



PRIVACY MANAGEMENT PLAN

CONTENTS

PART 1 INTRODUCTION	3
What is personal information?	3
What is health information?	4
Application of this Plan	4
Personal and Health Information Held by Council	4
Collection, Use, Accuracy and Storage	5
Applications for Suppression in Relation to General Information	5
Applications for Access to Own Personal Information	5
PART 2 PUBLIC REGISTERS	6
Disclosure of Personal Information Contained in Public Registers	6
Effect on Section 6 of the GIPAA	6
Where Some Information in the Public Register has been Published	7
Purposes of Public Registers	7
Other Purposes	8
Other Registers	8
Applications for Access to Own Personal Information	9
Applications for Suppression in Relation to a Public Register	9
Offences	9
PART 3 INFORMATION PROTECTION PRINCIPLES	10
PART 4 HEALTH PRIVACY PRINCIPLES	19
PART 5 IMPLEMENTATION OF THE PRIVACY MANAGEMENT PLAN	22
Training Seminars/Induction	22
Responsibilities of the Privacy Contact Officer	22
PART 6 INTERNAL REVIEW	24
How Does the Process of Internal Review Operate?	24
What Happens After an Internal Review?	24
Alternative to Internal Review	24
PART 7 OTHER RELEVANT MATTERS	26
Contracts with Consultants and Other Private Contractors	26
Confidentiality	26
Misuse of Personal Information	26
Regular Review of the Collection, Storage and Use of Personal Information	26
Review of Privacy Management Plan	26
Contact Details	26
PART 8 APPENDICES	28
Appendix 1	28
Appendix 2	29
Appendix 3	30
Appendix 4	31
Appendix 5	32
Appendix 6	33

PART 1 INTRODUCTION

- 1.1 Council is committed to protecting the privacy of its customers, contractors and employees. The purpose of this Plan is to inform:
- the community about how their personal information will be used, stored and accessed after it is collected by the Council; and
 - Council staff of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.
- 1.2 The *Privacy and Personal Information Protection Act 1998* (“PPIPA”) requires all public sector agencies to prepare, implement and review their Privacy Management Plan (“the Plan”). This Policy outlines how Camden Council complies with the legislative requirements of the PPIPA, the *Health Records and Information Privacy Act 2002* (“HRIPA”) and the *Privacy Code of Practice for Local Government* (“the Code”).
- 1.3 Nothing in this Plan is to affect:
- any matter of interpretation of the Code or the Information Protection Principles as they apply to the Council; or
 - create, extend or lessen any obligation at law which the Council may have.

What is personal information?

- 1.4 “Personal information” is defined in section 4 of the PPIPA as follows:
- “Personal information is defined to mean information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. This information can be on a database and does not necessarily have to be recorded in a material form.”*
- 1.5 Personal information does not include information about an individual that is contained in a publicly available publication. Personal information, once it is contained in a publicly available publication, ceases to be covered by the PPIPA.
- 1.6 Where the Council is requested to provide access or make a disclosure and that information has already been published, then the Council will rely on the provisions of the relevant Act that authorises Council to hold that information and not the PPIPA (for example, a formal or informal request under the *Government Information (Public Access) Act 2009* (“GIPAA”).
- Council considers the following publicly available publications:
- An advertisement containing personal information in a local, city or national newspaper;
 - Personal information on the Internet;
 - Books or magazines that are printed and distributed broadly to the general public;
 - Council Business papers or parts that are available to the general public;
 - Personal information that may be a part of a public display on view to the general public.
- 1.7 In accordance with GIPAA, when inviting public submissions and as soon as practicable after a submission is received, Council will advise people that their submission, including any personal information in the submission, will be made publicly available.

- 1.8 Council will refer any requests for copies of the Electoral Roll to the State Electoral Commissioner.

What is health information?

- 1.9 Health information is defined in the HRIPA as:

“personal information that is information or an opinion about the physical or mental health or a disability (at any time) of an individual or an individual’s express wishes about the future provision of health services to him or her or a health service provided or to be provided to an individual.”

Any reference to personal information in this plan includes health information.

Application of this Plan

- 1.10 The PPIPA and this Plan apply, wherever practicable, to:
- Council officials (Councillors);
 - Council employees;
 - Consultants and contractors of the Council;
 - Council Volunteers;
 - Council owned businesses; and
 - Council committees (including those which may be established under s. 355 of the *Local Government Act 1993* (“LGA”).

Personal and Health Information Held by Council

- 1.11 The Council holds personal information concerning Council officials, such as:
- Personal contact information;
 - Complaints and disciplinary matters;
 - Disclosure of interest returns; and
 - Entitlements to fees, expenses and facilities.

The Council holds personal and health information concerning its customers, ratepayers and residents, such as:

- Rates records;
- Library lending records;
- Burial and cremation records; and
- Development applications and submissions.

The Council holds personal and health information concerning its employees, such as:

- recruitment material;
- pre-employment medical information;
- workers compensation investigations;
- grievance complaints;
- child protection support;
- protected disclosure investigations;
- leave and payroll data;
- personal contact information;
- performance management plans;
- disciplinary matters;
- pecuniary interest returns; and

- wage and salary entitlements.

Collection, Use, Accuracy and Storage

- 1.12 Personal and Health Information is only collected and used for relevant purposes and will not be excessive or unreasonably intrusive. Wherever possible, Council will notify the person at the time that personal information is being collected.
- 1.13 When collecting personal information, Council will check accuracy by confirming directly with the person to make sure their details are recorded correctly.
- 1.14 Council will record and store personal information collected on secure electronic and hardcopy registers. No one other than relevant Council staff can access these registers. Council will be particularly careful when dealing with sensitive personal information such as racial origin, health information or sexuality. It is noted that the Employee & Community Relations team will have higher levels of security when dealing with personnel records and other sensitive information. In some cases, Employee & Community Relations will also record on separate files from personnel files, particularly sensitive information when required.

