



Policy 36 – Personal Information Protection

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Minute 158/06

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Author: Administration Manager

Responsible Officer: Administration Manager

Statutory Authority: - *Personal Information Protection Act 2004*
- *Right to Information Act 2009*
- *Local Government Act 1993*

OBJECTIVE

To demonstrate Council's commitment to upholding the right to privacy for all individuals who have dealings with Council and to ensure compliance with Council's obligations as a Personal Information Custodian in accordance with the Act.

The Act regulates the collections, maintenance, use, correction and disclosure of Personal Information relating to individuals.

SCOPE

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

DEFINITIONS

Council means Dorset Council.

Basic Personal Information includes an individual's name, address, published phone number or date of birth.

Personal Information means information or opinion in any recorded format about an individual whose identity is apparent or is reasonably ascertainable from the information or opinion.

Personal Information Custodian is as defined in the Act and means Council for the purpose of this Policy.

Sensitive Information includes health information about an individual or personal information or opinion about an individual's racial or ethnic origin, political opinions, political association, religious beliefs or affiliations, philosophical beliefs, professional or trade associations, union membership, sexual preferences/practices or criminal record.

the Act means the *Personal Information Protection Act 2004*.

POLICY

Information Collected

Council collects Personal Information that is necessary for it to perform its functions and activities and will only use Personal Information for the purpose for which it was collected or a related purpose that could be reasonably expected. There may also be circumstances where Council is required or obligated by law to collect Personal Information.

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

Personal Information obtained by Council may include but is not limited to name, address, contact details, date of birth, occupation, bank details, credit card details, vehicle registration details, ABN or Tax File Number.

Some of the common instances where it may be necessary for Council to collect Personal Information from an individual include:

- To provide services as requested by the individual
- To follow up on complaints, issues or feedback
- To facilitate payments and the collection of fees and charges
- To undertake compliance activities

Use and Disclosure of Personal Information

Personal Information will only be used for the purposes described above. Personal Information will only be disclosed with the person's consent or if it is required by or authorised by law.

There may be a requirement to disclose some or all of the Personal Information that Council collects to contractors or agents of Council, law enforcement agencies, courts or other public sector bodies. These disclosures will be made in accordance with this Policy and relevant 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 is submitted and accepted on a confidential basis.

As a public authority, Council may disclose Basic Personal Information for a purpose other than the primary purpose of collection without the relevant individual's consent where the information is only used by or disclosed to another public sector body and the use or disclosure is reasonably necessary for the efficient storage and use of that information.

Sensitive Information

Generally Council 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.

Anonymity

Wherever it is lawful and practicable to do so, customers will be given the option of not identifying themselves when dealing with Council. However if Council does not receive all of the Personal

Information requested, Council may not be able to provide a full response to correspondence, process applications, or provide services or facilities that have been requested.

Security of Personal Information

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

Generally there is an intention that information is destroyed or permanently de-identified when it is no longer required. This can only be done in accordance with the *Archives Act 1983* and any other relevant legislation.

Access to and Correction of Information Collected

An individual has a right of access to and right to correct Personal Information that Council holds about them. Council will endeavour to deal with your request promptly at an administrative level, however more complex requests may need to be made in accordance with the *Right to Information Act 2009*.

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

Complaints and Requests

If you believe that Council has mishandled your Personal Information, you have the right to lodge a complaint to the General Manager. To do so, please write to us at:

Dorset Council
PO Box 21
Scottsdale TAS 7260
Email – dorset@dorset.tas.gov.au

Alternatively, if you are not satisfied with the handling or outcome of your request for access to or correction of your personal information, you can lodge a complaint with the Ombudsman. For more information on how to contact the Ombudsman, visit ombudsman.tas.gov.au/home/contact-us.

REVIEW

This policy will be reviewed no more than 5 years after the date adopted or more frequently as required.

DOCUMENT INFORMATION

Version	Doc Ref	Date Reviewed	Reviewed By	Comments
V1	IN06/851	16 October 2006	Geoff Jamieson	Requirement of the Act to establish policy.
V2	13/7763	29 June 2015	Guy Jetson	No/minor amendments.
V3	18/1707[v1]	19 March 2018	John Marik	No/minor amendments.
V4	18/1707[v2]	3 September 2023	Lauren Tolputt	Major review, simplified content.