

# Personal Information Protection (Privacy) Policy

(Policy Number – KL-GOVPOL002)  
(Policy Type – Council)

## 1 Aim

The Latrobe and Kentish Councils (the Councils') have established a municipal alliance resulting in a single workforce now operating across both Councils'. For the purpose of managing the protection of personal information collected on behalf of either Council a 'combined' policy which applies across both Councils' is appropriate.

The aim of the Personal Information Protection (Privacy) Policy is to demonstrate the Latrobe and Kentish Councils commitment to the protection of all personal information collected.

## 2 Policy Statement

The Personal Information Protection (Privacy) Policy demonstrates the Councils' commitment, as the custodian of personal information, to protecting individual personal privacy rights, and ensuring compliance with relevant legislative and internal policies that support and enforce personal information protection. This policy supports the Personal Information Protection Principles as outlined in Schedule 1 of the [Personal Information Protection Act 2004](#) (the "Act").

## 3 Policy Detail

Purpose	Description
Scope	The Personal Information Protection Policy applies to all employees, councillors, contractors, workplace participants and volunteers engaged by both the Latrobe and Kentish Councils, and also relates to all personal information collected and held by the Councils'.
What is personal information	'Personal information' is information or opinion in any recorded format about an individual whose identity is apparent or is reasonably identifiable from the information or opinion.
Information collected	<p>The Councils' collects personal information that is necessary for performing their functions. The Councils' are committed to only using or disclosing information for the purposes for which it is provided.</p> <p>The Councils' will when collecting personal information provide details of:</p> <ul style="list-style-type: none"><li>• why personal information is required;</li><li>• how that information can be accessed;</li></ul>

	<ul style="list-style-type: none"> <li>• the purpose for which the information is required;</li> <li>• with whom the Councils' may shares this information with;</li> <li>• any relevant laws; and</li> <li>• the consequences for the individual if all or part of the information is not collected.</li> </ul> <p>The Councils' will take all reasonable steps to ensure the personal information they collect, and hold is complete, accurate, and up-to-date.</p> <p>Information collected may include:</p> <ul style="list-style-type: none"> <li>• name;</li> <li>• address;</li> <li>• telephone contacts;</li> <li>• occupation;</li> <li>• date of birth;</li> <li>• social security number (or similar identification required for State or Australian Government processes);</li> <li>• bank details;</li> <li>• vehicle registration details; and</li> <li>• ABN details.</li> </ul> <p>Sensitive information will only be collected where an individual provides consent or where the information is required under any Act.</p>
<p>Purposes for obtaining personal information</p>	<p>There are various purposes for the collection of personal information which may include:</p> <ul style="list-style-type: none"> <li>• to provide services;</li> <li>• to meet statutory requirements;</li> <li>• to follow up on complaints or issues;</li> <li>• to confirm attendance at meetings, functions etc.;</li> <li>• where an individual has been included on a mailing or distribution list;</li> <li>• to facilitate the collection of fees and charges;</li> <li>• to facilitate payments; and</li> <li>• to undertake law enforcement activities.</li> </ul>
<p>Use and disclosure of personal information</p>	<p>The Councils' will not use or disclose personal information for any purpose other than the primary collection purpose, except where permitted in accordance with the <i>Personal Information Protection Act 2004</i>.</p> <p>As far as is practicable, the Councils' will inform an individual of how it is intended their personal information will be used and to</p>

	<p>whom their information may be disclosed. This will be achieved by a “Privacy Statement” (appendix A) appearing at the bottom of any such collection material.</p> <p>Where the Councils’ might outsource or contract functions that involves the collection, utilisation and/or holding of personal information, measures will be taken to ensure that contractors and subcontractors do not act in a way which may breach the Act.</p>
Release of personal information	There may be circumstances where the Councils’ are required and/or obligated by law to collect personal information.
Data security	<p>The Councils’ will take all reasonable steps to protect all personal information they hold from misuse, loss, unauthorised access, modification or disclosure.</p> <p>All personal information will be treated as confidential. The Councils’ employees will not disclose any confidential information, use any information to their personal advantage or permit unauthorised access to information.</p> <p>The Councils’ will take reasonable steps to lawfully and responsibly destroy or permanently de-identify personal information when it is no longer required for any purpose.</p>
Sensitive information	<p>‘Sensitive information’ includes things like health information, criminal record, racial origin and sexual preferences (s3 of the Act). Generally, the Councils’ will only collect sensitive information when it may be necessary to provide a service to a person and the person consents, or if the collection of the information is required or permitted by law (<a href="#">Schedule 1, Principle 10(1)(a) of the Act</a>).</p>
Anonymity	<p>If a person is making a general enquiry, it may not be necessary to identify themselves. However, if a person wants to obtain a service, identification will likely be necessary.</p> <p>Remaining anonymous in many cases inhibits the Councils’ ability to process a complaint or follow up on a matter.</p> <p>The Councils’ reserves the right not to act upon matters or complaints where the supply of relevant personal information has not been provided or is considered insufficient.</p>
Complaints	<p>Complaints relating to privacy and the provision of personal information must be made in writing and addressed to the General Manager. Complaints will be dealt with in accordance with the respective Council’s Customer Service Charter.</p> <p>Any complaint must be received within 6 months from the time the complainant first became aware of the issue.</p>