Applications for Suppression in Relation to General Information

- 1.15 Where an application for suppression is made in relation to anything other than a public register, then an application under section 739 of the LGA is required.
- 1.16 Section 739 of the LGA covers all publicly available material under section 12(1) and 12(6) of the LGA other than public registers. As such, it limits disclosure in those circumstances where an application for suppression is successful. An application for suppression must be verified by statutory declaration and otherwise meet the requirements of section 739. When in doubt, Council will err in favour of suppression.
- 1.17 In some cases, employees may make an application for suppression of their personal information (eg. private contact details) under this provision. Assistance can be sought from the Council's Employee & Community Relations and Governance Teams on this matter.

Applications for Access to Own Personal Information

- 1.18 A person wishing to have access to their own personal information need only prove their identity to Council before having access to their own personal information (see Appendix 5).

PART 2 PUBLIC REGISTERS

- 2.1 A public register is defined as “a register of personal information that is required by law to be, or is made, publicly available or open to public inspection (whether or not on payment of a fee)”.
- 2.2 A distinction must be drawn between “public registers” within the meaning of Part 6 of the PPIPA and “non-public registers”. A “non-public register” is a register but it is not a “public register” for the purposes of the PPIPA. For example, the register might not be publicly available or it may not contain personal information.
- 2.3 The Council holds the following public registers under the LGA:
- Section 53 - Land Register
 - Section 113 - Records of Approvals
 - Section 449 - 450A - Register of Pecuniary Interests

Note – this is purely indicative. Council may, by virtue of its own practice, hold other Public Registers, to which the PPIPA applies.

Council holds the following public registers under the *Environmental Planning and Assessment Act*:

- Section 100 – Register of consents and approvals
- Section 149G – Record of building certificates

Council holds the following public register under the *Protection of the Environment (Operations) Act 1997*:

- Section 308 – Public register of licences held

Council holds the following public register under the *Impounding Act 1993*:

- Section 30 & 31 – Record of impounding

Disclosure of Personal Information Contained in Public Registers

- 2.4 Personal information contained in a public register will only be disclosed where Council is satisfied that it is to be used for a purpose relating to the purpose of the register (such purposes are set out below).
- 2.5 Disclosure in relation to personal information not contained in a public register must comply with the Information Protection Principles as outlined in this Plan.
- 2.6 A person seeking a disclosure concerning someone else’s personal information from a public register must make application to Council and outline their reasons and purpose.

Effect on Section 6 of the GIPAA

- 2.7 Section 57 of the PPIPA requires very stringent controls over the disclosure of personal information contained in a public register. It provides broadly that when Council is responsible for keeping a public register, it will not disclose any personal information kept in that register unless it is satisfied that the information is to be used for the purpose of that register of the Act under which the register is kept.
- 2.8 Section 57 of the PPIPA prevails over clause 1(3) of Schedule 1 of the *Government Information (Public Access) Regulations 2009* to the extent of any

inconsistency. Therefore:

- (a) If a register is listed in Schedule 1 of the GIPA Regulations, access must not be given except in accordance with section 57(1) of the PPIPA.
- (b) If a register is not listed in Schedule 1 of the GIPA Regulations, access must not be given except:
 - (i) if it is allowed under section 57(1) of the PPIPA; and
 - (ii) there is no overriding public interest against disclosure of the information under section

Note: Both (a) and (b) are amended with regard to specific public registers in the Privacy Code of Practice for Local Government.

Where Some Information in the Public Register has been Published

- 2.9 Some of Council's public registers include:
- Section 53 - Land Register
 - Section 113 - Records of Approvals
 - Section 449 - 450A - Register of Pecuniary Interests
- 2.10 The part of a public register that is not published (eg. part of the Land register) will be treated as a "public register" and the following procedure for disclosure will apply.
- 2.11 For example, the Register of Consents and Approvals held by Council under section 100 of the *Environmental Planning and Assessment Act 1979* requires Council to advertise or publish applications for development consent.
- 2.12 When Council publishes the address of the property, it may identify the owner. The personal information that has not been published and any applications not advertised or that have been rejected or withdrawn (and hence also not published) will be treated as a public register under the PPIPA.
- 2.13 Council may hold a register under the *Contaminated Land Management Act 1997* on behalf of the Environmental Protection Authority. This is not to be considered a public register of the Council as the statute does not place any obligations on the Council to make this register publicly available. Furthermore, the legislation foreshadows that the Environment Protection Authority may indeed post this list or register on the internet. This may constitute a publication of the information and therefore the PPIPA will not apply.

Registers should not be published on the internet.

Purposes of Public Registers

- 2.14 Section 53 - Land Register – The primary purpose is to identify all land vested in Council, or under its control. The secondary purpose includes a consideration of public accountability as to the land held by Council. Third party access is therefore a secondary purpose.

Section 113 - Records of Approvals – The primary purpose is to identify all approvals granted under the LGA.

Section 450A - Register of Pecuniary Interests – The primary purpose of this register is to determine whether or not a Councillor or a member of a council committee has a pecuniary interest in any matter with which the council is likely to be concerned. There is a corresponding public accountability purpose and

third party access is a secondary purpose. For the purpose of clarity, a pecuniary interest is an interest that a person has in a matter because of an expectation of significant financial gain or loss. Register of consents and certificates – The primary purpose is to identify all building certificates.

Public register of licences – The primary purpose is to identify all licences granted under the *Protection of the Environment Operations Act 1997*.

Record of impounding – The primary purpose is to identify any impounding action by Council.

- 2.15 If an Applicant's purpose for the information is unclear, Council officers may require the applicant to complete a Statutory Declaration as to the purpose and use of the information (see the Form at Appendix 1 as a guide).
- 2.16 If the stated purpose of the application does not conform with the purpose for which the public register is kept, access to the information sought will not be given.
- 2.17 Where personal information is contained in a publicly available publication, that information will not be regarded as personal information covered by the PPIPA.

Other Purposes

- 2.18 Persons or organisations who apply to Council to have access to the information contained in any public register for a purpose not related to the purpose of the register, may be given access at the discretion of Council but only in accordance with the Privacy Code of Practice for Local Government concerning Public Registers.

