

<b>TITLE:</b>	Privacy Policy		
<b>DIVISION:</b>			
<b>ADOPTED BY:</b>	Council		
<b>DATE OF ADOPTION:</b>	30 June 2014	<b>DATE OF REVIEW:</b>	June 2018
<b>MOTION NUMBER:</b>	113/14		
<b>POLICY NUMBER:</b>	CP000025		
<b>AUTHORISED:</b>	Chief Executive Officer		

## THIS POLICY APPLIES TO:

All employees of the Barkly Regional Council and Elected Members

## PREAMBLE

The aim of all policy is for Councillors to provide strategic input into the effective operational framework of the organisation under S.11 of the Local Government Act

## SUMMARY

This privacy policy contains the principles by which Council manages personal information it collects. It is part of the framework put in place by the Council to protect the privacy of personal information in accordance with the Information Privacy Principles set out in the Information Act (NT) ("the Act").

## OBJECTIVES

To facilitate and ensure compliance with the statutory requirements of the Local Government Act and the principles set out in the Information Act for the privacy of personal information.

## BACKGROUND

The Barkly Regional Council collects, and uses, personal information about individuals to enable it to carry out its functions under the Local Government Act. Under certain circumstances it may disclose this information to third parties. It also has responsibility to keep information securely so as to protect the privacy of individuals.

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

## POLICY STATEMENT

The Barkly Regional Council adopts the following statement in accordance with its responsibilities under the Information Act:

*The Barkly Regional Council (“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 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 edited 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.*

## Uses 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 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 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 that 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 the 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 Information Privacy Principles.

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;
- 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 or 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 decision*
- *Draft and final regional management plan, and*
- *Council's draft and final municipal plan*
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*The following documents are also available on Council's website and for inspection at Council offices, during normal office hours:*

*Council Agenda*

*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 Director of Human Resources.*

*Director of Human Resources  
Barkly Regional Council  
PO Box 821  
Tennant Creek  
NT 0861*

*8962 0000*

#### Privacy Policy Protecting Members and Staff

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 Barkly Regional Council adopts the following statement in accordance with its responsibilities under the Local Government Act:

*The Barkly Regional Council ("the Council") is committed to protecting the privacy of Members and staff.*

*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 use your personal information in a number of ways, including:*

- *To carry out the Council's functions*
- *To provide you with information about the Council's services.*
- *To administer and make enquiries on personnel and recruitment matters.*

*The Council will take 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 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.*

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

## **LEGISLATION, TERMINOLOGY AND REFERENCES**

Section 130 of the Local Government Act (NT)

Information Privacy Principles set out in the Information Act (NT)

## **IMPLEMENTATION AND DELEGATION**

The CEO has delegated authority to implement this policy

## **EVALUATION AND REVIEW**

This Policy is to be reviewed every four (4) years, and may be reviewed at other times at the discretion of Chief Executive Officer.