

PRIVACY MANAGEMENT PLAN

How Wollondilly Shire Council
manages your personal and private
information

December
2018

Background

This policy has been developed in order to outline that Council collects and holds personal and health information for the purpose of facilitating its business. It is important that the use of this information is confined to the purpose for which it is acquired. In order to properly manage the personal information it holds, it is essential for the provisions of this policy to be observed by councillors, employees, contractors and volunteers.

The *Privacy and Personal Information Protection Act 1998* [PPIPA] requires all public sector agencies to prepare, implement and review their Privacy Management Plan on a regular basis. The Information and Privacy Commission guidelines for Privacy Management Plans recommend review at least every two years. This policy outlines how Wollondilly Shire 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 [code].

Objective

The main objectives of this policy are to inform the community and educate staff on access to personal information and to introduce Council policies and procedures to maximise compliance with the PPIPA and the HRIPA.

Policy Statement

Wollondilly Shire Council is committed to protecting the privacy of our customers, business contacts, councillors, employees, contractors and volunteers.

This policy aims to ensure Wollondilly Shire Council manages the personal and health information it collects, stores, accesses, uses and discloses in the course of its business activities.

Contents

Part 1 - Introduction	3
1.1 What Is Personal Information?	3
1.2 What Is Not Personal Information?	3
1.3 What Is Health Information?	3
1.4 Application of This Plan	3
1.5 Personal and Health Information held by Council	4
1.6 Unsolicited Information	4
Part 2 - Public Registers	6
2.1 Definition	6
2.2 Disclosure of Personal Information Contained in Public Registers	6
2.3 Purposes of Public Registers	7
2.4 Secondary Purpose of All Public Registers	7
2.5 Other Registers	7
2.6 Applications for Access to Your Own Personal or Health Information	8
Informal <i>Request</i>	8
Formal <i>Application</i>	8
2.7 Accessing or Amending Other People's Personal or Health Information	9
2.8 Applications for Suppression of Personal Information in a Public Register	9
Part 3 – Policies and Legislation	10
Part 4 - Information Protection Principles	12
4.1 Council Complies with the Information Protection Principles (IPP'S) prescribed under PPIPA and Health Privacy Principles (HPP'S) prescribed under HRIPA as follows.	12
Specific Health Information Privacy Principles	14
4.2 How the Privacy Code of Practice for Local Government Affects the IPP'S	15
Part 5 – Dissemination of the Privacy Management Plan	17
5.1 Privacy Contact Officer, and Privacy Resource Officers	17
Privacy Contact Officer	17
Privacy Resource Officers	17
5.2 Compliance Strategy	17
5.3 Communication Strategy	17
Part 6 – Complaints and Procedures for Internal Review	18
6.1 Internal Review	18
6.2 How Does The Process Of Internal Review Operate?	18
The Role of the Privacy Commissioner in the Internal Review Process	18
6.3 What Happens After an Internal Review?	18
6.4 Alternate Informal Resolution	19
6.5 Alternatives to Lodging an Application for Internal Review	19
Part 7 - Specific Exemptions in PPIPA and HRIPA Relevant to Council	20
Part 8 - Other Information	21
Summary Sheet	22

Part 1 - Introduction

1.1 What Is Personal Information?

Personal information is defined as:

“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”

1.2 What Is Not Personal Information?

Personal information does not include information about an individual that is contained in a publicly available publication. This information ceases to be covered by the PPIPA.

Where the council is requested to provide access or make a disclosure and that information has already been published, the council will rely on the provisions of the *Government Information (Public Access) Act 2010* [GIPAA] not the PPIPA.

In accordance with GIPAA, when inviting public submissions council will advise people that their submission, including any personal information in the submission, may be made publicly available.

1.3 What Is Health Information?

Health information is defined 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”.

1.4 Application of This Plan

The PPIPA, HRIPA and this Plan apply, wherever practicable, to:

- Councillors;
- Council employees;
- Consultants and contractors of the council;
- Volunteers;
- Council owned businesses, and
- Council committees (including those which may be established under section 355 of the Local Government Act 1993 (LGA)).

1.5 Personal and Health Information held by Council

The Council holds personal information concerning Councillors, 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, in records such as:

- Rates records;
- Customer requests;
- Library lending records;
- Fitness testing records;
- Child care records;
- Burial and cremation records;
- Community service utilisation e.g. Community transport;
- CCTV footage;
- Donation, grant and sponsorship applications;
- Submissions and information collected as part of council's community engagement and consultation activities;
- Public access forum applications;
- Development applications and related submissions, and
- Petitions received in response to a call for submissions by the Council.

