

# Privacy Policy

## Council Policy



Policy Name	Privacy Policy		
Type	Council Policy		
Owner	Elected Members		
Responsible Officer	Chief Executive Officer		
Decision Number	22482	Approval Date	28/02/2023
Records Number	D2023/004043	Next Review Date	28/02/2025

### 1 Purpose

Alice Springs Town Council collects and manages personal information to provide services to the Alice Springs community and to conduct local government functions.

The purpose of this policy is to set out Alice Springs Town Council's commitment to information privacy and its compliance with the provisions of the *Information Act 2002 (NT)*, including the Information Privacy Principles (IPP's), and the *Local Government Act 2019 (NT)*, when collecting and handling personal information.

This policy applies to Elected Members, members of all Council committees, Alice Springs Town Council staff and contractors, Alice Springs Public Library and Alice Springs Aquatic and Leisure Centre members, ratepayers and residents of the municipality of Alice Springs, and all individuals who use the services or transact business with Alice Springs Town Council.

This policy covers all personal information held by Council, including information collected in any format – correspondence, in person, over the phone, over the internet, via printed or online forms and any other format – and personal information sourced from third parties.

This policy also aims to protect Alice Springs Town Council Members and staff members from undue intrusion into their private affairs by Council as required by section 206(3) of the *Local Government Act (NT) 2019*.

### 2 Definitions

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

Term	Definition
<b>Alice Springs Town Council staff</b>	All employees and workers, contractors, volunteers and all others who perform work on behalf of Alice Springs Town Council.
<b>Collection</b>	Gathering, acquiring or obtaining personal information from any source and by any means.
<b>Consent</b>	Voluntary agreement (express or implied) to some act, practice or purpose. The individual must be adequately informed before giving consent and must have the capacity to understand and communicate their consent.
<b>Council Members</b>	Elected Members of Council, audit committee members, council committee members and local authority members.

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<b>Disclosure</b>	The release of personal information to persons or organisations only in ways the individual would expect or as permitted by law.
<b>Personal information</b>	Information that discloses a person's identity or from which a person's identity is reasonably ascertainable. This may include: <ul style="list-style-type: none"><li>• Name</li><li>• Date of birth</li><li>• Address or location at this time</li><li>• Email address</li><li>• Telephone number</li><li>• A recording of your telephone call with Alice Springs Town Council</li><li>• Photos or CCTV recordings</li><li>• Details about individuals' interaction with Council</li><li>• Details of individuals' accounts payable</li><li>• Payment/financial/bank details</li><li>• Employment details.</li></ul>
<b>Sensitive information</b>	Personal information about an individual's racial or ethnic origin, political opinions, membership or professional, trade, political association or trade union, philosophical or religious beliefs, sexual preferences or practices, criminal record or health information.
<b>Use</b>	The handling of personal information within Council including the inclusion of personal information in a publication, taking personal information into account in the making of a decision, or transferring the information from one part of the Council with particular functions to another part of the Council having different functions.

## 3 Policy Statement

Alice Springs Town Council collects and manages personal information to provide services to the local Alice Springs community and to conduct local government functions. The way in which Alice Springs Town Council manages personal information is governed by the *Information Act 2002 (NT)* and *Local Government Act 2019 (NT)*.

### 3.1 Collecting personal information

- 3.1.1 Alice Springs Town Council will only collect personal information that it requires to carry out its functions and activities, including its statutory functions under the *Local Government Act 2019 (NT)*.
- 3.1.2 Alice Springs Town Council will collect, use, manage and disclose information in accordance with the IPPs in the *Information Act 2002 (NT)*.
- 3.1.3 When collecting information, Alice Springs Town Council will take reasonable steps to ensure that people are aware of the information to be collected, purpose, whether it is required by law, and the consequences, if any, of not providing the information.

- 3.1.4 Alice Springs Town Council may collect personal information in a number of ways, including:
- directly in documents such as application forms, statutory declarations or from verbal or written correspondence;
  - through contact with Council Members and staff; and
  - from third parties such as government bodies.
- 3.1.5 Generally, Council will only collect sensitive information with consent or if it is required by law.
- 3.1.6 Alice Springs Town Council may collate statistical information from the personal information it collects. This information may be used by Council and other government bodies to assist in the provision of appropriate services and facilities. This kind of data will be anonymised so that any compilation or publication will not reveal an individual's identity.
- 3.1.7 In particular, Alice Springs Town Council collects images of people from CCTV located in public areas in the municipality and within parts of Council's premises to which the public has access, as well as from CCTV cameras owned by Council and located at Alice Springs Police Station. CCTV located in public places may be monitored directly by the Police pursuant to an agreement with Alice Springs Town Council.

### 3.2 Use and disclosure of personal information

Alice Springs Town Council may collect and use information in a variety of ways, including:

- To carry out Alice Springs Town Council's functions and activities;
- To provide information about Alice Springs Town Council's services;
- To determine and provide appropriate services and facilities;
- To administer and manage processes such as applications for permits, animal ownership, billing and collection of levies and charges, parking controls, and development proposals;
- To administer and make enquiries on Elected Member, personnel; and recruitment matters.

