

INTRODUCTION

Scenic Rim Regional Council (Council) is committed to protecting your privacy through the responsible handling and management of your personal information. The *Information Privacy Act 2009* (the Act) governs how Council manages your personal information.

The Information Privacy Principles (IPPs) contained in Schedule 3 of the *Information Privacy Act 2009* (the Act) set out Council's obligations in the collection, storage, use and disclosure of personal information.

IPP 5 places an obligation on Council to take steps to ensure that people are aware of the types of personal information held by Council, why the information is held, and how an individual can access their personal information. This Privacy Plan explains how Council meets its obligations under IPP 5, and the IPPs more generally.

This Plan will assist members of the public and employees in understanding how personal information is managed within Council, and to provide a clear process for making a complaint about how Council is handling personal information (a privacy complaint).

This Privacy Plan provides for:

- The responsibilities of a person with access to personal information held by Council¹;
- The types of personal information held by Council;
- How you can access personal information held by Council; and
- How you can lodge a privacy complaint and how complaints are managed.

APPLICATION OF THIS PLAN

A number of legislative instruments² place obligations on how Council deals with the information it collects while providing services to the community of the Scenic Rim Region.

Some of these Acts include requirements that Council manages personal information in specific ways which would otherwise be inconsistent with the IPPs.³ They may also place limitations on accessing information obtained or created by Council in the course of fulfilling its statutory responsibilities⁴.

This Privacy Plan applies to:

- Mayor, Councillors and Council employees;
- Contractors and consultants to Council; and
- Joint venture partners in projects with Council.

Where Council enters into a contracting arrangement for the supply of goods and services or a partnership agreement, Council will take all reasonable steps to ensure contractors, companies and individuals agree to comply with this Privacy Plan and the IPPs in any dealings with

¹ Including the Mayor, Councillors, employees, contractors, consultants, and joint venture partners.

² This includes acts such as the *Local Government Act 2009*, *Planning Act 2016*, *Animal Management (Cats and Dogs) Act 2008*, etc.

³For example, by publishing information which would otherwise be considered to be personal information contained in a Councillor's Register of Interest on Council's website.

⁴ For example in relation to the management of a Public Interest Disclosure under the *Public Interest Disclosure Act 2010*.

personal information that may be made available, or that are part of the contractual arrangements.

PERSONAL INFORMATION

What is personal information?

Personal information is defined in the Act as:

Information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Personal information includes information held in paper or electronic records, including images and sounds. Information does not have to explicitly identify a person to be personal information, it need only provide enough information to lead to the identification of a person.

What is not personal information?

The IPPs do not apply to information contained in documents that are available to the public, or documents which must be published under other legislation. Generally available publications include documents such as:

- Council's land records;
- Information that can be obtained from published sources (e.g. the White Pages or simple google searches);
- The Queensland Government Gazette;
- Documents published or that can be accessed under other legislation (e.g. submissions made in relation to a development application under the *Planning Act 2016*); or
- Documents which can be accessed for payment of a fee (e.g. a property search).

RESPONSIBILITY FOR PRIVACY WITHIN COUNCIL

The overall responsibility for privacy in Council rests with the Chief Executive Officer. The Mayor, Councillors and all employees are individually responsible for ensuring that they comply with the Act and the IPPs.

Assistance with the management of personal information by Council is available from Council's Governance Section. Governance is the first point of contact for members of the public and the Mayor, Councillors and employees on privacy matters, including:

- Breach of privacy complaints;
- Requests for internal reviews;
- Requests to amend records;
- Collection and use of information;
- Assistance in managing a suspected privacy breach; and
- General information on privacy in Council.

Governance can be contacted at mail@scenicrim.qld.gov.au or by phone on (07) 5540 5111.