The council holds personal and health information concerning its current and former employees in records such as:

- Recruitment material;
- Pre-employment medical information;
- Workers compensation investigations;
- Public interest disclosure investigations;
- Leave and payroll data;
- Personal contact information;
- Performance management plans;
- Disciplinary matters;
- Disclosure of interest returns, and
- Wage and salary entitlements.

1.6 Unsolicited Information

Unsolicited information is personal or health information received by council in circumstances where council has not asked for or required the information to be provided. It includes gratuitous or irrelevant information received as well as unsolicited petitions. Such information is not deemed to have been collected by council but the retention, use and disclosure principles of the information will apply to any such information in council's possession.

Personal or health information disclosed publicly and recorded for the purposes of webcasting at Council Meetings is not deemed to have been collected by council.

Retention and use principles of this information will apply to such information in council's possession, however disclosure principles will not apply as the information was voluntarily disclosed with the prior knowledge that it would be recorded, broadcast via the internet to the public and made available by council for public viewing.

Part 2 - Public Registers

2.1 Definition

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)”.

Council holds public registers under the LGA, including:

- Land register;
- Records of approvals, and
- Register of disclosures of interests.

Council holds other public registers, to which PPIPA applies.

Council holds public registers under the Environmental Planning and Assessment Act 1979 [EPA]:

- Register of consents and certificates, and
- Record of building certificates

Council holds a public register under the Protection of the Environment Operations Act 1997 [POEO]:

- Public register of licences.

Council holds a public register under the Impounding Act 1993 [IA]:

- Record of impounding.

The purpose for each of these public registers is set out in this Plan.

2.2 Disclosure of Personal Information Contained in Public Registers

Personal information contained in a public register, other than where required by legislation, will only be disclosed where council is satisfied that it is to be used for a purpose relating to the purpose of the register.

Disclosure in relation to personal information not contained in a public register must comply with the Information Protection Principles as outlined in this Plan.

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.

2.3 Purposes of Public Registers

Register	Primary purpose of the register is to:
<i>Land Register</i>	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.
<i>Records of Approvals</i>	Identify all approvals granted under the LGA.
<i>Register of Disclosures of Interests</i>	Determine whether or not a Council official 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.
<i>Register of Consents and Certificates</i>	Identify applications for development consent and other approvals, confirm determinations on appeal and identify applications for complying development certificates.
<i>Record of Building Certificates</i>	Identify all building certificates.
<i>Public Register of Licences</i>	Identify all licences granted under the POEO.
<i>Record of Impounding</i>	Identify any impounding action by council.

2.4 Secondary Purpose of All Public Registers

Council aims to be open and accountable and it is considered that a secondary purpose for which all public registers are held by council includes the provision of access to members of the public. Disclosure of specific records from public registers would normally be permitted under section 57 of PPIPA.

Requests for access, copying or the sale of the whole or a substantial part of a public register will not necessarily fit within this purpose. Council will make an assessment as to the minimum amount of personal information that is required to be disclosed with regard to any request.

2.5 Other Registers

Council may keep other registers that are not public registers. The Information Protection Principles, this Plan, the Code and PPIPA apply to the use and disclosure of information in those registers.

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.

Register**Primary purpose of the register is to:***Rates Record*

Record the value of a parcel of land and record rate liability in respect of that land.

A 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.

2.6 Applications for Access to Your Own Personal or Health Information

Informal Request

Individuals wanting to access council’s records to confirm or amend their own personal or health information, such as updating contact details can do so by contacting council either in person or in writing. Council will take steps to verify the identity of the person requesting access or changes to information.

A Formal Application may not be necessary and is only used as a last resort.

Formal Application

Individuals wanting to access or amend their own personal or health information must put the request to council in writing. This application must contain the following information:

- The full name, date of birth¹ and contact details of the person making the request;
- State whether the application is under the PPIP Act (personal information) or HRIP Act (health information);
- Explain what personal or health information the person wants to access or amend;
- Explain how the person wants to access or amend it, including (but not limited to) the following methods:
 - Copies of the information (copy charges may apply, see Council’s fees and charges), and
 - Viewing the information, but not taking copies or taking notes.
- Confirmation of the applicant’s identity.

¹ A date of birth may assist Council in distinguishing between individuals with the same or similar names.

2.7 Accessing or Amending Other People's Personal or Health Information

Council is restricted from giving individuals access to someone else's personal and health information unless that person provides council with written consent. An "authorised" person must confirm their identification to act on behalf of someone else.

