



Name	GOV03 Privacy
Policy Type	Council
Responsible Officer	Chief Executive Officer
Approval Date	17/01/2023
Review Date	16/01/2027

1. Purpose

In line with the Northern Territory Information Act 2002 (the Act), Litchfield Council considers the privacy of all personal information to be an integral part of its commitment towards information accountability.

The purpose of this policy is to meet the information privacy principles (IPPs) set out in the Act, in relation to the management and handling of personal information within the public sector.

2. Scope

This policy covers all personal information held by Litchfield Council, that is, information, or an opinion about an individual, whose identity is apparent, or can be reasonably ascertained, from that information or opinion. This includes information collected in any format.

The policy also covers personal information relating to Litchfield Council employees and Elected Members, and personal information that is sourced from third parties.

3. Definitions

For the purposes of this Policy, the following definitions apply:

FOI	Freedom of information
Information Officer	Officer delegated by the CEO to manage FOI requests as identified in the Litchfield Council Delegations Manual.
IPPs	Information Privacy Principles. Set of principles that regulate the handling of personal information as identified in the Act.
Personal Information	Government information that discloses a person's identity or from which a person's identity is reasonably ascertainable is personal information . "Person" includes a deceased individual within the first 5 years after death.
Sensitive Information	personal information or an opinion about an individual's; <ul style="list-style-type: none"> • Race or ethnic origin: or • Political opinions; or • Membership of a political association: or

	<ul style="list-style-type: none"> • Religious beliefs or affiliations; or • Philosophical beliefs; or • Membership of a professional trade association; or • Membership of a trade union; or • Sexual preferences or practice; or • Criminal record
The Act	The Northern Territory Information Act 2002.

4. Policy Statement

4.1. Litchfield Council will manage personal information as outlined in the following principles;

4.1.1 Collection

4.1.1.1 Litchfield Council will only collect personal information that is necessary for specific and legitimate functions of Council. Information will be collected by fair and lawful means.

4.1.1.2 Council will advise individuals, where possible, of the purposes for which their personal information is being collected, and of those third parties to whom the information is usually disclosed.

4.1.1.3 Sensitive information will only be collected where the individual has consented or collection is required or permitted by law.

4.1.1.4 Sensitive information (as defined in this policy) will be treated with the utmost security and confidentiality and only used for the purpose for which it was collected.

4.1.2 Use and Disclosure of Information

4.1.2.1 Litchfield Council will not use or disclose information about an individual other than for the primary purpose for which it was collected unless one of the following applies:

- a) It's for a related purpose that the individual would reasonably expect;
- b) Where Council has the consent of the individual to do so;
- c) As required or permitted by the Act or any other legislation.

4.1.2.2 Litchfield Council will not disclose personal information about Litchfield Council employees and/or Elected Members other than for the primary purpose for which it was collected unless one of the following applies:

- a) Where Council has the consent of the individual to do so;
- b) As required or permitted by the Act or any other legislation.

4.1.2.3 Subject to 4.1.2.2, information disclosed about an employee or elected member whilst acting in an official capacity is not personal information, unless prescribed by the Act or any other legislation.

4.1.3 Data Quality

4.1.3.1 Council will take reasonable steps to ensure that all personal information collected, used or disclosed is accurate, complete and up to date.

4.1.4 Data Security and Retention

4.1.4.1 Council will take all reasonable measures to prevent misuse or loss or unauthorised access, modification or disclosure of personal and sensitive information.

4.1.4.2 Personal information will be managed confidentially and securely and destroyed or archived in accordance with the Records Disposal Schedule for Local Authorities in the Northern Territory.

4.1.4.3 Council will monitor and implement reasonable and appropriate technical advances or management processes, to provide an up to date ongoing safeguard for personal information.

4.1.5 Openness

4.1.5.1 The Litchfield Council's Privacy Policy will be available on its website or on request at the Litchfield Council Office.

4.1.6 Access and Correction to Information

4.1.6.1 Individuals have a right to request access to any personal information held about them and may request any incorrect information be corrected.

4.1.6.2 Council may decide not to allow access to personal information in accordance with the exemptions contained within the Act.

4.1.6.3 The process for requesting access to recorded personal information, i.e. documents, is through an FOI application.

4.1.7 Unique Identifiers

4.1.7.1 Council will not assign, adopt, use, disclose or require unique other identifiers from individuals except for the course of conducting normal business or if allowed or required by law.

4.1.8 Anonymity

4.1.8.1 Council will, where it is lawful and practicable, give individuals the option of not identifying themselves when entering into transactions with council.

4.1.8.2 Council will ensure that individuals are aware of all, if any, limitations to services if the information required is not provided.

4.1.9 Transborder Data Flows

4.1.9.1 Litchfield Council will only transfer personal information outside of the NT in accordance with the provisions outlined in the Act.

4.1.10 Sensitive Information

4.1.10.1. Litchfield Council will not collect sensitive information unless an individual has consented or collection is required or permitted by law, or when necessary for research or statistical purposes as permitted under the Act.

4.2. The Role of the Information Officer

4.2.1 The Council's Chief Executive Officer will appoint the Litchfield Council's Information Officer by delegation.

4.2.2 Requests for information will be managed by the Information Officer in accordance with the Act and the Litchfield Council FOI Procedures Manual.

4.2.3 All staff will be trained/informed of their obligations under the Act.

4.2.4 Requests for personal information will be dealt with by Council Officers in accordance with Councils customer service standards and this Privacy Policy.

4.3. Proof of Identity

4.3.1 When Council accepts requests for government information or applications to correct personal information, in accordance with Sections 18 and 31 of the Act, Council Officers will be required to sight photo identification.

5. Associated Documents

Freedom of Information Procedures Manual

6. References and Legislation

Northern Territory Local Government Act 2019

Northern Territory Information Act 2002

7. Review History

Date Reviewed	Description of changes (Inc Decision No. if applicable)
28/02/2018	Policy updated from LC21 into current template. Updated to be consistent with The Act and Councils FOI manual
10/08/2021	Minor administrative changes made, including formatting and new regulation titles. Policy review date to remain the same.
17/01/2023	4.1.2 Updated to include information in relation to employees and Elected Members as per Section 206(3) of the Local Government Act 2019. Minor formatting changes.