TYPES OF PERSONAL INFORMATION HELD BY COUNCIL

The types of personal information held by Council include:

- Contact details such as names, residential or postal addresses, telephone numbers, email addresses;
- Gender;
- Date of birth;
- Living arrangements;
- If you are a Council employee, your photograph, employee file, payroll number, tax file number and superannuation information, and internet and intranet activity;
- Personal opinions contained in emails, file notes, memorandums, recordings and other correspondence;
- Information surrounding complaints, grievances and requests for service;
- Transaction history, bank account details, credit card details, electronic transaction information, and details of receipts and payments;
- Pensioner and/or concession details;
- Drivers licence details and/or passport information;
- Relevant details applicable to processing various applications;
- Details of your eligibility for child related employment (for example details of your "blue card" and related correspondence) whether as employee, volunteer or otherwise;
- Images and recordings including CCTV imagery collected for public safety and/or security purposes or images taken at Council events;
- Land record information; and
- Survey responses and submissions.

Wherever possible, we will collect personal information directly from you (for example, during personal meetings, phone conversations, from the Council's website or social media or during Council's interactions with you including by correspondence or when considering your enquiries, complaints or applications). However, in certain circumstances, we may collect your personal information from a third party, for example:

- If you are a minor - your parents or guardian;
- Other Government departments and bodies (for example, the Department of Communities);
- Your current or former employer (for example, to obtain a reference check if you are applying for employment with the Council); and
- Council and other databases (for example, to obtain information about your properties in the event of any enforcement action).

If we are unable to collect the information we need from you, we may not be able to respond to your enquiry, complaint or request.

COUNCIL'S WEBSITE

Council maintains a website accessible by the public to provide information, assistance, and access to public registers maintained by Council.

Individuals are also able to lodge enquiries with Council via the website.

More information regarding the security of your information collected by Council's website can be found in the Privacy Statement available here - <https://www.scenicrim.qld.gov.au/our-council/statutory-information/privacy-statement>.

MAIN PURPOSES FOR WHICH PERSONAL INFORMATION IS USED

Council holds electronic and paper records containing personal information, which can broadly be divided into two types of documents:

1. Employee, financial management, and information services records; and
2. Records relating to the performance of Council's business and service delivery functions.

The information contained in these categories of document must be dealt with by Council in accordance with its obligations under the IPPs. More detailed information relating to these categories is available at Attachment A.

DISCLOSURE OF YOUR PERSONAL INFORMATION

In accordance with the Act, we will not disclose your personal information unless:

- we have obtained your express or implied consent;
- we are required or authorised by law;
- the information is necessary for Council or a law enforcement agency to perform its functions, duties and activities (including, but not limited to, the prevention, detection, investigation, prosecution or punishment of criminal offences);
- the disclosure is necessary for research, or the compilation or analysis of statistics in the public interest (in which case your personal information will be de-identified); or
- Council believes that the disclosure is necessary to lessen or prevent a serious threat to the life, health, safety of a person, or to public health, safety or welfare.

We may, in carrying out Council's functions, duties and activities disclose your personal information to:

- internal Council departments;
- elected Councillors or the Mayor;
- Council's related entities which are controlled by Council;
- bodies to which we are authorised or required by law to disclose such information (for example, law enforcement agencies, the Courts, various Federal and State Government Departments, public sector bodies and government agencies);
- other public or private sector bodies who provide funding to Council in connection with certain Council initiatives or with whom Council partners to deliver certain services;

- to our professional advisers, contractors or service providers who we have engaged or appointed to carry out, or advise us on, Council's functions, duties or activities;
- any parties with whom Council has entered into an arrangement (for example, a joint venture partner or contractor) for the carrying out of Council's functions, duties or activities;
- any specific parties which we have advised you of at the time the relevant personal information is collected;
- any other entities with your express or implied agreement; and
- any other entities in circumstances where you have self-published personal information.

The above entities may in turn disclose the personal information Council provides them to third parties to which they are authorised or required by law to disclose such information.

STORAGE OF YOUR PERSONAL INFORMATION

Council stores the personal information it collects in secure locations and databases. We take precautions to protect your personal information against loss, and unauthorised access, use, modification, disclosure or other forms of misuse.

Some examples of the safeguards Council uses to protect your personal information include:

- Password protection on Council computers;
- Restricted access to Council offices;
- Induction and training for Council employees on Council's information security and confidentiality procedures;
- An Employee Code of Conduct;
- Regular back up of Council databases; and
- Retention and disposal of records practices (see below).

