

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 Elected Members, Council employees, contractors, consultants and other people acting for, or on behalf of, Council.

RELATED DOCUMENTS

- Code of Conduct
- Risk Management Policy
- Customer Service Charter

STATUTORY REQUIREMENTS

Acts	<i>Personal Information Protection Act 2004 (Tas)</i> <i>Archives Act 1993 (Tas)</i> <i>Listening Devices Act 1991 (Tas)</i>
Regulations	N/A
Australian/International Standards	N/A

DEFINITIONS

De-identification means 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.

Employee means all waged or salaried staff, employment contractors and volunteers engaged by Glenorchy City Council.

Health Information has the same definition as it does in the *Personal Information Protection Act 2004 (Tas)*.

Personal Information has the same definition as it does in the *Personal Information Protection Act 2004 (Tas)*.

Sensitive Information means 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.

Unique Identifier means a number or string of characters that is associated with a specific individual which 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 maintain 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 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 to view or download on the Council website and will be available to anyone upon 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. Council only collects Sensitive Information, or Health Information, with the consent of the individual concerned or as required or permitted by law.
7. Council endeavours 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 the personal information it requests, it 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. Council may disclose Personal Information to our contractors, service providers or other organisations (e.g. State/Commonwealth government agencies) but only when required for Council to undertake its 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 only those persons who need to use the information for in the purpose which it was collected, or other purposes permitted by law;
 - ensuring it is disclosed only by, or with the approval of, an authorised staff member;
 - executing appropriate contractual agreements with third parties to ensure compliance with relevant legislation;
 - requiring proof of identity when Personal Information is requested to ensure security of personal information is maintained, and not keeping copies of any proof of identity requested;
 - adopting and implementing staff directives, procedures, staff training, code of conduct;
 - only using secure methods of communication; and
 - implementing back-up and recovery systems to protect stored 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* (Tas) 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.

Requests for access or amendments to Personal Information

Anyone has a right to request access to the personal information we hold about them, or to 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

16. 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 by contacting Council.
17. Information on procedures for submitting requests or complaints can be obtained from Council's website or from Customer Service.

18. Council is committed to a fair resolution of any complaint. Employees are prohibited from any act of victimisation or negative treatment directed towards anyone raising a concern or complaint.

Contact details

19. 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
 Ph (03) 6216 6800

DOCUMENT CONTROL

Version:	2.0	Adopted	30 October 2023	Commencement Date	31 October 2023
Minutes Reference	Council Meeting, Item 7 (30 October 2023)			Review Period	4 Years from adoption
Previous Versions:	Council Meeting, Item 12 (29 July 2019)				
Responsible Directorate	Corporate Services	Controller:	Manager People & Governance		
ECM Subject:	Policies by Directorate				