

Policy



Privacy

Approved by Council: 18/10/2023

To outline Council's commitment to the protection of personal information and its plan for the management and notification of data breaches.

Safety

Teamwork

Accountability

Respect

Background

Council handles a broad range of information including personal information. The collection, storage, use and disclosure of personal information is regulated under various legislation. The following plans are in place to govern the practices and procedures within Council to ensure compliance with the 'principles' of information management, protection and notification:

1. Privacy Management Plan; and
2. Data Breach Plan.

Policy statement

Council collects personal and health information to enable it to operate and perform its functions. It is committed to managing that information in accordance with its legal obligations.

Personal and health information will be used and disclosed for the purpose it is collected or a directly related purpose, unless consent for another use or disclosure is provided or otherwise required or legally authorised. A person may access their personal information, without excessive delay or expense, and may also request the correction of that information in certain circumstances.

Data breaches will be reported to the NSW Privacy Commissioner and affected individuals under the Mandatory Notification of Data Breach (MNDB) Scheme, to Council's Audit Risk and Improvement Committee, and to such other agencies as required by law.

Contact officer

Information Management Business Analyst

Related documents

Policies

Code of Conduct and Procedures
Cybersecurity

Legislation

- General Data Protection Regulation.
- *Government Information (Public Access) Act 2009* (NSW).
- *Health Records and Information Privacy Act 2002* (NSW).
- *Local Government Act 1993* (NSW).
- *Privacy and Personal Information Protection Act 1998* (NSW).
- Privacy Code of Practice for Local Government.
- *State Records Act 1998* (NSW).

Other

- Application Form: Information about personal information held; Access to own information; Alteration of personal information.
- Feedback Form.
- General Retention and Disposal Authorities (GA39).
- [Information Access Guideline 1 – For Local Councils on the disclosure of information \(returns disclosing the interests of councillors and designated persons\)](#)
- Model Privacy Management Plan for Local Government.
- [Privacy Management Plan](#).
- Statutory Guidelines issued by the Information and Privacy Commission NSW:
 - o Use or Disclosure of Health Information for Research Purposes.
 - o Use or Disclosure of Health Information for the Management of Health Services.
 - o Use or Disclosure of Health Information for Training Purposes.
 - o Use or Disclosure of Information from a Third Party.
 - o Guidance: Transborder Disclosure Principle
 - o Research.
- Data Breach Plan
- NSW Information and Privacy Commission '[Data Breach Notification to the Privacy Commissioner](#)' form

Office use only	File no.: F20/324-01	Next review date: 2025	
Version	Purpose and description	Date adopted by Council	Resolution no.
1.0	Review of 3 x Privacy Management Policies, dated June 2015, of former Counties and creation of new Policy and separate Privacy management plan (approved by General Manager).	17/08/2022	55/22
2.0	Update policy to cross-reference Data Breach Plan required under the new MNDB Scheme in NSW.	18/10/2023	50/23