RETENTION AND DISPOSAL OF RECORDS

The disposal of Council's records is governed by the *Public Records Act 2002*, which governs the making and preservation of public records in Queensland.

Council retains records in accordance with this legislation, the *Queensland State Archives General Retention and Disposal Schedule for Administrative Records*, and the *Local Government Sector Retention and Disposal Schedule* approved by Queensland State Archives.

All disposals must go through an appropriate approval process, and the disposal must be carried out in a secure manner.

HOW TO ACCESS AND AMEND YOUR INFORMATION

The Act provides a person with rights in relation to accessing or amending information held by Council. These are set out in detail in Chapter 3 of the Act, but generally:

- a person is entitled to access any record that contains their personal information except where access is restricted by law (IPP6); and

- a person is entitled to seek an amendment of any record that contains their personal information that is misleading, irrelevant, not up-to-date or incomplete (IPP7).

Council is committed to transparency of information held and ensuring information contained in our records is accurate and complete.

If you would like to access your personal information held by Council or to amend that information, we encourage you to first submit an informal request to Council at the below details:

Attention: Governance
Subject: Informal Request for Access and/or Amendment of Personal Information
Mail: PO Box 25, Beaudesert QLD 4285
Fax: 07 5540 5103
Email: mail@scenicrim.qld.gov.au
Telephone: 5540 5111

An officer from Council's Governance section will assist you with your enquiry. We may ask you to make your request in writing and provide us with evidence of your identity. Under some circumstances under the Act or other legislation, we may not be able to provide you with the access you requested.

If we are unable to assist you with an informal request, you are dissatisfied with the outcome of your informal request, or you would otherwise like to lodge a formal application to access or amend your personal information, you may apply using the below forms:

- [Right to Information and Information Privacy Access Application Form](#)
- [Information Privacy Personal Information Amendment Application Form](#)

PRIVACY COMPLAINT AND REVIEW PROCESS

If you believe that Council has not dealt with your personal information in accordance with the Act, you may make a privacy complaint.

Council must respond to complaints about information privacy within 45 business days of receipt. Privacy complaints will be dealt with following the process set out by Council's Complaints Management Policy.

Complaints or enquiries are managed by Council's Governance section and should be directed to:

Attention: Governance
Subject: Privacy Complaint
Mail: PO Box 25, Beaudesert QLD 4285
Fax: 07 5540 5103
Email: mail@scenicrim.qld.gov.au
Telephone: 5540 5111

If you would like complaint handling documents sent to you, more information on the complaints process or on privacy matters in general, please contact Governance by email at mail@scenicrim.qld.gov.au or by telephone on 5540 5111.

If you have lodged a written complaint and do not agree with the outcome of your complaint or you have not received an outcome for your complaint within 45 business days, you may refer a written complaint to the Office of the Information Commissioner.

Approved by:



Jon Gibbons
Chief Executive Officer
20 August 2020

Privacy Plan Document Details:

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Contact Officer: Principal Specialist Governance and Assurance
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ATTACHMENT A

The following broad categories provide information on the types of personal information which may be held by Council.

1. Employee, Financial Management and Information Services Records

Employee Records

These documents are used to manage employment matters effectively and relate to all current and former employees (permanent, contract and temporary) and applicants for vacant positions. Security measures are in place for this information, appropriate to the sensitivity of personal information it contains. These documents include:

- attendance and overtime records;
- medical matters;
- tax file number declaration forms;
- personal history files;
- recruitment matters;
- character checks and security clearances;
- performance appraisals, including recommendations for honours and awards;
- trade, skill and aptitude tests;
- work related travel;
- contracts and conditions of employment;
- leave applications and approvals;
- payroll and pay, including banking details;
- declarations of pecuniary interests;
- education, personal development and training;
- contracts and conditions of employment;
- disciplinary and counselling matters, including complaints, grievances, investigations and associated actions;
- allegations and investigations of alleged misconduct;
- personal history and welfare matters;
- accidents and injuries, including compensation and rehabilitation case files;
- electronic transaction history including telephone activity, emails, internet and intranet activity, security pass activity;
- next of kin details;
- workplace health and safety matters;
- Council fleet management; and
- other staff and establishment records as appropriate.