	<p>Complaint details will remain confidential, and a written response will always be provided.</p> <p>An individual dissatisfied with the outcome of the request or the handling of the request for access can lodge a formal complaint with the Ombudsman.</p>
--	---

## 4 Associated Documents and References

### 4.1 Local Government Act 1993 Reference

### 4.2 Other Legislation Reference

#### [Personal Information Protection Act 2004](#)

Schedule 1 of the [Personal Information Protection Act 2004](#) further details the 10 Principles:

1. Collection
2. Use and Disclosure
3. Data Quality
4. Data Security
5. Openness
6. Access and Correction
7. Unique Identifiers
8. Anonymity
9. Disclosure of information outside of Tasmania
10. Sensitive Information

Users of this Policy should refer to the [Personal Information Protection Act 2004](#) for further information on the above 10 principles

- *Right to Information Act 2009*
- *Public Interest Disclosure Act 2002*

### 4.3 Strategic Plan Reference

#### LATROBE

Area	1	Governance
Program	1.2	Governance
Objective	1.2	Provide consistent, accountable, transparent and effective governance



Strategy	1.2.9	Ensure Council information meets community and stakeholder interests, is accessible, easy to understand and complies with legislative requirements
----------	-------	--

## KENTISH

Area	1	Governance and Organisational Development
Program	1.2	Governance
Objective	1.2	To provide consistent, accountable, transparent and effective governance of the Council
Strategy	1.2.7	Communicate the Council's decisions, policies and activities and the reasons behind them, through the Council's website and standardised publications.

## 4.4 Other Associated Documents

### LATROBE

- [Public Interest Disclosure Policy](#)
- [Public Interest Disclosure Procedures and Forms](#)

### KENTISH

- [Public Interest Disclosure Policy](#)
- [Public Interest Disclosure Procedures and Forms](#)



## Privacy Statement

The Latrobe and Kentish Councils are committed to upholding the right to privacy of all individuals who have dealings with us. The Latrobe and Kentish Councils will take the necessary steps to ensure that the personal information that members of the public share with us remains confidential.

Personal information is any information which can be used to identify an individual.

The Latrobe and Kentish Councils collect, retains, stores and uses personal information where it is necessary for one or more of their functions or activities. Certain information is collected to comply with laws and regulations. Whenever the Latrobe and Kentish Councils collect information it will share the reasons with you, upon request.

The Latrobe and Kentish Councils will only use personal information provided by you for the purposes for which it was collected and for any other use authorised or required by law, including law enforcement and compliance activities.

The Latrobe and Kentish Councils will not collect sensitive information about you without your express consent and unless the collection is required by law.

The Latrobe and Kentish Councils are committed to maintaining the accuracy of our customers' information. The Latrobe and Kentish Councils will respond to your requests to correct inaccurate information in a timely manner.

The Latrobe and Kentish Councils have procedures in place to limit access to your personal information to those employees with a legitimate reason for knowing such information. Latrobe and Kentish Council employees are educated about the importance of confidentiality and customer privacy. The Latrobe and Kentish Councils will, when necessary, take appropriate disciplinary measures to enforce our confidentiality and privacy policies.

The Latrobe and Kentish Councils maintains appropriate security standards and procedures to help prevent access to your confidential information by anyone not authorised to access such information. Examples of these security procedures include the use of computer passwords; firewalls; network security; restricting access to hard copy records; removal of information from computers when they are displaced from service; shredding of unnecessary documents, and more.

The Latrobe and Kentish Councils will not reveal information about you (including statutory planning representations) to third parties outside the Councils for their independent use unless authorised to do so, or the disclosure is required by a Court or Tribunal or allowed by law. The Latrobe and Kentish Councils do not sell, trade or make available your personal information to others.

Sometimes it is necessary to provide information about you, your accounts, or property to a service company that the Latrobe and Kentish Councils may hire to help provide services to you. Where the Latrobe and Kentish Councils out sources functions that involve the collection, utilisation and/or holding of personal information, contractual measures will be taken to ensure that the contractors and subcontractors do not act in a



way that would amount to a breach of privacy standards. These vendors and service companies are required to maintain the confidentiality of this information and abide by all applicable laws. The Latrobe and Kentish Councils do not permit third parties to sell or use the information for their own purposes.

Whenever it is lawful and practicable to do so, you will be given the option of not identifying yourself when dealing with the Latrobe and Kentish Councils.

Contact details:

Please contact the Latrobe and Kentish Councils if:

- you want to change your contact details
- you want to place a written information access request
- you want to discuss a privacy concern.

Privacy Officer  
Latrobe Council  
PO Box 63  
LATROBE TAS 73071  
Tel: 03 6226 4444  
Email: [council@latrobe.tas.gov.au](mailto:council@latrobe.tas.gov.au)

Privacy Officer  
Kentish Council  
PO Box 63  
SHEFFIELD TAS 7306  
Tel: 03 6491 0200  
Email: [council@kentish.tas.gov.au](mailto:council@kentish.tas.gov.au)

APPROVED BY LATROBE COUNCIL: Monday 11 April 2022 Minute: 17152

APPROVED BY KENTISH COUNCIL: Tuesday 12 April 2022 Minute: 8.3

EFFECTIVE DATE: LATROBE COUNCIL 11 April 2022

EFFECTIVE DATE: KENTISH COUNCIL 12 April 2022

ADMINISTERED BY: General Manager

This policy will be reviewed periodically to ensure its relevance in terms of community needs and