

Title:	Privacy Policy
Policy No:	033
Adopted By:	Council
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Responsibility:	General Manager City Performance
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Version	Decision Number	Adoption Date	History
1	20\2501	23/02/10	Adopted
2	21\4868	27/09/2016	Adopted with minor amendment to include Council's standardised privacy statement.
3			
4			

1 Policy Summary

This privacy policy contains the principles by which Council manages the personal information it collects.

It is part of the framework put in place by Council to protect the privacy of personal information in accordance with the Information Privacy Principles (IPPs) set out in the *Information Act* (NT) ("the Act").

2 Policy Objectives

Compliance with statutory requirements of the *Local Government Act* and the principles set out in the *Information Act* for the privacy of personal information.

3 Background

Sub-Section 130(3) of the *Local Government Act* requires the Council to adopt a 'Privacy' Policy.

Council collects, and uses, personal information about individuals to enable it to carry out its functions under the *Local Government Act*.

Under certain circumstances Council may disclose this information to third parties.

Council also has the responsibility to keep information secure so as to protect the privacy of individuals.

4 Policy Statement

City of Darwin has adopted the following statement in accordance with its responsibilities under the Information Act:

“City of Darwin (“the Council”) is committed to protecting your privacy. We understand that it is important to protect your personal information”.

This Policy contains the key principles for management of the personal information it collects from you. The policy aims to protect the privacy of your personal information in accordance with the Information Privacy Principles set out in the *Information Act* (NT) (“the Act”).

Personal Information

Personal information is defined as “Council information from which a person’s identity is apparent or is reasonably able to be ascertained.”

Collection

- The Council collects the personal information that it needs to carry out its functions and activities, including its statutory functions under the *Local Government Act*.
- The Council may also collate statistical information from the personal information it collects. This information may be used by Council and other government bodies to assist in the provision of appropriate services and facilities. Once this kind of information is collected, it will be de-identified so that any compilation or publication of those statistics will not reveal your identity.
- The Council may collect your personal information in a number of ways, including:
 - directly from you in documents such as application forms, statutory declarations, or by verbal or written correspondence; and
 - from third parties such as government bodies.

Use and Disclosure

The Council may use your personal information in a number of ways, including:

- to carry out the Council's functions, such as the maintenance of the assessment record (rates) and other records of a municipal nature.
- to provide you with information about the Council’s services.
- to determine and provide appropriate services and facilities.
- to administer and manage processes such as applications for permits, animal ownership, billing and collection of levies and charges, parking controls, and development proposals.
- to administer and make enquiries on personnel and recruitment matters.

The Council will take all 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*, which requires Council to make the assessment record available for inspection by any member of the public. The assessment record includes rate payer information such as the name and address of the owner or principal ratepayer, a brief description of the land, its assessed value 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 that the service provider agrees to preserve the confidentiality of your personal information;
- the circumstances 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 to whom we intend to disclose your personal information.

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.

Your personal information is stored in a secure place in the Council department or section that uses that information.

Your personal information may also be stored by the Council in electronic form, which is protected from unauthorised access by a password system.

Council staff have access to your personal information only to the extent that is required for them to carry out their duties.

Access to Your Information

If you make a written request to us for access to the personal information the Council holds about you, the Council will provide you with access to that information, unless there is an applicable exception under the IPPs.

We may charge you a reasonable fee for providing you with access to the information.

Publicly Available Material

The following documents are available on Council's website and for inspection at Council offices, during normal office hours, in accordance with section 200 of the *Local Government Act*.

- notices and minutes of meetings of the Council;
- annual financial statement and annual report;
- auditor's report;
- policy concerning the payment of expenses incurred by, and the provision of facilities to Members;
- Council's code of conduct;
- register of Elected Members' interests;
- an approved rating proposal;
- notice of the declaration of rate and charges;
- any notices of Council's:
 - intention to sell land for non-payment of rates,
 - assumption of the control and management of land, or
 - application for a variation of a trust and any order made on the application;
- register of by-laws and any notices of by-laws the Council intend to make;
- list of the categories of reviewable decisions
- draft and final regional management plan, and
- Council's draft and final municipal plan

The following documents are also available on Council's website and for inspection at Council offices, during normal office hours:

- Agendas for meetings of the Council.

The Council will also provide a copy of a document upon request, and may charge a fee for doing so.

A person may apply in writing to the Chief Executive Officer for the suppression of personal details from publicly available material under section 201 of the *Local Government Act*.

Accuracy of Information and Privacy Complaints

It is important to the conduct of our business that the personal information we collect, use, or disclose, is and remains accurate, complete and up to date.

If you wish to access or change your personal information, or to lodge a complaint about an interference with your privacy, or you have any query on how your personal information is collected or handled, please contact our Information Officer:

Records Manager - City of Darwin
GPO Box 84 - DARWIN NT 0801
Telephone: (08) 8930 0300
Facsimile: (08) 8930 0311
Email: darwin@darwin.nt.gov.au

5 Approved Council Privacy Statement

All documentation that collects personal information such as application forms and participating forms must contain Councils approved privacy statement:

“The information requested in this form is being collected by Council for the purpose of updating our administrative systems to be able to carry out Council functions. If you do not provide this information, Council may not be able to process your personal details.

Council may disclose the information provided by you on this form to a third party as required in accordance with the NT Information Act or the City of Darwin Privacy Policy which is available online at www.darwin.nt.gov.au or upon request from Council offices.

You may obtain access to your personal information held by Council by submitting a request for information form also available online at www.darwin.nt.gov.au or by contacting Council’s Information Officer on (08) 89 300 300.

By signing below I acknowledge that I have read and agree with the Privacy Statement and that the information I have supplies is correct.”

6 Legislation, terminology and references

Sub Section 130(3) of the *Local Government Act* provides that ‘a council must have a privacy policy protecting members and staff of the Council from undue intrusion into their private affairs’.

The *Information Act* applies to City of Darwin and therefor the City of Darwin is obliged to comply with the legislative requirements, , in particular, the Information Privacy Principles set out in the Act.

Personal information for the purpose of this Policy is defined as ‘Council information from which a person’s identity is apparent or is reasonably able to be ascertained.’