Other Registers

- 2.19 Council may have other registers that are not public registers. The Information Protection Principles, this Plan, any applicable Code and the Act apply to those registers or databases.
- 2.20 A register that Council keeps that is not a public register is the Rates Record and Council's position on this record is as follows:

Rates Record – The primary purpose is to record the value of a parcel of land and record rate liability in respect of that land (s 602 LGA). The secondary purpose includes recording the owner or lessee of each parcel of land. For example, a disclosure on a rating certificate that a previous owner was a pensioner is considered to be allowed, because the secondary purpose is "a purpose relating to the purpose of the register". Public access to the rates record will only be granted where the purpose of the access is to obtain information necessary for a statutory purpose such as the service of a notice under the *Dividing Fences Act 1991*. The rates record will also be used by Council to notify relevant land owners of development applications and other matters where Council is required or wishes to consult its local community.

- 2.21 Where an application is made to serve a notice under the *Dividing Fences Act 1991*, Council will require satisfactory completion of a Request for Personal Information to Serve a Notice Under the Dividing Fences Act 1991, Section 21 Form, before personal information will be disclosed under this Act. Such form is available from Council's website or Customer Service counters.

- 2.22 Council may also request at any time for an applicant to complete a Statutory Declaration confirming the proposed use of the personal information (see Appendix 1).

Applications for Access to Own Personal Information

- 2.23 A person wishing to have access to a public register to confirm their own details need only to prove their identity to Council before having access to their own personal information (see Appendix 5).
- 2.24 Council will also assist a person to find out whether their personal information is held by Council, the nature of the information, the purpose for which it was collected and their rights of access.

Applications for Suppression in Relation to a Public Register

- 2.25 An application for suppression in relation to a public register will be dealt with under the PPIPA, rather than section 739 of the LGA.
- 2.26 A person about whom personal information is contained (or proposed to be contained) in a public register, may request Council under section 58 of the PPIPA to have the information removed from, or not placed on the register.
- 2.27 If Council is satisfied that the safety or well-being of any person would be affected by not suppressing the personal information as requested, Council will suppress the information in accordance with the request unless Council is of the opinion that the public interest in maintaining public access to the information outweighs any individual interest in suppressing the information, in accordance with section 58(2) of the PPIPA (“Well-being” is defined in the Macquarie Dictionary as “the good or satisfactory condition of existence; welfare”). When in doubt, Council will err in favour of suppression.
- 2.28 Any information that is removed from, or not placed on, that aspect of a public register to be made public may be kept on the register for other purposes. That is, the information may still be used for council functions, but it cannot be disclosed to other parties.
- 2.29 An application for suppression should be made in writing addressed to the General Manager and must outline the reasons for the request. The Council may require supporting documentation where appropriate.

Offences

- 2.30 Offences can be found in ss 62-68 of the PPIPA and ss 68-70 of the HRIPA. It is an offence for Council to:
- Intentionally disclose or use personal information for an unauthorised purpose;
 - Offer to supply personal information that has been disclosed unlawfully;
 - Hinder the Privacy Commissioner or a member of staff from doing their job.

PART 3 INFORMATION PROTECTION PRINCIPLES

- 3.1 The following table sets out the Privacy Protection Principles contained in the PPIPA, if any of the Principles are varied by the Privacy Code of Practice for Local Government and Council's Policy on each Principle.
- 3.2 Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under s 41 of the PPIPA that may affect any of the Privacy Information Protection Principles.
- 3.3 Compliance with the Information Protection Principles is subject to certain exceptions under the Act, as outlined in the table below. If one of those exceptions apply, Council need not comply with the Principles. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
Collection		
<p>1. Lawful – Personal information must be collected for a lawful purpose that is directly related to the agency’s functions or activities and be necessary for that purpose.</p>	<p>The Code makes no provision to depart from the requirements of this provision.</p>	<p>Council will only collect personal information for a lawful purpose as part of its proper functions. The LGA governs Council’s major obligations and functions.</p> <p>The circumstances under which Council may collect information, including personal information, are varied and numerous. Council will not collect any more personal information than is reasonably necessary for it to fulfil its proper functions.</p> <p>Anyone engaged by Council as a private contractor or consultant that involves the collection of personal information is also bound not to collect personal information by any unlawful means.</p>
<p>2. Direct – Personal information must be collected directly from the individual, unless that person consents otherwise. Parents or guardians may give consent for minors.</p>	<p>The Code makes provision for Council to depart from this principle where indirect collection of personal information is reasonably necessary when an award, prize, benefit or similar form of personal recognition is intended to be conferred upon the person to whom the information relates.</p>	<p>The compilation or referral of registers and rolls are the major means by which the Council collects personal information – eg. forms that customers may complete and lodge with Council for development consent, companion animal registration, applications for specific inspections or certifications or applications in respect of tree perseverance orders. Council will collect all personal information directly from its customers except as provided in section 9 or under other statutory exemptions or Codes of Practice.</p> <p>Exceptions to this Principle include:</p> <ul style="list-style-type: none"> • S 23(2) PPIPA if information is collected in connection with proceedings (whether or not actually commenced) before any court or tribunal. • S 24(4) PPIPA if Council is investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency; and if compliance might detrimentally affect (or prevent the exercise of) the Council’s complaint handling or investigative functions. • S 25(a) PPIPA if agency is lawfully authorised or required not to comply with principle. • S 25(b) PPIPA where non-compliance is “necessarily implied” or “reasonably contemplated” under any Act or law. • S 26(1) PPIPA if compliance would prejudice the interests of the individual concerned. <p>When collecting personal information, Council will ensure one of the following:</p> <ul style="list-style-type: none"> • Council has obtained authority from the person under s9(a) PPIPA. • The collection of personal information from a third party is permitted under an Act or law. • The collection of personal information from a parent or guardian is permitted provided the person is less than 16 years of age. • Collection of personal information indirectly where one of the above exemptions applies. • The collection of personal information indirectly is permitted under the Privacy Code of Practice for Local Government or the Investigative Code of Practice.