Alice Springs Town Council will only disclose your personal information to third parties external to Council where permitted or required by legislation, including (but not necessarily limited to) the following circumstances:

- When / where you have consented to the release;
- To lessen or prevent serious harm or where disclosure is authorised or required to comply with Alice Springs Town Council's legal obligations;
- To enable Elected Members to refer requests for assistance to Alice Springs Town Council or other agencies; or to enable Alice Springs Town Council or a third party to provide services.
- As part of the investigation and analysis of incidents or occurrences (including where there is a reasonable apprehension of an incident or occurrence) that may cause serious damage to people or property) which occur in public places in and around the central business district of Alice Springs.
- To investigate, respond to or defend claims made against, or involving, Council.
- To enforce a contract or agreement that Council has with you.
- To Council's contractors and agents (for the purpose of the services they provide) so that Council can complete a transaction on your behalf or provide you with a service that you have requested.
- To a law enforcement agency for the purpose of its law enforcement functions (including permitting it direct access to Council owned CCTV cameras).
- Where required by law.
- For safety purposes (including public and Council's own officer's safety) or operational purposes.

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Alice Springs Town Council takes reasonable steps not to disclose your personal information outside of Council having regard to the extent of the powers and functions of Council. However, there are occasions where Council may need to disclose your personal information outside of Council; for example, where Council have asked you (and you have consented), if there is a court order or if another law requires Alice Springs Town Council to (for example in relation to Council's duty to provide information to the Police or another regulatory authority that has a right to access to the information).

Council uses CCTV in this way for its operational purposes, to fulfil its functions and duties under the Local Government Act, and to assist law enforcement agencies to maintain public safety and for crime prevention.

Where Alice Springs Town Council requires a third party to collect, use or disclose information to perform Alice Springs Town Council functions, the third party will be bound by, and fully aware of their obligations to, the provisions of the Act and IPPs.

Where lawful and practical, Alice Springs Town Council may give individuals the option of not identifying themselves when supplying information or entering into transactions with Alice Springs Town Council and will provide advice of any consequences of remaining anonymous.

Alice Springs Town Council will take all reasonable steps to suppress personal information from publicly available material in accordance with the *Local Government Act 2019 (NT)*.

### 3.3 Accessing personal information held by Council

Individuals have the right to request access to any personal information held about them and may request any incorrect information be corrected, subject to the *Information Act 2002 (NT)*.

Requests can be made in writing to [astc@astc.nt.gov.au](mailto:astc@astc.nt.gov.au) or in the Council form, if available. Suitable documentation will be required to verify the identity of the individual before any requests are considered.

### 3.4 Security

- 3.4.1 Alice Springs Town Council will use reasonable measures to maintain a secure system for storing personal information to ensure personal information is protected from unauthorised access, use, loss, modification, disclosure or any other misuse.
- 3.4.2 Personal information will be managed confidentially and securely, and destroyed or archived in accordance with the provision of the *Information Act 2002 (NT)*.
- 3.4.3 Only authorised staff are allowed to have access to personal information, and only to the extent that is permitted or required by legislation for them to carry out their duties.
- 3.4.4 Alice Springs Town Council has in place a series of procedures and systems to protect personal information in a secure place, which may be stored physically or in electronic form.

### Accounting privacy for Council Members and staff

Any monies spent on Council Members or staff is information that is included in Council's accounting records, which includes allowances, payroll payments, superannuation payments, leave entitlements and reimbursements, as well as rates payment records for Council Members and staff members who are ratepayers in Alice Springs.

## Privacy of Council Members and Council Staff

The following principles apply to protect Council Members and staff members from undue intrusion into their private affairs:

- 3.4.5 Council Members and staff members have a right to privacy of their financial information as far as reasonably possible;
- 3.4.6 Council will only collect information on Council Members and staff members that it needs to carry out its functions and activities;
- 3.4.7 Council will only use the information on Council Members and staff members for the purpose that the information was collected for;
- 3.4.8 Information on Council Members and staff members will only be disclosed for a purpose:
  - i. that is directly and reasonably related to the necessary operations of Alice Springs Town Council; or
  - ii. if the Council Member or staff member consents to that use or disclosure; or
  - iii. if the disclosure is authorised by law.
- 3.4.9 Council will take reasonable steps to maintain the privacy and integrity of the personal information it holds as part of its accounting records.
- 3.4.10 Council will take all reasonable measures to ensure the information it collects on Council Members and staff members is accurate, complete and up-to-date.

## 3.5 Making a privacy complaint

Individuals may complain to Council if they feel their personal information has been handled in a way that interferes with their privacy.

Privacy complaints can be made in writing to [astc@astc.nt.gov.au](mailto:astc@astc.nt.gov.au) or in the Council form, if available.

To ensure that the complaint can be actioned appropriately, the request should include as much detail as possible about the nature of the concern, for instance:

- whether the complaint relates to collection, security, use or disclosure of personal information (or a combination of these);
- the particulars of the concern, such as date, time, information involved, or a specific incident;
- the detriment experienced because of the interference; and
- any other information that will assist Council in reviewing and addressing the complaint.

Council will acknowledge the complaint within five (5) days of receiving it and seek to provide a decision from the Chief Executive Officer (CEO) within 30 calendar days. If Council need more time to deal with the complaint, the applicant will be advised of this in writing. If individuals are unhappy with Council's response to the complaint, a further complaint can be made to the Northern Territory Information Commissioner.

## 4 Responsibilities

Implementation and actions rest with the CEO, and are subject to the Council's delegations and sub-delegations registers pursuant to the *Local Government Act 2019 (NT)* and *Information Act 2002 (NT)*.

All Alice Springs Town Council staff are responsible for meeting the requirements of this policy.

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### 5 Relevant Law

- *Information Act 2002 (NT)*
- *Local Government Act 2019 (NT)*
- *Surveillance Devices Act 2007 (NT)*

### 6 Version History

Version	Date	Action/Description of changes made	By
V1.0	24/01/2023	New policy	Director Corporate Services

### 7 Communication and Training

Will this policy be communicated through internal communications?	Yes
Where will this policy be available?	Intranet and ASTC website
Will training needs arise from this policy? If yes, who will be responsible.	CEO