

POLICY



Date adopted: 30/05/2017
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Policy title: **PRIVACY POLICY**

Directorate: ORGANISATIONAL SERVICES

Branch: CORPORATE GOVERNANCE

Policy objective: To ensure all councillors and employees comply with their privacy obligations under the *Information Privacy Act 2009* as well as ensure that members of the public have a right of access to documents held by the Council subject to those exemptions defined in the *Right to Information Act 2009*.

Policy scope:

This policy applies to all councillors, employees (including contracting service providers) and members of the public.

The following documents form part of this policy:

- Privacy Policy procedure (ID: 6602273)
- Privacy Complaints Handling procedure (ID: 6551544)
- Privacy Breach Management and Notification procedure (ID: 8959318)

Definitions:

See policy procedure.

Policy statement:

- 1. Privacy (personal information)**
 - (a) Council collects and uses personal information about Logan City residents, Council employees and others for the purpose of ensuring that Council business is conducted efficiently and effectively and to meet its statutory obligations. Council only collects personal information that is directly relevant and necessary for its operations.
 - (b) Council will keep a personal inventory register which identifies the personal information collection points throughout Council. This register will be coordinated by the Administrative Review and Ethics program in the Corporate Governance branch, with the responsibility for privacy compliance and maintaining the accuracy of the register residing with each branch manager. To assist the branch managers with this responsibility and maintaining the accuracy of the register, Privacy Liaison Officers (PLOs) have been established within each branch of Council.
- 2. Privacy obligations**

In accordance with the IP Act, Council aims to ensure that all personal information held by Council, or under the control of Council, is collected and managed in accordance with the Information Privacy Principles (IPPs) prescribed in the IP Act.

Council is committed to meeting its legal requirements under the IP Act by:-

- complying with the Information Privacy Principles (IPPs)
- not transferring personal information out of Australia unless the transfer complies with section 33 of the IP Act
- taking reasonable steps to make contractors subject to the IP Act where required by chapter 2, part 4.

3. Access (non-personal information)

- (a) The *Right to Information Act 2009* extends a right of access to information in the government’s possession or under the government’s control unless, on balance, it is contrary to the public interest to give the access.
- (b) Council is subject to the *Right to Information Act 2009* (RTI Act) and accordingly acknowledges the right of the public to obtain information about council's structure, policies and activities unless disclosure would, on balance, be contrary to the public interest and is committed to ensuring that personal information held about them by council is up-to-date, accurate and complete.
- (c) Council is committed to providing, as far as possible an open, accountable and transparent environment which enables members of the public access to council documents which do not require recourse to formal procedures in the RTI Act. This will benefit in facilitating disclosure with minimum administrative delay and cost. However, there will be occasions when it is necessary or appropriate to make an application under the RTI Act, for instance, where third party or sensitive non-personal information is requested, or where there are grounds for considering that the documents may be exempt from access under the RTI Act.

4. Authority

Information Privacy Act 2009
Right to Information Act 2009
Acts Interpretation Act 1954
Public Records Act 2002
Sustainable Planning Act 2009

Related policies/legislation/other documents:

DOC ID	DOCUMENT TYPE	DOCUMENT NAME
8372781	Delegation of Authority	Decision Makers - Evidence Act, Information Privacy Act and Right to Information Act
6098139	Policy	Management of Confidential & Sensitive Information
5979417	Policy	Code of Conduct for Staff
6602273	Procedure	Privacy Policy procedure
6551544	Procedure	Privacy Complaints Handling procedure
8959318	Procedure	Privacy Breach Management & Notification procedure
6155043	Procedure	RTI/IP Application Worksheet