

Personal Information Protection Policy

PURPOSE:

To demonstrate the Council's commitment to protecting an individual's rights to personal privacy, and compliance with relevant legislative and internal policies that enforce an individual's right to personal information protection, in accordance with the *Personal Information Protection Act 2004* (the Act).

SCOPE:

This Policy applies to all employees, elected representatives, contractors, work place participants and volunteers of the City of Launceston, and covers all personal information held by the Council.

POLICY:

What is personal information?

'Personal information' is information or opinion in any recorded format about an individual whose identity is apparent or is reasonably ascertainable from the information or opinion (s3 of the Act).

Information collected

The City of Launceston collects personal information that is necessary for it to perform its functions and will only use or disclose this information for the purposes for which it is provided.

The Council takes reasonable steps to ensure that the personal information it holds is accurate, complete and up to date. Where practicable, the Council will check on the accuracy of personal information before it is used. The Council also provides opportunities and prompts for the public to provide updated information.

There may be circumstances where the Council is required or obligated by law to collect personal information. Sensitive information will only be obtained where an individual provides consent or is permitted under the Act.

Information obtained may include:

- Name
- Address
- Telephone contacts
- Date of birth
- Occupation
- Social Security Number (or similar identification required for State or Australian Government processes)
- Bank Details
- Vehicle Registration details
- ABN details

There are various purposes for the obtaining of personal information which may include:

- To provide services, as requested by the individual
- To follow up on complaints or issues

- To confirm attendance at meetings, functions etc.
- Where an individual has been included on a mailing or distribution list
- To facilitate the collection of fees and charges
- To facilitate payments, and
- To undertake law enforcement activities

After collecting personal information, the Council will take all reasonable steps to ensure the individual is made aware of:

- The Council's identity and how to contact it
- The individual's rights in regards to accessing the information collected
- The purpose for collecting the information
- The intended recipients of the information
- Legislation that requires the information to be collected, and
- The main consequences, if any, of not providing all or part of that information.

Sensitive information

'Sensitive information' includes things like health information, criminal record, racial origin and sexual preferences (s3 of the Act). Generally, the City of Launceston will only collect sensitive information if it is necessary to provide a service to a person and the person consents or if the collection of the information is required or permitted by law (Schedule 1, Principle 10(1)(a) of the Act).

Anonymity

If a person is making a general enquiry it may not be necessary to identify himself or herself. However, if a person wants to obtain a service, identification may be necessary.

Access to and correction of information collected

The Act provides that a person can access his or her personal information that is held by the Council. If a person considers the personal information held by the Council is inaccurate in any way he or she can request that the information be amended.

Requests to access or correct personal information held by the Council should be addressed to:

The Manager Corporate Strategy
The City of Launceston
PO Box 396
LAUNCESTON TAS 7250

Verification of the individual's identity must be ascertained prior to the provision to them of information sought.

If, upon accessing their personal information the individual believes the personal information is incorrect, inaccurate, out of date or misleading, the individual can request the information be corrected or amended. Amendments to personal information are established under the Act. A request to amend information under this Act must be in writing and addressed to the Manager Corporate Strategy (mailing details as listed above).

The request must specify a postal or email address to which the notice is to be sent, give particulars of the information the person believes is incomplete, incorrect, out of date or misleading, and specify the amendments that the person wants made to that information.

Use and disclosure of personal information

The Council staff members are only provided with or have access to the personal information that is necessary for them to carry out their functions within the Council.

All staff members are bound to maintain appropriate confidentiality in relation to information acquired in carrying out their duties.

Personal information will be used only for the purposes described in the *information collected* section above. Personal information will only be disclosed with the person's consent, or if it required by or authorised by law.

There may be a requirement to disclose some or all of the personal information the Council collects to contractors or agents of the Council, law enforcement agencies, courts, or other public sector bodies. These disclosures are made consistent with this policy and the legislation.

Personal information in written submissions on policy matters or matters of public consultation may be disclosed in reports that are made public unless the submission was submitted and accepted on a confidential basis.

Security of personal information

The Council uses a number of safeguards to protect information from misuse and loss, unauthorised access, modification and disclosure.

Generally there is an intention that information is destroyed or permanently de-identified when it is no longer required, but this can only be done in accordance with processes approved by the State Archivist under the *Archives Act 1983*.

Complaints

Complaints relating to privacy and the provision of personal information must be made in writing and addressed to:

The Chief Executive Officer
The City of Launceston
PO Box 396
LAUNCESTON TAS 7250

Alternatively, if a person is not satisfied with the handling or outcome of his or her request for access to or correction of his or her personal information, he or she can lodge a complaint with the Ombudsman. The Ombudsman's Office can be contacted on 1800 001 170 or by email at ombudsman@ombudsman.tas.gov.au.

RELATED POLICIES & PROCEDURES:

[17-PI-001 Information Resource Policy](#)
[22-PI-030 Code of Conduct Policy](#)

RELATED LEGISLATION:

Local Government Act 1993
Personal Information Protection Act 2004
Right to Information Act 2009

REFERENCES:

n/a

DEFINITIONS:

"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 (s3 of the Act).

REVIEW:

This policy will be reviewed no more than 5 years after the date of approval or more frequently, if dictated by operational demands and with the Executive Management Committee's approval.