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>3. Awareness – An individual must be informed that the personal information is being collected, why it is being collected and who will be storing and using it. The agency should also inform the person how they can view and correct the information.</p>	<p>The Code makes provision for Council to depart from this principle where personal information is collected about an individual for the purpose of conferring upon that person, an award, prize, benefit or similar form of personal recognition without prior or subsequent notification.</p>	<p>When collecting personal information, Council will inform that person that:</p> <ul style="list-style-type: none"> • personal information is being collected • What is done with that information • The intended recipients • If the information is required by law or voluntarily given • Which department or section within Council holds personal information • The right to access and correct information. <p>Where Council collects personal information from another public sector agency in respect of any one of its statutory functions, it will advise those individuals that it has collected their personal information by including a privacy notification form in the next issue of their rates notice, or otherwise by letter.</p> <p>This is subject to the following exceptions:</p> <ul style="list-style-type: none"> • S 23(3) where information is collected for law enforcement purposes. • S 24(4) if Council is investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency; and if compliance might detrimentally affect (or prevent the exercise of) the Council's complaint handling or investigative functions. • S 25(a) where agency is lawfully authorised or required not to comply. • S 25(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law. • S 26(1) if compliance would prejudice the interests of the individual concerned. • S 26(2) where person expressly consents to such non-compliance. • Disclosure of personal information for research purposes is governed by applicable Direction made by the Privacy Commissioner under s 41 of the PPIPA or any Research Code of Practice. <p>The disclosure of personal information for research purposes will be allowed only in accordance with any applicable Direction made by the Privacy Commissioner under s 41 of the PPIPA or any Research Code of Practice made by the Attorney General as may be in force for the time being.</p>
<p>4. Relevant – Personal information must be relevant, accurate, up-to-date, complete and not excessive. The collection should not unreasonably intrude into the individual's personal affairs.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>Council will seek to ensure that no personal information is collected which is not directly relevant to its proper functions.</p>

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
Storage		
<p>5. Secure – Personal information must be stored securely, not kept any longer than as required by the General Retention and Disposal Authority for Local Government Records issued by State Records Authority of NSW, and be disposed of appropriately. It should be protected from unauthorised access, use or disclosure.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>Council may comply with this principle by using any or all of the following or similar documents:</p> <ul style="list-style-type: none"> • Council's Records Management Policy • Council's Internet and Email Access Policy <p>The disclosure of personal information for research purposes will be allowed only in accordance with any applicable Direction made by the Privacy Commissioner under s 41 of the PPIPA or any Research Code of Practice made by the Attorney General as may be in force for the time being.</p>
Access		
<p>6. Transparent – Enough detail must be given about what personal information is stored, why it is stored and what rights an individual has to access it.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>If Council holds any information about a person, upon request it will advise them the nature of that information, the main purposes for which it is held, and that person's entitlement to access. As a matter of practicality, not every item of personal information, however insignificant, will be capable of discovery.</p> <p>This principle is subject to any applicable conditions or limitations contained in the GIPAA.</p> <p>Council will ordinarily provide a response to applications of this kind within 28 days of the application being made. The fee structure is commensurate to that of Council's GIPAA rates structure.</p> <p>Exceptions include</p> <ul style="list-style-type: none"> • S 25(a) where Council is lawfully authorised or required not to comply. • S 26(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>7. Access – An individual must be allowed to access their personal information without unreasonable delay or expense.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>Section 14 of the PPIPA requires a council, at the request of any person, to give access to that person to personal information held about them.</p> <p>If access to information that relates to someone else is sought, the application must be made under the GIPAA, unless Information Protection Principles 11 and 12 or the Public Register provisions apply.</p> <p>Where a person makes an application for access under the PPIPA and it is involved or complex, it may be referred, with the written consent of the applicant, as an application under the GIPAA. However use of the GIPAA is to be a last resort. The applicant has the right to insist on being dealt with under the PPIPA.</p> <p>This principle is subject to any applicable conditions or limitations contained in the GIPAA.</p> <p>Customers wishing to exercise their right of access to their own personal information should apply in writing or direct their inquiries to the General Manager, who will make a determination.</p> <p>In order to comply with the requirement to provide the requested information “without excessive delay or expense”, Council will ordinarily provide a response to applications of this kind within 28 days of the application being made.</p> <p>Exceptions include:</p> <ul style="list-style-type: none"> • S 25(a) where Council is lawfully authorised or required not to comply. • S 25(b) where non-compliance is “necessarily implied” or “reasonably contemplated” under any Act or law.

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>8. Alteration – An individual must be allowed to update, correct or amend their personal information, where requested.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>Council wishes to have its information current, accurate and complete. Proposed amendments or changes to the personal information held by the Council are welcomed.</p> <p>If Council declines to amend personal information as requested, it will on request of the individual concerned, place an addendum on the information in accordance with s 15(2) of the PPIPA.</p> <p>Where there are complaints that are or could be the subject of a staff complaint or grievance, they will be referred to the Manager Employee & Community Relations in the first instance and treated in accordance with Council's Grievance Procedure and Complaint Management Policy.</p> <p>Any alternations that are or could be the subject of a customer complaint or grievance will be referred to the General Manager, who will make a determination in relation to the matter.</p> <p>Where information is requested to be amended (either by way of correction, deletion or addition), the request must be made by the individual to whom the information relates. That request should be accompanied by appropriate evidence as to the cogency of the making of the amendment, sufficient to satisfy the Council that the proposed amendment is factually correct and appropriate. The Council may require further documentary evidence to support certain amendments. Council will not charge to process an application to amend a record under s 15.</p> <p>If the Council is not prepared to amend the personal information in accordance with a request by the individual the Council may attach to the information in such a manner as is capable of being read with the information, any statement provided by that individual.</p> <p>If personal information is amended in accordance with this section, the individual to whom the information relates is entitled, if it is reasonably practicable, to have the recipients of that information notified of the amendments made by the Council. The Council will seek to notify recipients of information as soon as possible, of the making of any amendment, where it is reasonably practicable.</p> <p>Exceptions include:</p> <ul style="list-style-type: none"> • S 25(a) where Council is lawfully authorised or required not to comply. • S 25(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.
<p>Use</p> <p>9. Accurate – An agency must ensure that personal information is accurate before using it.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>The steps taken to comply with section 16 will depend on the age of the information, its likelihood of change and the particular function for which the information was collected.</p> <p>The more significant the information, the greater the necessity that checks to ensure its accuracy and currency be undertaken prior to its use.</p>

