

# Privacy policy

## Policy No. 2501.100.E.R

### 1 Purpose

The purpose of this policy is to set out City of Darwin's commitment to information privacy and its intent to comply with the provisions of the *Information Act 2002* (NT) (the Act) and the *Local Government Act 2019* (NT).

### 2 Scope

This policy covers all personal information collected and held by the City of Darwin through engagement with the public, Elected Members and City of Darwin staff.

### 3 Policy statement

City of Darwin collects and manages personal information in the course of performing its role, functions and objectives to protect all people from undue intrusion into private affairs. The way in which City of Darwin manages personal information is governed by the Information Privacy Principles (IPPs) as outlined in the Act and the *Local Government Act 2019* (NT).

To achieve this, City of Darwin applies 7 Guiding Principles:

- Transparency - Darwin is an aware and informed community.
- Value - there is demonstrable value for the community in providing their personal information to City of Darwin.
- Collection limitation - personal information is collected only when it is necessary for the performance of City of Darwin functions.
- Safety first - where personal information must be collected, it is securely stored and de-identified wherever possible before use or disclosure.
- Fair decisions - lawful decisions about the collection and handling of personal information are made by City of Darwin, and the decisions reflect community values and expectations.
- Accountability – privacy by design is supported for all initiatives involving personal information, privacy impact assessments are conducted, and City of Darwin privacy posture is regularly reviewed.
- Agility – City of Darwin adapts and responds to changes in legislation, public policy, technology, the information economy and the emerging body of privacy best practice.

In the development of new initiatives and projects, City of Darwin will consider privacy impacts through Privacy Impact Assessments or other analysis.

### 3.1 Collecting personal information

When collecting personal information, City of Darwin will take all reasonable steps to ensure that customers are aware of the information to be collected, purpose, whether it is required by law, and the consequences, if any, of not providing the information.

City of Darwin may collate statistical information from the personal information it collects. This information may be used by City of Darwin and other government bodies to assist in providing services and facilities, including open data. These statistics will not reveal an individual's identity.

City of Darwin may collect personal information in a number of ways, including:

- directly in documents such as application forms, statutory declarations, or by verbal or written correspondence
- through contact with Elected Members or staff
- from third parties such as government bodies.

### 3.2 Use and disclosure of personal information

City of Darwin may use personal information in a number of ways to carry out City of Darwin's functions, including:

- to provide information about City of Darwin's services
- to determine and provide appropriate services and facilities
- to administer and manage processes such as issuing permits, animal registration, rates, parking, and development proposals
- to administer and make enquiries on Elected Member, personnel and recruitment matters.

City of Darwin will not use or disclose personal information to third parties except in certain circumstances, including:

- where the individual has consented to the release
- to lessen or prevent serious harm
- where disclosure is required by law
- to enable Elected Members to refer requests for assistance to City of Darwin or other agencies
- to enable City of Darwin or a third party to provide services.

Individuals may request access to or correction of personal information the City of Darwin holds about them in line with the provisions of the Act.

Where City of Darwin requires a third party to collect, use or disclose information to perform City of Darwin functions, the third party will be bound by, and fully aware of their obligations to, the provisions of the Act and IPPs.

Where lawful and practical, City of Darwin may give customers the option of remaining anonymous, and will explain any potential consequences when supplying information or entering into transactions with City of Darwin.

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**Responsible Officer: General Manager Corporate**

An individual may request City of Darwin to inform them of the personal information it holds, where it holds the information and how it collects, holds, uses and discloses the information.

City of Darwin will take all reasonable steps to suppress personal information from publicly available material in accordance with the Local Government Act 2019 (NT).

Contact details for telephones and e-mail addresses provided to staff for work purposes may be disclosed. No private contact details will be disclosed.

Personal information of City of Darwin staff may be used to contact staff in emergency situations and natural disasters.

### 3.3 City of Darwin libraries

City of Darwin Libraries may collect information in order to provide an all-inclusive public library service, including lending and in-house services and to advise members on all facilities, services, programs, collections, special events and activities so that individual needs are met. The only information collected is provided by members when joining the library.

By applying to become a member of the Library, members are consenting to personal information being disclosed to the Northern Territory Government for the sole purpose of addition to and maintenance of a shared database.

This database is shared by libraries throughout the Northern Territory (LINNet) and provided by Northern Territory Library and Information Services (NTLIS). NTLIS allows authorised access to this information to authorised staff in all libraries in LINNet. This information sharing helps City of Darwin to provide services such as interlibrary loans to patrons throughout the Territory.

City of Darwin Libraries will only use or disclose the personal information collected for the purposes stated above, unless use or disclosure is required and authorised by law.

### 3.4 Data security of personal information

City of Darwin will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.

City of Darwin has an information security framework to protect personal information which may be stored physically or in electronic form.

City of Darwin staff have access to personal information on a need-to-know basis.

City of Darwin will take all reasonable steps to maintain held information is accurate, complete and up to date.

City of Darwin will not transfer personal information unless:

- the transfer is authorised or required by law
- the recipient is subject to laws substantially similar to the IPPs
- City of Darwin has taken reasonable steps to ensure that the information will not be held, used or disclosed by the person to whom it is transferred in a manner that is consistent with this policy.

### 3.5 Privacy complaints

City of Darwin will maintain a privacy complaints function through a dedicated Privacy Champion role. If not resolved internally, complaints can be escalated through an external appeals process. Information about complaints management will be made available on the City of Darwin website.

## 4 Definitions

**Access** means providing an individual with personal information about themselves, which may include inspecting or making copies of the information.

**Collection** means gathering, acquiring or obtaining personal information regardless of the source or the method used.

**Consent** means expressed or implied agreement. In order to consent, an individual must be informed and have the ability to understand and communicate their consent.

**Disclosure** means releasing personal information about an individual to someone outside of the organisation whereby City of Darwin will no longer have control over the information.

**City of Darwin staff** includes all employees and workers, contractors, volunteers and all others who perform work on behalf of City of Darwin.

**Personal Information** is information that discloses a person's identity, or from which a person could be identified. City of Darwin information is not personal information where a person's identity is disclosed only in the context of having acted in an official capacity for City of Darwin, and no other personal information is disclosed.

**Use** means the handling of personal information by City of Darwin.

## 5 Legislative references

*Information Act 2002 (NT)*

*Local Government Act 2019 (NT)*

## 6 Procedures and related documents

N/A

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## 7 Responsibility / application

The General Manager Corporate is accountable for the operation of this policy. The Privacy Champion is appointed by the Chief Executive Officer to provide awareness, advice and support for staff in meeting City of Darwin's privacy obligations. The Privacy Champion also serves as an escalation point for privacy queries and complaints.

This policy applies to Elected Members, City of Darwin Staff, City of Darwin Library members, ratepayers and residents of the Darwin municipality and all people who utilise the services of, or transact business with City of Darwin.

This policy will be reviewed every two years or as required.