

Privacy Policy

Purpose

The Personal Information Protection Act 2004 (the Act) was introduced to protect the individual's right to personal privacy.

Clarence City Council (Council) is committed to the Personal Information Protection Principles included in the Act. This policy explains the principles and how they may apply to you.

Scope

This policy applies to aldermen, officers and agents of Council.

The policy covers all personal information held by Council, including:

- information we have collected from you, as well as information we have collected from third parties,
- all information collected regardless of format and media, e.g. correspondence, forms (paper and electronic), in person, over the telephone or via Council websites.

Definitions

Personal information is information that can be used to identify an individual, such as name, address and date of birth.

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

Principle 1 Collection

- 1.1. Council will only collect personal information from you when it is necessary for its functions or activities.
- 1.2. Council will collect personal information about you directly from you wherever it is reasonable and practicable to do so.
- 1.3. Council will collect personal information only by lawful and fair means and not in an unreasonably intrusive way.
- 1.4. In some instances, Council will be required by law to collect personal information.
- 1.5. Council will only collect sensitive information where you have consented or as permitted under the Act.
- 1.6. Before, during, or as soon as practicable after collection of personal information, Council will take reasonable steps to ensure that you are aware of:
 - Council's identity and how to contact it;
 - your right to access the information;
 - the purpose for which the information is collected;
 - the intended recipients of the information;
 - any law that requires the information to be collected;
 - the main consequences (if any) for you if all or part of the information is not provided.
- 1.7. If Council collects personal information about you from someone else, it will take reasonable steps to make sure that you are aware of the matters referred to above, unless doing so would pose a serious threat to the life, safety, health or welfare of any individual, or, would prejudice the carrying out of an investigation.

Principle 2 Use and disclosure

- 2.1. Council will only use personal information within Council, or disclose it outside Council,
 - for the purpose for which it was collected, or
 - in accordance with this Act or as provided for in any other legislative provision, or
 - where you have consented, or
 - where you would reasonably expect this to occur.
- 2.2. Council may use the information for purposes including, but not limited to, the following:

- To contact you in order to provide services requested by you, e.g. obtaining a permit.
- To contact you in order to resolve issues relating to Council services or functions, that you have brought to our attention, e.g. where you have reported a matter to be resolved by Council such as a fallen tree branch.
- It may be used to contact you before a Council Meeting to confirm your attendance and advise you of any changes to the meeting details where you have made an application to speak or ask a question.
- To supply you with material concerning Council initiatives and programs.
- To contact you in relation to your property.
- To facilitate the collection of Council fees and charges, e.g. we will use your name and address details to forward rate notices.
- To enable payment for Council-provided goods and services, e.g. we may collect your credit card and bank account details when you make a payment for goods and services.
- To enable Council to undertake its law enforcement functions, e.g. Council collects information about you from various Road Traffic Authorities to process Parking Infringement Notices.
- To update your name and address details and verify information.
- To check occupancy for ratings purposes.
- To contact you in case of an emergency.

2.3. In some circumstances, Council needs to disclose your information to other organisations. Examples of situations where disclosure may occur include:

- Personal Information collected in relation to your property may be forwarded to the Valuer General and the Australian Bureau of Statistics, the Director of Building Control, and the Training Levy Board in accordance with various legislative requirements.
- Personal information included on a Subdivision or Development Application may be forwarded to the Resource Management and Planning Appeal Tribunal and made available to the public, as required by the Land Use Planning and Approvals Act (1993).
- Pensioner Applications for Rates Remission may be forwarded to Centrelink, the Department of Treasury, the Department of Veterans' Affairs and Housing Tasmania.
- Information relating to financial requests, for example a direct debit, may be forwarded to our bank.
- If a workplace incident or other incident or accident occurs, information may be forwarded to our Workers Compensation, public liability or professional indemnity insurers.
- If you do not pay your rates, Council may forward your information to the courts and a debt collector may be appointed.
- If infringement notices are not paid, Council may forward your information to the courts and a solicitor.
- If you apply to work in one of Council's childcare services, we are required to forward your information to the Department of Education for safety screening purposes.
- In order to properly assess your development, building or subdivision application, Council may seek the advice of other agencies and, in doing so, will provide details of your application, including any personal information included on the application to that agency. Examples of these agencies include the University of Tasmania; Government departments, Tasmanian Fire Service.

Principle 3 Data quality

- 3.1. Council will take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up-to-date.
- 3.2. You may update the personal information you have supplied to Council. Details on how to do so are outlined under Privacy Principle 6.

Principle 4 Data Security

- 4.1. Council will take all necessary steps to make sure that personal information is stored safely and securely. Technological and operational procedures are in place to protect personal information from misuse and loss.
- 4.2. Council will dispose of personal information where it is no longer necessary to fulfil the purposes for which the it was collected, or as required by the Archive Act or other legislation.

Principle 5 Openness

- 5.1. Council will make this policy available upon request.
- 5.2. On request by a person, Council will take reasonable steps to let the person know, generally, what sort of personal information it holds, collects, for what purposes, and how it collects, holds, uses and discloses that information.

Principle 6 Access and Correction

- 6.1. Should you wish to access your personal information, please contact Council on 03 6245 8600. We will endeavour to deal with your request promptly at an administrative level, but more complex requests may need to be processed in accordance with the Freedom of Information Act 1982.
- 6.2. Access will be provided except in the circumstances outlined by The Act, for example, where the information relates to legal proceedings.

Principle 7 Unique Identifiers

- 7.1. An unique identifier is a reference that enables the identification of a particular person (e.g. your drivers licence number).
- 7.2. Council will only assign unique identifiers if is necessary to carry out any Council functions or responsibilities, or it is required by law.

Principle 8 Anonymity

- 8.1. Council will, where it is lawful and practicable, give individuals the option of remaining anonymous when entering into transactions with Council.
- 8.2. However, as anonymity may limit Council's ability to process a complaint or other matter, Council reserves the right to take no action on any matter if you choose not to supply sufficient personal information to Council.

Principle 9 Transborder Data Flows

- 9.1. Council will transfer personal information to a region outside Tasmania only if authorised by law or with the consent of the individual.

Principle 10 Sensitive Information

- 10.1. Sensitive information, as defined by law, is any information about a person's racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliation, philosophical beliefs, membership of a professional trade association, membership of a trade union, sexual preference or practice, criminal record or health information.
- 10.2. Council will only collect sensitive information when you have consented, or as permitted under the Personal Information Protection Act or required by law.
- 10.3. Sensitive information will be treated with the upmost security and confidentiality and only used for the purpose for which it was collected.

Correction and Complaints

If you are not satisfied with the handling of your personal information or the outcome of your request to access or correct your personal information, you may contact Council to make a complaint on 03 62179500. Your complaint will be investigated within ten business days and a written response will be provided. If you are not happy with the outcome of your complaint, you can lodge a complaint with the Ombudsman. The Ombudsman's Office can be contacted 1800 001 170 (free call from a landline nationally, but call charges may apply from a mobile phone or pay phone), and by email at ombudsman@ombudsman.tas.gov.au.