Financial Management Records

Financial Management Records process and account for Council's revenue and expenditure in the conduct of its business and service delivery. Records include personal information of ratepayers, creditors, debtors, outsourced services and service providers.

Information Services Records

Council's information management systems routinely contain much of the core business and the supporting corporate services of Council on behalf of its many functional areas. This encompasses a wide variety of electronic transactions. Records within this networked environment generally cover information referred to in other parts of the Privacy Plan that deal with the core business operations of functional areas of Council. The use of these systems is routinely monitored by internal and external control systems.

2. Records relating to the performance of Council's business and service delivery functions

General Information

These documents assist Council in effective and efficient service delivery. Categories of documents include messages, inwards and outwards correspondence, transaction history, registers, minutes, lists and directories.

Land Records

Council holds personal information relating to each parcel of land in the region. This information includes ownership details, contact details, transaction history and property history. This information is used to provide efficient and effective services, levy appropriate rates and meet legislative requirements.

Application Details

Council holds personal information for processing applications, permits, licences or approvals for which Council is responsible. This personal information includes contact details and any other information that is relevant to the processing of the application. Council is required to collect some of this information by statutory forms or other legislative mechanisms. The collection of personal information extends to all avenues where Council is responsible for administering and processing applications, including:

- Development applications;
- Operational works applications;
- Building and plumbing applications;
- Health and environment licences and approvals;
- Animal management services;
- Cemetery applications;
- Requests relating to rating matters;
- Property access and rural road numbering applications;
- Road infrastructure permits and approvals;
- Grant applications;

- Immunisation requests;
- Land record applications and search requests; and
- Applications to carry out works or supply goods for Council.

DAP Online

Personal information may also be contained in development applications submitted to Council. Properly made applications are published on Council's Development Application and Property Online service (DAP Online) per Schedule 22, section 7 of the *Planning Regulation 2016*.

Requests for Action - General Services

Council receives personal information from customers requesting service from Council, and this information is used to enable Council to effectively deliver services to that customer. This includes contact details and telephone conversation records of customers requesting related Council related services such as:

- Council's road network;
- Network infrastructure delivery;
- Council controlled parks, gardens, cemeteries and reserves;
- Roadside landscaping;
- Waste management services;
- Pest management services;
- Rural road numbering;
- Stormwater and drainage issues; and
- Council owned buildings.

Requests for Action and Investigations of Complaints - Regulatory Services

Council also receives grievances from the general public that require action under statutory instruments, including applicable investigation. The personal information held includes contact details and telephone conversation records of the complainants, and also personal information relating to the subject of the complaint relevant to the investigation of the matter. Generally, these matters relate to:

- Council issued licences, permits and approvals;
- Declared pest management issues on private land;
- Animal management;
- Environmental pollution and public health matters;
- Body worn camera footage;
- Building, plumbing and swimming pools; and
- Development compliance matters.

Community Services

In addition to the services mentioned above, Council also holds personal information that is required for the effective and efficient delivery of the following services:

- Customer Service;
- Library services;
- Management, maintenance and access to Council owned facilities (including swimming pools, buildings, parks, gardens and reserves);
- Management, maintenance and access to Council keys;
- Management and maintenance of Council controlled cemeteries;
- Community engagement functions;
- Disaster management;
- Environmental activities such as workshops, events, programs (e.g. Land for Wildlife, Conservation Covenant, Rural Trees Initiative, compost bin rebates, River Improvement Trust);
- Membership database for community groups and conservation groups;
- Regional development activities such as workshops and economic development activities;
- CCTV footage collected for community safety and/or asset protection purposes;
- Cultural services activities including event bookings and display of artwork; and
- Community development activities including grant applications and visitor information centres.

While every effort has been made to include an extensive list of the types of personal information held by Council, and the purposes for which they are used, Council may hold other types of personal information than the examples provided.

Public registers managed by Council

Public registers will be identified from time to time and their maintenance and use incorporated within Council's personal information management practices. Where authorised by law, these registers appear on Council's website.

Expression of Interest and Tenders

Expression of Interest and Tender documents submitted to Council may also contain personal information and are dealt with in accordance with the *Information Privacy Act 2009*.