There may be other reasons council may be authorised to disclose personal and health information, such as in the event of a serious and imminent threat to the life, health and safety of the individual, to find a missing person or for compassionate reasons. A third party could also consider making an application for access to information held by council under the *Government Information (Public Access) Act 2009* [GIPAA].

2.8 Applications for Suppression of Personal Information in a Public Register

A person about whom personal information is contained (or is proposed to be contained) in a public register, may request council to have the information removed from or not placed on the register by submitting an application in the form of a statutory declaration.

If council is satisfied that the safety or well-being of any person would be affected by not suppressing the person's personal information, council will suppress the information in accordance with the request. The information may still be used in the exercise of council functions, but it cannot be disclosed to other parties.

If council is of the opinion that the public interest in maintaining public access to the information outweighs any individual interest in suppressing the information, the request will not be approved.

Part 3 – Policies and Legislation

Policies and Legislation affecting the processing of information and related to this Plan include:

- Council's Access to Information Protocol.

Public access to information and documents held by council is facilitated by Council's Access to Information Protocol and Access to Information Guidelines. The Protocol has regard to the *Government Information (Public Access) Act 2009*, *Government Information (Public Access) Regulation 2009* and the *Local Government Act 1993*.

This Plan should be read in conjunction with the Access to Information Protocol, the *Privacy Code of Practice for Local Government*, together with Council's Access to Information guideline and Information Guide.

The above documents are available for viewing at www.wollondilly.nsw.gov.au

- Environmental Planning and Assessment Act 1979 (EPAA).

The EPAA contains provisions that require Council to make Development Applications, accompanying information publicly available, provides a right for people to inspect and make copies of elevation plans during the submission period. The EPAA is available for viewing at www.legislation.nsw.gov.au.

- Health Records and Information Privacy Act 2002 (HRIPA).

The HRIPA governs both the public and private sector in NSW. It contains a set of 15 Health Privacy Principles and sets up a complaints mechanism to ensure agencies abide by them.

The HRIPA is available for viewing at www.ipc.nsw.gov.au

- Privacy and Personal Information Protection Act 1998 (PPIPA).

In addition to requirements covered in this plan, the PPIPA prohibits disclosure of personal information by public sector officers that is not done in accordance with the performance of their official duties. These provisions are generally directed at corrupt or irregular disclosure of personal information staff may have access to at work and not inadvertent failure to follow procedures or guidelines.

Corrupt or irregular disclosure can include intentionally disclosing or using personal information accessed in doing our jobs for an unauthorised purpose, or to offer to supply personal information that has been disclosed unlawfully.

Offences can be found listed in s62-68 of the PPIPA, are considered serious and may, in some cases, lead to imprisonment.

The PPIPA is available for viewing at www.legislation.nsw.gov.au.

- Public Interest Disclosures Act 1994 (PIDA).

The definition of personal information under PPIPA excludes information contained in a Public Interest Disclosure. This means that a person cannot seek review of the use or disclosure of a Public Interest Disclosure or be prosecuted for unauthorised disclosure of Public Interest Disclosure information under PPIPA.

However, this Plan is still able to address strategies for the protection of personal information disclosed under PIDA.

The PIDA is available for viewing at www.legislation.nsw.gov.au.

Further information can be obtained from the NSW Ombudsman at www.ombo.nsw.gov.au

Part 4 - Information Protection Principles

4.1 Council Complies with the Information Protection Principles (IPP'S) prescribed under PPIPA and Health Privacy Principles (HPP'S) prescribed under HRIPA as follows.

PPIPA provides for the protection of personal information by means of 12 Information Protection Principles and HRIPA provides for the protection of health information by means of 15 Health Information Protection Principles.

IPP 1 & HPP 1 – Lawful Collection

Council will collect personal and/or health information that is reasonably necessary and for a lawful purpose that is directly related to its functions and/or activities. Such personal and health information may include names, residential address, phone numbers, email addresses, signatures, medical certificates, photographs and video footage (CCTV).

Any forms, notices or requests by which personal and health information is collected by council will be referred to the Privacy Contact Officer or a Privacy Resource Officer prior to adoption or use.

IPP 2 & HPP 2 – Direct Collection

Personal information will be collected directly from the individual, unless that person consents otherwise. Parents or guardians may give consent for minors.

Health information will be collected directly from the person concerned, unless it is unreasonable or impracticable to do so.

Collection may occur via phone (recorded for training and quality reasons), video footage (if visiting the administration building, or other council owned property), written correspondence to council, email, facsimile, council forms or in person.