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>10. Limits – An agency may only use personal information for the purpose for which it was collected, for a directly related purpose or for a purpose for which the individual has given consent. It may also be used without consent in order to deal with a serious and imminent threat to any person's life, health or safety.</p>	<p>The Code makes provision that Council may use personal information for a purpose other than the purpose for which it was created in the following circumstances:</p> <ul style="list-style-type: none"> (i) Where the use is in pursuance of Council's lawful and proper functions and Council is satisfied that the personal information is reasonably necessary for the exercise of such functions; or (ii) Where personal information is to be used for the purpose of conferring upon a particular person, an award, prize, benefit or similar form of personal recognition. 	<p>Council will seek to ensure that information collected for one purpose will be used for that same purpose. Where Council may need to use personal information collected for one purpose for another purpose, it will first gain the written consent of the individual concerned, unless an exception applies.</p> <p>Exceptions include:</p> <ul style="list-style-type: none"> • S 23(4) where the use of the information for another purpose is reasonably necessary for law enforcement purposes or for the protection of the public revenue. <i>Law enforcement purposes</i> mean a breach of the criminal law and criminal law enforcement. This section does not remove the rights of an accused person. <i>Protection of the public revenue</i> means a fraud with respect to taxes or other revenue earning processes such as avoidance of stamp duty. • S 24(4) if Council is investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency; and the use of the information concerned for a purpose other than the purpose for which it was collected is reasonably necessary in order to enable the council to exercise its complaint handling functions or any of its investigative functions. • S 25(a) where Council is lawfully authorised or required not to comply. • S 25(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law. • S 28(3) where disclosure is to be made to a public sector agency under the administration of the Minister for Local Government or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister's (or Premier's) administration.

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
Disclosure		
<p>11. Restricted – An agency may only disclose personal information with the individual's consent or if the individual was told at the time of collection that it would do so. The agency may also disclose information if it is for a related purpose and it considers that the individual would not object. Personal information may also be used without the individual's consent in order to deal with a serious and imminent threat to any person's life, health or safety.</p>	<p>The Code makes provision for council to depart from this principle in the circumstances described below:</p> <ol style="list-style-type: none"> 1. Council may disclose personal information to public sector agencies or public utilities on condition that: <ol style="list-style-type: none"> (i) The agency has approached Council in writing; (ii) Council is satisfied that the information is to be used by that agency for the proper and lawful functions of that agency; and (iii) Council is satisfied that the personal information is reasonably necessary for the exercise of that agency's functions. 2. Where personal information which has been collected about an individual is to be disclosed for the purpose of conferring upon that person, an award, prize, benefit or similar form of personal recognition. 3. Where Council is requested by a potential employer, it may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time. This exception shall not permit Council to give an opinion as to that person's suitability for a particular position with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which he/she has applied. 4. In all other instances, any opinion about an employee should only be provided to nominated referees. 	<p>Council may disclose personal information to another person or other body where this disclosure is directly related to the purpose for which the personal information was collected and the individual concerned is reasonably likely to have been aware, (or has been made aware in accordance with s. 10), of the intended recipients of that information. "Directly related" can mean the disclosure to another person or agency to deliver a service which supplements that of Council or disclosure to a consultant for the purpose of assessing or reviewing the delivery of a program to which the original collection relates.</p> <p>Council may disclose personal information to another person or other body where this disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person.</p> <p>Sections 18 and 57 of the PPIPA should be read in conjunction with the Public Register provisions – discussed in Part 2 of this Plan.</p> <p>Exceptions include:</p> <ul style="list-style-type: none"> • S 23(5)(a) where disclosure is made to a law enforcement agency in connection with proceedings for an offence or for law enforcement purposes. • S 23(5)(b) where disclosure is made to a law enforcement agency for the purpose of ascertaining the whereabouts of a person reported to be missing. However Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement. • S 23(5)(c) where disclosure is authorised by subpoena, search warrant or other statutory instrument. However Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement. • S 23(5)(d)(i) where disclosure is reasonably necessary for the protection of the public revenue. Protection of the public revenue could mean a fraud with respect to taxes or other revenue earning processes such as avoidance of stamp duty. However Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement. • S 23(5)(d)(ii) where disclosure is reasonably necessary to investigate an offence where there are reasonable grounds to believe an offence has been committed. • S 24(4) if Council is investigating a complaint that could be referred or made to, or has been referred from or made by, an investigative agency, and if the disclosure is to an investigative agency. • S 25(a) if Council is lawfully authorised or required not to comply. • S 25(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law. • S 26(2) where the person expressly consents. • S 28(3) where disclosure is made to a public sector agency under the administration of the Minister for Local Government or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister's (or Premier's) administration.

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>12. Special Limits on Disclosure – the agency cannot disclose an individual's sensitive personal information without their consent. For example, information about ethnic or racial origin, political opinions, religious or philosophical beliefs, health or sexual activities or trade union membership. It may only disclose sensitive information without consent in order to prevent a serious and imminent threat to any person's life or health.</p>	<p>The Code makes provision for departure from this principle where:</p> <p>For the purposes of s 19(2) only, where Council is requested by a potential employee outside NSW, it may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time.</p>	<p>Council will not disclose personal information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual activities unless the disclosure is necessary to prevent a serious or imminent threat to the life or health of the individual concerned or another person.</p> <p>Sections 19 and 57 should be read in conjunction with the provisions relating to Public Registers.</p> <p>Exceptions include:</p> <ul style="list-style-type: none"> • S 23(7) where disclosure is necessary to investigate an offence or where there are reasonable grounds to believe an offence has been or may be committed. • S 25(a) where Council is lawfully authorised or required not to comply. • S 25(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law. • S 26(2) where the person expressly consents. • S 28(2) where in the case of health information, the consent of the person cannot reasonably be obtained and the disclosure is made by an authorised person to another authorised person. "Authorised person" means a medical practitioner, health worker, or other official or employee providing health or community services who is employed or engaged by a public sector agency. • S 28(3) disclosure to a public sector agency under the administration of the Minister for Local Government or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister's (or Premier's) administration. • It is anticipated that a disclosure of personal information for research purposes will be allowed under a s 41 Direction made by the Privacy Commissioner until such time as a Research Code of Practice is made by the Attorney General.

