

<b>Title</b>	<b>Privacy Policy</b>
<b>Council Resolution</b>	Item 12 (29 July 2019) as per Council Minutes
<b>Responsible Directorate</b>	Corporate Governance
<b>Due for Review</b>	Four (4) years from Council Resolution Date
<b>Strategic Plan Reference</b>	<u>Leading Our Community</u> Objective 4.1 Govern in the best interests of our community Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency Strategy 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes
<b>ECM</b>	Council Policy

## PURPOSE

This policy sets out Glenorchy City Council's approach to managing personal information, and how Council responds to privacy complaints and requests for access to/amendment of personal information.

## SCOPE

This policy applies to all Aldermen, Council employees, contractors, consultants and other people acting for or on behalf of Council.

## STATUTORY REQUIREMENTS

<b>Acts</b>	<i>Personal Information Protection Act 2004</i> <i>Archives Act 1983</i> <i>Listening Devices Act 1991</i>
<b>Other relevant documents</b>	Employee Code of Conduct Payment Card Industry Data Security Standard

The *Personal Information Protection Act 2004* (the PIP Act) regulates how public authorities in Tasmania handle personal information relating to individuals. In particular, Section 17(1) requires councils to comply with ten personal information protection principles. These relate to the collection, use and disclosure of personal information, data quality and security, access to information and correction of information, use of unique identifiers and the option of anonymity.

## DEFINITIONS

<b>De-identification</b>	De-identification is a process that involves the removal or alteration of information that identifies a person or is reasonably likely to identify them, as well as the application of any additional protections required to prevent identification.
<b>Employee</b>	Employee includes all waged or salaried staff, employment contractors and volunteers.
<b>Health information</b>	As defined in the PIP Act (including personal information or opinion about an individual's health, disability, health service, genetic information, results of medical tests, etc.)
<b>Listening device</b>	A listening device is any instrument, apparatus, equipment or device capable of being used to record or listen to a private conversation simultaneously with it taking place.

<b>Personal information</b>	Personal information means any information or opinion in any recorded format about an individual – (a) whose identity is apparent or is reasonably ascertainable from the information or opinion; and (b) who is alive or has not been dead for more than 25 years.
<b>Sensitive information</b>	Personal information or opinion about personal information about a person's racial or ethnic origin, political opinion, membership of a political or professional association, membership of a trade union, religious beliefs or affiliations, philosophical beliefs, sexual preferences or practices, criminal record or health information.
<b>Unique identifier</b>	A unique identifier is a number or string of characters that is associated with a specific individual, and that differentiates them from other individuals within the dataset.

## POLICY STATEMENT

### Commitment and general approach to privacy

1. Council recognises and is committed to protecting the right of individuals to privacy of their personal information.
2. At all stages of handling personal information, Council will comply with the PIP Act and other relevant laws, e.g. *Listening Devices Act 1991* (audio recordings) and the Payment Card Industry Data Security Standards (credit card details).
3. Council takes a risk-based approach to managing personal information, including adopting stronger controls for more sensitive information. Risk mitigation strategies will be identified and monitored in accordance with Council's Risk Management Policy and directive.
4. This policy will be available for viewing or download on the Council website and will be available to anyone on request. Changes to this policy will be notified on the Council website.

### Collection of personal information

5. Council only collects and holds information that it needs to perform its functions, including to provide services to the community, or as otherwise authorised by law.
6. We collect sensitive information, including health information, only with the consent of the individual concerned or as required or permitted by law.
7. We endeavour to collect personal information directly from the individual concerned where it is reasonable and practicable to do so, but may collect it from other parties such as contractors, service providers or other organisations (State/Commonwealth government agencies).
8. If Council does not receive all of the personal information we request, we may not be able to adequately respond to correspondence, process applications, provide services or facilities that have been requested or process payments. In some circumstances, failure to provide information when requested may result in legal consequences.

### Disclosure of personal information to others

9. We may disclose personal information to our contractors, service providers or other organisations (e.g. State/Commonwealth government agencies) but only as required to undertake Council functions, or as otherwise authorised by law.
10. Council will not sell, trade or rent personal information.

### Personal information protection

11. Council will take all reasonable steps to ensure personal information is protected against loss, damage, misuse and unauthorised access, including:
  - limiting electronic and/or physical access to those persons who need to use the information for the purpose for which it was collected or other purposes permitted by law;
  - ensuring personal information is disclosed only by or with the approval of an authorised staff member;
  - contractual agreements with third parties to ensure compliance with relevant legislation;
  - requiring proof of identity where appropriate to ensure security of personal information;
  - adopting and implementing staff directives, procedures, staff training, code of conduct;
  - secure methods of communication; and
  - back-up and recovery systems to protect information.
12. The Council website may contain links or features connected to other websites. Council is not responsible for the content and privacy practices of other websites or third party providers.

#### **Retention and disposal of personal information**

13. Council will hold personal information only for as long as is necessary to achieve the purpose for which the information was collected or to comply with other laws.
14. Subject to the Archives Act 1983 and any other relevant law or court/tribunal order, personal information that is no longer required will be destroyed or permanently de-identified.
15. Council uses secure disposal methods for all personal information, regardless of the format of the information.

#### **Requests for access or amendments to personal information**

16. Anyone has a right to request access to the personal information we hold about them to or request amendments to the information if they think it is inaccurate, out-of-date, incomplete, irrelevant or misleading. Requests can be made through our website or by contacting us, and will be subject to identity verification.

#### **Complaints**

17. Anyone believing that there has been a breach of this policy may raise the issue with Council informally (e.g. face to face over the counter or by telephone) or may request a formal internal review online through our website or by contacting us.
18. Information on procedures for submitting requests or complaints can be obtained from Council's website or from Customer Services.
19. Council is committed to fair resolution of any complaints. Employees are prohibited from any act of victimisation or negative treatment of anyone raising a concern or complaint.

#### **Contact details**

20. The address for queries, requests or complaints relating to privacy is:

The Privacy Officer  
Glenorchy City Council  
PO Box 103  
Glenorchy Tas 7010

Email [gccmail@gcc.tas.gov.au](mailto:gccmail@gcc.tas.gov.au)  
Ph (03) 6216 6800