

## Personal Information Protection Policy

Approved By: **Council**  
Doc Controller: **General Manager**  
File: 4/14/2

Document Code: **CP-CBS-SG-008**  
Version: **3.0**  
Approved Date: **18 July 2017**  
Next Review Date: **18 July 2020**

### 1 PURPOSE

The Council is committed to upholding the right to privacy of all individuals who have dealings with Council.

This policy sets out the Burnie City Council's approach to managing, handling and protecting the personal information of individuals in accordance with the Personal Information Protection Act 2004.

### 2 OBJECTIVE

To inform those who have dealings with Council of the Council's policy on how personal information will be managed.

### 3 SCOPE

The policy covers personal information that is collected, retained, stored and used by the Council where it is necessary for one or more of the Council's functions or activities.

#### What is Personal Information?

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 more than 25 years

Examples of personal information held by the Council include; information relating to individual properties and property owners; the names of complainants and objectors; dog registration information; parking infringement information; rates information; and sensitive information such as health details.

### 4 POLICY

#### 4.1 Appointment of a Personal Information Officer

The General Manager will appoint a Personal Information Officer to oversee the operation of the Personal Information Policy in consultation with the General Manager. The Personal Information Officer will liaise with individuals with respect to requests, enquiries and complaints regarding personal information kept by the Council.

It is appropriate that the Right to Information Officer be appointed to the position of Personal Information Officer. This officer will receive customer requests for access to personal

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information and action these requests; respond to requests in writing; amend personal contact information; and liaise with the relevant departments/sections in relation to information requests and amendments. The Personal Information Officer will consult with the General Manager where appropriate.

### 4.2 Collection

Council will only collect personal information if it is necessary for one or more of its functions or activities. Certain information is collected in order to comply with laws and regulations.

Whenever the Council collects personal information, the information and the reasons for its collection will be shared with the individual upon request. Any written requests for personal information by an individual are to be forwarded to the Council's Personal Information Officer.

The Council will only use personal information for the purposes for which it was collected and for any other use authorised or required by law, including law enforcement and compliance activities.

At the time that personal information is collected, or as soon as practicable after collection, an individual will be provided with a copy of the Council's Personal Information Statement. The Personal Information Statement is a summary of the Personal Information Policy and will be readily available and accessible to the public.

Sensitive information shall not be collected without express consent and unless the collection is required by law.

Sensitive information is defined as; information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record, health information and financial status.

### 4.3 Use and Disclosure

It is the Council's policy that personal information will not be divulged to third parties outside the Council for their independent use unless the person to which the information relates has authorised the Council to do so, or the disclosure is required or allowed by law.

The Council and its employees will not sell trade or make available personal information to others.

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Information provided by individuals will only be used for the purpose in which it was collected, or a related purpose that would be reasonably expected.

Where the Council out-sources functions that involve the collection, utilisation and/or holding of personal information, contractual measures shall be taken to ensure that the contractors and subcontractors do not act in a way that would amount to a breach of personal information standards. The Council will require that these vendors and service companies maintain the confidentiality of this information and abide by all applicable laws. The Council will not permit third parties to sell or use information for their own purposes.

Contracts with third parties will include clear provisions about the purposes for which the contractor is to use the information and other provisions necessary to ensure the contractor does not make unauthorised disclosures. They will also contain provisions about how the contractor is to keep the information secure, and what it must do with the information when it has completed the contracted out activity.

#### **4.4 Data Quality**

The Council will take all reasonable steps to ensure that personal information held is accurate, complete and up to date, complete and relevant to Council's activities and functions.

#### **4.5 Access and Correction**

An individual has a right of access to and right to correct information that Council holds about him or her. An individual can requests access to or amendment of personal information held about them by Council.

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

The Council will respond to any requests to correct inaccurate information in a timely manner.

#### **4.6 Security**

Personal information will be handled with care and only used for authorised purposes. The Council will take steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.

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The Council maintains appropriate security standards and procedures to help prevent access to confidential information by anyone not authorised to access such information. Workers are obliged to assist in maintaining security standards and procedures.

Examples of the types of security measures that Council has implemented and will continue to support include:

- Physical security – Council has adopted measures to prevent unauthorised entry to premises, systems to detect unauthorised access and secure containers for storing paper-based personal information;
- Computer and network security – Council has adopted measures to protect computer systems and networks for storing, processing and transmitting personal information from unauthorised access, modification and disclosure;
- Communications security – Council has adopted measures to prevent unauthorised intrusion into computer networks; and
- Personnel security – Council has adopted procedural and personnel measures for limiting access to personal information by authorised staff for approved purposes and controls to minimise security risks to the organisation’s IT systems.

Destruction of records containing personal information, including personal records is by secure means. Ordinarily, garbage disposal or recycling of intact documents are not secure means of destruction and should only be used for documents that are already in the public domain. Reasonable steps to destroy paper documents that contain personal information include shredding, pulping or the disintegration of paper. All computers and office equipment that are removed from use will have all data removed from the hardware.

### 4.7 Openness

The Council has a Personal Information Statement, which is a summary of this policy, readily available and accessible to the public. There is a link to the Personal Information Statement on Council’s website.

Whenever the Council collects personal information, the information and the reasons for its collection will be shared with the individual.

## 5 LEGISLATION

***Personal Information Protection Act 2004*** sets out rules about information handling, including how the Council may collect, use, store and disclose personal information.



## COUNCIL POLICY

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**Right to Information Act 2009** provides for greater access to information held by Tasmanian government bodies and encourages proactive disclosure of information held by the Council as well as giving the public access to information upon request.

## 6 RELATED DOCUMENTS

Personal Information Statement

Policy Endorsement	
Responsibility:	It is the responsibility of the General Manager to appoint a Personal Information Officer. It is the responsibility of the Executive Manager Corporate Finance to implement and review this policy. It is the responsibility of the Governance Unit to maintain this policy within the policy register.
Minute Reference:	Item AO172-17
Council Meeting Date:	18 July 2017
Strategic Plan Reference:	Strategy 7.3.1 Ensure Council remains compliant with all its statutory and regulatory enforcement in a fair and effective manner.
Previous Policies Replaced:	This policy replaces the previous Personal Information Protection Policy CP-CBS-SG-008 version 2.0, approved on 19 November 2013, Item AO271-13.
Date of Commencement:	19 July 2017
Publication of policy:	Members of the public may inspect this policy at the City Offices where copies can be obtained free of charge. Alternatively it can be accessed on Council's website ( <a href="http://www.burnie.net">www.burnie.net</a> )