



POLICY

2.1.31

Privacy and Confidentiality

SUMMARY

Privacy Policy - West Daly Regional Council

West Daly Regional Council (**Council**) believes in the responsible handling of personal information and is committed to protecting privacy. This Privacy Policy contains the Council's policies for management of the personal information it collects which aim to protect the privacy of all personal information in accordance with the Information Privacy Principles (**IPPs**) set out in the *Information Act (NT)* (**Act**).

This policy applies to all employees, elected members, contractors and volunteers within the Council.

This policy applies to all personal information and sensitive information (if any) held by the Council.

Personal Information

This Policy applies to personal information held by the Council. Personal information means information from which an individual's identity is apparent, or can reasonably be ascertained.

This includes any information the Council have collected in any format, including correspondence, in person or over the phone and via the internet. For example, the Council holds personal information on its ratepayers, and at times may request personal information to provide educational services, welfare, sport and recreational services and other community services to the communities within the Council's jurisdiction.

Sensitive Information

The Council may also hold sensitive information. Sensitive information means 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.

Collection

The Council only collects personal information that is necessary for its functions and activities, including any statutory functions under the *Local Government Act* . In some instances, Council is required by law to collect personal information. When Council collects personal information, we will take reasonable steps to ensure that the person from whom the information is being collected from is aware of the reasons for collection, the purpose, whether any law requires the Council to collect it, and the consequences, if any, of not providing the information.

If it reasonable and practicable to do so, Council will collect personal information directly from the individual. If personal information is collected about an individual from another person, the Council will take reasonable steps to ensure that the individual is aware of the personal information collected except to the extent that making an individual aware of the matters would pose a serious threat to the life or health of the individual or another individual.

Generally, Council will only collect sensitive information with the consent of the individual or if it is required by law.

Use and Disclosure

The Council will only use personal information within the Council, or disclose it outside the Council, for the purpose for which it was collected or a secondary purpose if related to the primary purpose, or as permitted under the Act.

In general, the Council may use the personal information to carry out the Council's functions such as contacting the individuals within the Council municipality regarding rates and other services provided or Council functions; determining and providing appropriate services and facilities; administering and manage council processes; and to administer and make enquiries on a personnel and recruitment matters.

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

- you have consented 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 ratepayer information such as the name and address of the owner or principle ratepayer, a brief description of the land, its assessed values and the use of the land if subject to a differential rate.
- the information is provided to a third party which provides services to the Council, in which case the Council will endeavour to ensure the service provider agrees to the preserve the confidentiality of the personal information;
- the circumstance where the Council is not prohibited from disclosing the information, as described in the Act.

Where possible, we will inform you, at or before the time of collecting your personal information, of the third parties that we intend to disclose your personal information to.

Prior to disclosing any of your personal information, we will take all reasonable steps to satisfy ourselves that the third party is committed to protecting your personal information and you have consented to us doing so.

Security of Information

The Council will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure by maintaining a secure system and ensuring that operational policies and procedures are in place to protect personal information from misuses and loss and from unauthorised modification or disclosure.

Council will dispose of or de-identify personal information where it is no longer necessary to fulfil the purposes for which the information was collected or as required by law.

Anonymity

Where lawful and practical, Council will give you the option of not identifying yourself when supplying information or entering into transactions with Council, and will advise you on any consequences or remaining anonymous.

Data Quality

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

If you believe that your personal information is inaccurate, incomplete or out of date, you may request that the Council correct the information. Your request will be dealt with in accordance with the Act.

Transborder Data Flows

The Council will only transfer personal information about an individual outside the Northern Territory in accordance with the Act.

Changes and Complaints

Should you wish to access your personal information please contact the Council's Privacy Officer. Access will be provided except in the circumstances outlined in the Act, for example, where the information relates to legal proceedings.

If you are unhappy with the Council's handling of your personal information, you may make a complaint to the Council's Privacy Officer. Your complaint will be investigated within 10 business days. Alternatively, you may make a complaint to the Northern Territory Information Commissioner, although the Commissioner may decline to hear a complaint if you have not first made a complaint to the Council.

You can contact the Council's Privacy Officer on 8978 2355 (Compliance Officer) or write to them on PO Box 2047, Parap NT 0804

Changes

The Council may amend this Privacy Policy from time to time to reflect changes in the legislation.

REFERENCES

West Daly Regional Council Enterprise Agreement 2013 – 2015
Local Government Act

FURTHER INFORMATION: Human Resources Officer

Approved by:	Chief Executive Officer
Approval Date:	18 th May 2016
Review Date:	Periodic General Election
Review Authority:	Human Resources Officer
Applicable to:	All Council employees