PART 4 HEALTH PRIVACY PRINCIPLES

- 4.1 In 2002, most references to “health information” were taken out of the PPIPA and separate legislation was enacted. The HRIPA was enacted to deal with this special type of personal information. On and from September 2004, various agencies and organisations, including local councils were expected to comply with the HRIPA in their collection and management of health information.
- 4.2 Health information includes personal information that is information or an opinion about the physical or mental health or a disability of an individual. Health information also includes personal information that is information or an opinion about:
- A health service provided, or to be provided, to an individual;
 - An individual’s express wishes about the future provision of health services to him or her;
 - Other personal information collected in connection with the donation of human tissue; or
 - Genetic information that is or could be predictive of the health of an individual or their relatives or descendants.
- 4.3 Health information is defined in s 6 of the HRIPA. Councils will often hold health information by reason of their role in child care and various types of community health support services. It is therefore very important for Council to be familiar with the 15 Health Protection Principles set down in Schedule 1 of the HRIPA.
- 4.4 Examples of health information collected by Council include but not limited to:
- Tree pruning/removal application where residents approach Council for a reconsideration or reassessment of a tree pruning/removal application on medical grounds.
 - Personnel files relating to pre-employment checks, fitness for work, workers compensation etc.
 - Volunteer programs where volunteers are asked to disclose health conditions which may preclude them from some types of volunteer work.
 - Information on families for the purposes of children’s services, eg. history of illness, allergies, asthma, diabetes, epilepsy etc.
 - Physical exercise classes.
 - Information may be collected through a healthy community program.
 - Information collected during the process of determining hardship claims under the *Land Acquisition (Just Terms Compensation) Act 1991*
- 4.5 The table below sets out the Health Privacy Principles

Health Records and Information Privacy Act 2002 – Health Privacy Principles	
Collection	
1.	Lawful – Health information must be collected for a lawful purpose that is directly related to the agency’s functions or activities and be necessary for that purpose.
2.	Relevant – Health information must be relevant, accurate, complete and up-to-date. The collection should not unreasonably intrude into the individual’s personal affairs.
3.	Direct – Health information should only be collected directly from a person concerned, unless it is unreasonable or impracticable to do so.
4.	Open – The person from whom health information is being collected must be informed about why the information is being collected, what will be done with the information and who else may see it. The person is to be advised that they can view and correct their health information and any consequences that will occur if they decide not to provide their information. If health information is collected from a third party, reasonable steps must be taken to notify the person that this has occurred.
Storage	
5.	Secure – Health information must be stored securely, not kept any longer than as required by the General Retention and Disposal Authority for Local Government Records issued by State Records Authority of NSW, and be disposed of appropriately. It should be protected from unauthorised access, use or disclosure.
Access	
6.	Transparent – Enough detail must be given about what health information is stored, why it is stored and what rights an individual has to access it. Council is not required to comply with a provision of this clause if the council is lawfully authorised or required not to comply; or non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under any Act or other law.
7.	Accessible – An individual must be allowed to access their health information without unreasonable delay or expense. Council is not required to comply with a provision of this clause if the council is lawfully authorised or required not to comply; or non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under any Act or other law.
8.	Correct – An individual must be allowed to update, correct or amend their health information, where requested.
Use	
9.	Accurate – An agency must ensure that health information is accurate before using it.
10.	Limits – An agency may only use health information for the purpose for which it was collected, or a directly related purpose that the person would expect. Otherwise, consent is generally required. Secondary purposes include where there is a serious and imminent threat to any person’s life, health or safety, for the management of a health service, for training, research or to find a missing person. Additionally, a secondary purpose includes investigation of suspected unlawful activity, to exercise complaint handling functions or investigative functions. See Principle 10 of the HRIPA for a full description of exemptions.
Disclosure	
11.	Limited – An agency may only disclose health information for the purpose for which it was collected, or a directly related purpose that the person would expect. Otherwise, consent is generally required. Secondary purposes include where there is a serious and imminent threat to any person’s life, health or safety, for the management of a health service, for training, research or to find a missing person. Additionally, a secondary purpose includes investigation of suspected unlawful activity to exercise complaint handling or investigation functions. See Principle 11 of the HRIPA for a full description of exemptions.
Identifiers & Anonymity	
12.	Identifiers – Individuals should only be identified by using unique identifiers if it is reasonably necessary to carry out the agency’s functions efficiently.
13.	Anonymity – Individuals must be given the opportunity of receiving services from an agency anonymously where this is lawful and practicable.

Transferrals & Linkage

14. Transborder Data Flow- Health information must only be transferred outside NSW if Council reasonably believes that the recipient is subject to laws or obligations substantially similar to those imposed by the HRIPA or consent has been given or transfer is under a contract between Council and the individual or transfer will benefit the individual or to lessen a serious threat to an individual's health and welfare, or steps have been taken to ensure that the information will not be handled inconsistently with the HRIPA or transfer is permitted or required under any other law.

15. Linkage – Individuals must expressly consent to participate in any system that links health records across more than one organisation. Health information or the disclosure of their identifier for the purpose of the health records linkage system should only be included if the person has given express consent.

Council is not required to comply with this provision if:

- Council is lawfully authorised or required not to comply;
- Non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law; or
- The inclusion of the health information about the individual in the health records information system is a use of information that complies with HPP10(1)(f) or a disclosure of information that complies with HPP 11(1)(f).

