privacy Principles (IPP's) when collecting and handling personal information.

2. SCOPE

Council collects and manages personal information in the course of performing its role, functions and objectives so as to protect all people from undue intrusion into private affairs.

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. The includes information collected in any format including correspondence, in person, over the phone, and over the internet. This policy also covers personal information that is sourced from third parties.

This policy also applies to all employees, Elected Members, contractors and volunteers of Wagait Shire Council.

3. DEFINITIONS

For the purposes of this policy, the following definitions apply:

Term	Definition
Personal Information	Council information from which an individual's identity is apparent or can reasonably be ascertained. It includes information about a deceased person within the first five years after their death. It can include numbers, photos of a person or their property.
Sensitive Information	Personal information about an individual's racial or ethnic origin, political opinions, membership of professional, trade, political association or trade union, philosophical or religious beliefs, sexual preferences or practices, criminal record or health information.
IPP's	Information Privacy Principles. Set of principles that regulate the handling of personal information as identified in the <i>Information Act</i> (NT).

4. POLICY

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

4.1 Collection

- 4.1.1 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
- 4.1.2 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.
- 4.1.3 Sensitive information will only be collected where the individual has consented or collection is required or permitted by law.
- 4.1.4 Sensitive information (as defined in this policy) will be treated with the utmost security and confidentiality and only used for the purpose for which it was collected.

4.2 Use and Disclosure of Information

- 4.2.1 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:
 - a) It is for a related purpose that the individual would reasonably expect;
 - b) where Council has the consent of the individual to do so;
 - c) as required or permitted by the Information Act or any other legislation.

4.3 Data Quality

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

4.4 Data Security and Retention

- 4.4.1 Council will take all reasonable measures to prevent misuse or loss or unauthorised access, modification or disclosure of personal and sensitive information.
- 4.4.2 Personal information will be managed confidentially and securely and destroyed or archived in accordance with the General Disposal Schedule.
- 4.4.3 Council will monitor and implement reasonable and appropriate technical advances or management processes, to provide an up to date ongoing safeguard for personal information.

4.5 Openness

- 4.5.1 The Wagait Shire Council's Privacy Policy will be available on its website or on request at the Council Office.

4.6 Access and Correction to Information

- 4.6.1 Individuals have a right to request access to any personal information held about them, and may request any incorrect information be corrected.
- 4.6.2 Council may decide not to allow access to personal information in accordance with the exemptions contained within Information Act.
- 4.6.3 The process for requesting access to recorded personal information, i.e. documents, is through a Freedom of Information application.

4.7 Unique Identifiers

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

4.8 Anonymity

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

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

4.9 Transborder Data Flows

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

4.10 Sensitive Information

4.10.1 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.

5. ASSOCIATED DOCUMENTS

P05 Council Staff Code of Conduct

P12 Workplace Surveillance

P40 Procurement

6. REFERENCES AND LEGISLATION

Information Act (NT)

Local Government Act 2019 (NT)

7. REVIEW HISTORY

Date Approved: 19/5/2015	Approved By: Moved: V Pres L Stones Seconded: Cr K Noble Vote: AIF	Resolution No. 2015/187	Date for review: Next Council Election
Date Approved: 19/11/2019	Approved By: Moved: Cr N White Seconded: Cr G Drake Vote: AIF	Resolution No. 2019/547	Date for review: Next Term of Council
Date Approved: 19/10/2021	Approved By: Moved: Vice President Tom Dyer Seconded: Cr Noeletta McKenzie Vote: AIF	Resolution No. 2021/186	Date for review: Next Term of Council