



# INFORMATION PRIVACY POLICY

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<b>Policy Type:</b>	<b>Administrative</b>
<b>Responsible Officer:</b>	<b>Director of Community &amp; Corporate Services</b>
<b>Department:</b>	<b>Community &amp; Corporate Services</b>

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1	GRC 0045	16 November 2010	
2		Reviewed January 2014	Review January 2015
3	Reviewed	March 2016	Review March 2019
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## Intent

The purpose of this General Policy is to establish a framework for the responsible collection and handling of personal information by Goondiwindi Regional Council.

## Scope

Personal information held by Council must be responsibly and transparently collected and managed (including any transfer or sale of personal information held by Council to other agencies, other levels of Government or the private sector) in accordance with Councils adopted Information Privacy Principles. The key data sets are Councils Authority System, Practical, Customer Request Management System (CRM), Contracts Registers and associated documents, Geographic Information system and any information obtained through licence agreements (eg CITEC licences).

Where conflicting requirements exist, any legislative requirements will supersede compliance with this General Policy.

This policy has been prepared based on the State Government's adopted Information Standard No. 42 – Information Policy. This policy may change from time to time. Reference should also be made to the relevant Commonwealth legislation (Schedule 3 of the *Privacy Act*) which contains the national privacy principles.

## **PROVISIONS**

This General Policy should be considered in conjunction with other relevant General Policies including, but not limited to:-

- Procurement Policy
- Community Engagement Policy
- General Complaints Management Policy

## **INFORMATION PRIVACY PRINCIPLES**

Council staff must comply with the eleven Information Privacy Principles, (IPP), which govern how personal information is collected, stored, used and disclosed.

The IPPs deal with the following:-

- Principle 1: Manner and purpose of collection of personal information;
- Principle 2: Solicitation of personal information from individual concerned;
- Principle 3: Solicitation of personal information generally;
- Principle 4: Storage and security of personal information;
- Principle 5: Information relating to records kept by record keeper;
- Principle 6: Access to records containing personal information;
- Principle 7: Alteration of records containing personal information;
- Principle 8: Record keeper to check accuracy, etc., of personal information before use
- Principle 9: Personal information to be used only for relevant purposes;
- Principle 10: Limits on use of personal information; and
- Principle 11: Limits on disclosure of personal information.

## Definition of Terms

### **Personal Information:**

Means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

### **Record:**

- a) a document; or
- b) a database (however kept); or
- c) a photograph or other pictorial representation of a person;  
but does not include:
- d) a generally available publication; or
- e) anything kept in a library, art gallery or museum for the purposes of reference, study or exhibition; or

- f) Commonwealth records as defined by subsection 3 of the Archives Act 1983 that are in the open access period for the purposes of that Act; or
  - f1) records (as defined in the *Archives Act 1983*) in the custody of the Archives (as defined in that Act) in relation to which the Archives has entered into arrangements with a person other than a Commonwealth institution (as defined in that Act) providing for the extent to which the Archives or other persons are to have access to the records; or
- g) documents placed by or on behalf of a person (other than an agency) in the memorial collection within the meaning of the *Australia War Memorial Act 1980*; or
- h) letters or other articles in the course of transmission by post.

## **POLICY**

1. Goondiwindi Regional Council will only collect personal information:-
  - i.) for a lawful purpose directly related to the functions of Council;
  - ii.) it is relevant to that purpose; and
  - iii.) using means that are lawful, fair and not overly intrusive.
2. When collecting personal information, Goondiwindi Regional Council will use means appropriate in the circumstances to inform the individual giving the information of:-
  - i.) the reason the information is being collected;
  - ii.) the statutory authority (if any) for the collection; and
  - iii.) who the information is routinely disclosed to (if any).
3. Goondiwindi Regional Council will protect personal information included in a record against:-
  - i.) loss;
  - ii.) unauthorised access;
  - iii.) inappropriate use;
  - iv.) inappropriate modification; and
  - v.) inappropriate disclosure.
4. Goondiwindi Regional Council will not use personal information included in a record for a purpose that differs from the purpose for which it was collected, unless:-
  - i.) the individual the information is about has consented to the use;
  - ii.) the use is directly related to the purpose of the collection
  - iii.) the use is required or authorised by law
  - iv.) the use will prevent or lessen a serious and imminent threat to the life or health of the subject of the information or another person

5. Personal information included in a record will not be disclosed outside of Goondiwindi Regional Council, unless:-
  - i.) the individual the personal information is about has consented to the use;
  - ii.) the individual the personal information is about was made aware of the intended disclosure when the information was collected;
  - iii.) the use is required or authorised by law;
  - iv.) the use will prevent or lessen a serious and imminent threat to the life or health of the subject of the information or another person;
  - v.) the use is necessary for enforcing the law or protecting public revenue.
6. All complaints relating to possible breaches of privacy will be managed through formal procedures, as detailed in the General Complaints Process Policy.
7. This policy is to remain in force until otherwise determined by Council.
8. Review February 2022