PART 5 IMPLEMENTATION OF THE PRIVACY MANAGEMENT PLAN

Training Seminars/Induction

- 5.1 Council staff and employees include all of the following:
- Council officials (Councillors);
 - Council employees;
 - Consultants and contractors of the Council;
 - Council Volunteers;
 - Council owned businesses; and
 - Council committees (including those which may be established under s. 355 of the *Local Government Act 1993* ("LGA")).
- 5.2 During induction, annual review or on a regular basis, all employees will be made aware of this Plan and it will be made available for on Council's Intranet and Council's website. Members of the community are able to access a copy of Council's Privacy Management Plan via the Council's website and Customer Service counters. Members of the public may also request a copy of the Plan to be posted to them.
- 5.3 If advice is sought on any aspect of this Privacy Management Plan, Council's Privacy Contact Officer in the Governance Team will be able to assist.
- 5.4 If any queries relate to the management of personal information on personnel matters, the Employee & Community Relations Manager or Team Leader will be able to assist.

Responsibilities of the Privacy Contact Officer

- 5.5 The Public Officer within Council is assigned the role of the Privacy Contact Officer.
- 5.6 In order to ensure compliance with the PPIPA, the Privacy Contact Officer will review all contracts and agreements with consultants and other contractors, rates notices, application forms of whatsoever nature, and other written requests by which personal information is collected by Council, to ensure that Council is in compliance with the PPIPA.
- 5.7 The Privacy Contact Officer will ensure Council in its public areas has special provisions for working with computer screens. Computer screens may require:
- fast screen savers;
 - face the computers away from the public; or
 - only allow the record system to show one record at a time.
- 5.8 Council's electronic databases should also be reviewed to ensure that they contain procedures and protocols to check the accuracy and currency of personal information.
- 5.9 The Privacy Contact Officer will also provide opinions within Council as to:
- Whether the personal information is collected for a lawful purpose;
 - If that lawful purpose is directly related to a function of Council; and
 - Whether or not the collection of that personal information is reasonably necessary for the specified purpose.
- Any further concerns of a legal nature will be referred to Council's solicitor.
- 5.10 The Privacy Contact Officer may assign designated officers as "Privacy Resource

Officers”. In this manner the Council may ensure that the information protection principles are more broadly understood and that individual departments have a greater focus on the information protection principles and are directly applied to Council's day to day functions.

PART 6 INTERNAL REVIEW

How Does the Process of Internal Review Operate?

- 6.1 Except where this provision conflicts with any statutory or common law requirement, complaints are to be made within **6 months** of the complainant being first aware of the conduct.
- 6.2 The complaint is to be in writing and addressed to Council's Privacy Contact Officer or General Manager. Queries relating to personnel matters are to be directed to the Manager, Employee and Community Relations. Queries relating to family day care matters should be directed to the Family Day Care Coordinator.
- 6.3 If a complaint is expressed verbally, the Governance Team will record the details of the complaint as soon as practicable and shall forward it to the complainant for verification.
- 6.4 The Privacy Contact Officer will appoint a Reviewing Officer to conduct the internal review. The Reviewing Officer must not be substantially involved in any matter relating to the application. The Reviewing Officer must be an employee and suitability qualified to the satisfaction of the General Manager. The review is to be completed within **60 days** of the lodgement of the complaint.
- 6.5 The Privacy Commissioner must be notified of a review application as soon as practicable after it is received, be briefed on progress and be notified of the outcome of an internal review.
- 6.6 The Privacy Commissioner is entitled to make submissions in relation to internal reviews and Council is required to consider any relevant material submitted by the Privacy Commissioner. The Council must provide the Privacy Commissioner with a draft of the Council's internal review report to enable the Privacy Commissioner to make a submission.
- 6.7 Council may provide a copy of any submission by the Privacy Commissioner to the applicant.
- 6.8 The Council must notify the complainant of the outcome of the review within **14 days** of its determination. A copy of the final review should also be provided to the Privacy Commissioner where it departs from the draft review.

What Happens After an Internal Review?

- 6.9 If the complainant remains unsatisfied, he/she may appeal to the NSW Civil & Administrative Tribunal which hears the matter afresh and may impose its own decision and award damages for a breach of an Information Protection Principle or Health Privacy Principle.

Alternative to Internal Review

- 6.10 Complaints can be made directly to the Privacy Commissioner by using the contact information listed below.

Information and Privacy Commission
Level 11, 1 Castlereagh Street
SYDNEY NSW 2001

Email: ipcinfo@ipc.nsw.gov.au
Website: <http://www.ipc.nsw.gov.au>
Telephone: 1800 472 679

PART 7 OTHER RELEVANT MATTERS

Contracts with Consultants and Other Private Contractors

- 7.1 It is necessary to have specific provisions to protect the Council in any dealings with private contractors or consultants.

Confidentiality

- 7.2 All employees are bound by an obligation of confidentiality whether express or implied as a matter of law.

Misuse of Personal Information

- 7.3 Section 664 of the LGA makes it an offence for anyone to disclose information except in accordance with that section. Whether or not a particular disclosure is made with lawful excuse is a matter that requires legal opinion from case to case.

Regular Review of the Collection, Storage and Use of Personal Information

- 7.4 The information practices relating to the collection, storage and use of personal information will be thoroughly reviewed by the Governance Team every three (3) years.

Review of Privacy Management Plan

- 7.5 This Privacy Management Plan will be reviewed on an annual basis for compliance with any legislative changes or directions from the Privacy Commissioner.

Contact Details

Privacy Contact Officer
Megan Roberts - 02 4645 5125
(Senior Governance Officer)

CAMDEN COUNCIL
PO Box 183
Camden NSW 2570
Telephone: 02 4654 7777

Privacy Resource Officer
Governance Officer - 02 4645 5126

Reviewing Officer
Paul Rofe - 02 4645 5121
(Manager Corporate Services)

Information and Privacy Commission
Level 11, 1 Castlereagh Street
SYDNEY NSW 2001
Email: ipcinfo@ipc.nsw.gov.au
Website: <http://www.ipc.nsw.gov.au>
Telephone: 1800 472 679

NSW Civil & Administrative Tribunal
Level 10, John Maddison Tower
86 - 90 Goulburn Street
Sydney NSW 2000
Telephone: 02 9377 5711

POLICY DETAILS:

Relevant Legislation:

Privacy and Personal Information Protection Act 1998
Health Records and Information Privacy Act 2002
Privacy Code of Practice for Local Government
Government Information (Public Access) Act 2009
Local Government Act 1993
Environmental Planning and Assessment Act 1997
Protection of the Environment (Operations) Act 1997
Impounding Act 1993
Dividing Fences Act 1991

Relevant Policies:

[Government Information \(Public Access\) Act 2009 Agency Information Guide Code of Conduct](#)
Social Media (to be adopted)
[Internet and Email Access](#)

Review Date: 27 August 2013 Council Meeting ORD216/13

Next Review Date: 27 August 2014

**STATUTORY DECLARATION FOR ACCESS UNDER SECTION 57 OF THE PRIVACY
AND PERSONAL INFORMATION PROTECTION ACT 1998 TO A PUBLIC REGISTER
HELD BY COUNCIL**

**STATUTORY DECLARATION
OATHS ACT, 1900, NINTH SCHEDULE**

I, the undersigned,(name of applicant)
of.....(address),
in the State of New South Wales, do solemnly and sincerely declare that:-

I am.....(relationship (if any) to person inquired about)

I seek to know whether is on the public register of*

The purpose for which I seek this information is

The purpose for which the information is required is to

And I make this solemn declaration conscientiously believing the same to be true and by
virtue of the Oaths Act 1994.

Declared at.....

in the said State this day of
before me.

.....
before me:
Justice of the Peace/Solicitor

.....
Name to be printed

** Applicant to describe the relevant public register.*

PRIVACY NOTIFICATION FORM – SECTION 10 (POST-COLLECTION)

(Addressed to the person from whom information has been collected.)

The personal information that Council has collected from you is for the purposes of the *Privacy and Personal Information Protection Act 1998*.

The intended recipients of the personal information are:

- officers within the Council;
- data service providers engaged by the Council from time to time;
- any other agent of the Council; and
- *(any other)*.

The supply of the information by you is /is not voluntary. If you cannot provide or do not wish to provide the information sought, the Council may

Council has collected this personal information from you in order to

You may make application for access or amendment to information held by Council.

You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the PPIPA.

Council* is to be regarded as the agency that holds the information.

Enquiries concerning this matter can be addressed to

Signed.....

Dated.....

*Please state who holds or controls the information if not Council

PRIVACY NOTIFICATION FORM - SECTION 10 (PRE-COLLECTION)

(Addressed to the person from whom information is about to be collected or has been collected.)

The personal information that Council is collecting from you is personal information for the purposes of the *Privacy and Personal Information Protection Act 1998* ("the Act").

The intended recipients of the personal information are:

- officers within the Council;
- data service providers engaged by the Council from time to time;
- any other agent of the Council; and
- *(any other)*.

The supply of the information by you is / is not voluntary. If you cannot provide or do not wish to provide the information sought, the Council may/will be unable to process your application.

Council is collecting this personal information from you in order to:

.....

You may make application for access or amendment to information held by Council.

You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the Act.

Council* is to be regarded as the agency that holds the information.

Enquiries concerning this matter can be addressed to

Signed.....

Dated.....

*Please state who holds or controls the information if not Council.

APPLICATION UNDER SECTION 13 OF THE PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998 –

TO DETERMINE WHETHER COUNCIL HOLDS PERSONAL INFORMATION ABOUT A PERSON

Personal information held by the Council

I,....., of (address)....., hereby request the General Manager/Privacy Contact Officer of Council provide the following :

Does the Council hold personal information about me? YES/NO

If so, what is the nature of that information?.....
.....
.....

What is the main purpose for holding the information?.....
.....
.....

Am I entitled to access the information? YES/NO

My address for response to this Application is:.....
.....
.....

Note to applicants

Should you provide your address or any other contact details the Council will not record those details for any other purpose other than to respond to your application.

As an applicant, you have a right of access to personal information concerning yourself that is held by the Council under section 14 of the Privacy and Personal Information Protection Act 1998 (“the Act”). There is a separate application form to gain access.

The Council may refuse to process this application in part or in whole if:

- there is an exemption to section 13 of the Act; or
- a Code may restrict the operation of section 14.

**APPLICATION UNDER SECTION 14 OF THE PRIVACY AND PERSONAL
INFORMATION PROTECTION ACT 1998 –
FOR ACCESS TO APPLICANT’S PERSONAL INFORMATION**

Personal information held by Council

I, (name).....
of (address),
hereby request that the Council provide me with:
access to **all** personal information held concerning myself; or
access to the following personal information only.....

Note to applicants:

As an applicant, you have a right of access to your personal information held by the Council under section 14 of the *Privacy and Personal Information Protection Act 1998* (“the Act”).

You are entitled to have access without unreasonable delay or unreasonable cost.

However, Council may refuse to process your Application in part or in whole if:

- the correct application fee has not been paid;
- there is an exemption to section 14 of the Act; or
- a Code of Practice may restrict disclosure.

Enquiries concerning this application should be made to

APPLICATION UNDER SECTION 15 OF THE PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998 – FOR ALTERATION OF APPLICANT’S PERSONAL INFORMATION

Personal Information held by Council

I, (name).....

of (address),

hereby request the Council to alter personal information regarding myself in the following manner :

I propose the following changes:

.....

The reasons for the changes are as follows

.....

The documentary base/s for those changes is as shown on the attached documents:

.....

Note to Applicants:

You have a right to request appropriate amendments are made (whether by way of corrections, deletions or additions) to ensure that the personal information held by the Council:

- (A) is accurate, and
- (B) having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading.

If your personal information is amended, you are entitled under the *Privacy and Personal Information Protection Act 1998* (“the Act”), if it is reasonably practicable, to have recipients of that information notified of the amendments made by Council.

Council may refuse to process your application in part or in whole if:

- there is an exemption to section 15 of the Act; or
- a Code of Practice may restrict alteration.

Enquiries concerning this application should be made to