IPP 3 & HPP 3 – Requirements when Collecting

1. Council will inform individuals that their personal information is being collected, why it is being collected, where it will be stored and who will using it. Council will also inform the person how they can view and correct their information. A privacy statement is published on council's website, intranet, included on forms where personal or health information is collected and available as a handout to the public.
2. Council will inform persons why health information is being collected about them, what will be done with it and who might see it. Council will also inform the person how they can view and correct their health information and any consequences if they do not provide their information. If health information is collected about a person from someone else, reasonable steps will be taken to ensure that the person has been notified as above.

IPP 4 & HPP 4 – Relevance of Collection

Personal and health information collected will be relevant to Council's functions and services, accurate, up-to-date, complete and not excessive. The collection will not unreasonably intrude into the individual's personal affairs.

Council will in normal circumstances rely on the individual to supply accurate, complete information, although in special circumstances some verification process may be necessary.

IPP 5 & HPP 5 – Secure Storage

Council will store personal information securely, for no longer than as required by the general retention and disposal authorities for Local Government records issued by State Records Authority of NSW, and will be disposed of appropriately. It will be protected from unauthorised access, use or disclosure by application of appropriate access levels to Council's electronic data management system and staff training.

If it is necessary for the information to be given to a person in connection with the provision of a service to the Council (e.g. Consultants and Contractors), everything reasonably within the power of the Council is done to prevent unauthorised use or disclosure of the information.

IPP 6 & HPP 6 – Transparent Access

Council will provide reasonable detail about what personal and/or health information is stored on an individual. Council stores information for the purpose of carrying out its services and functions and in order to comply with relevant records keeping legislation. Individuals have a right to request access to their own information to determine what, if any information is stored, how long it will be stored for and how it is stored (e.g. electronically with open or restricted access to staff or in hard copy in a locked cabinet).

IPP 7 & HPP 7 – Access to Own Information

Council will ensure individuals are allowed to access their own personal and health information without unreasonable delay or expense by way of implementation of appropriate procedures for access to this information.

IPP 8 & HPP 8 – Right to Request to Alter Own Information

Council will, at the request of a person, allow them to make appropriate amendments (i.e. corrections, deletions or additions) to their own personal and health information.

Changes of name, address and other minor amendments require appropriate supporting documentation. Where substantive amendments are involved, an application form will be required and appropriate evidence must be provided as to why the amendment is needed.

IPP 9 & HPP 9 – Accurate Use of Information Collected

Taking into account the purpose for which the information is proposed to be used, council will ensure that personal and health information is accurate before using it. Council will ensure that the information it proposes to use is the most recent information kept on file, is not unreasonably out of date or where it is reasonable and necessary to do so, write to the individual to whom the information relates.

IPP 10 & HPP 10 – Limits to Use of Information Collected

Council will only use personal and health information for the purpose for which it was collected, for a directly related purpose or for a purpose for which a person 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, 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.

IPP 11 & HPP 11 – Restricted and Limited Disclosure of Personal and Health Information

Council will only disclose personal and health information with the individual's consent or if the individual was told at the time of collection that it would do so. Council may also disclose information if it is for a related purpose and it considers that the individual would not object. Personal and health 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, 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.

IPP 12 – Special Limits on Disclosure

Council will not disclose sensitive personal information relating to an individual's:

- Ethnic or racial origin;
- Political opinions;
- Religious or philosophical beliefs;
- Trade union membership; and
- 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.

Council will not disclose this information to any person or body who is in a jurisdiction outside New South Wales unless:

- A relevant privacy law that applies to the personal information concerned is in force in that jurisdiction, or
- The disclosure is permitted under a privacy code of practice.

Specific Health Information Privacy Principles

Health information is given a higher level of protection regarding use and disclosure than is other personal information. In addition to the privacy principles, above, that apply to both personal and health information, the following four additional principles apply specifically to health information.

The specific health privacy principles are:

HPP 12 – Unique Identifiers

Council will only assign identifiers to individuals if the assignment of identifiers is reasonably necessary to enable the Council to carry out any of its functions efficiently.

HPP 13 – Anonymity

Wherever it is lawful and practicable, individuals must be given the opportunity to not identify themselves when entering into transactions with or receiving any health service(s) from council.

HPP 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.

HPP 15 – Cross-Organisational Linkages

Council will seek the express consent of individuals before participating 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 will only be included if the person has given express consent.

4.2 How the Privacy Code of Practice for Local Government Affects the IPP'S

With regard to IPP'S 2, 3, 10 and 11 the Code makes provision for council to depart from these principles where the 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.

With regard to IPP 10, in addition to the above, the Code makes provision that council may use personal information for a purpose other than the purpose for which it was collected where the use is in pursuance of council's lawful and proper function/s and council is satisfied that the personal information is reasonably necessary for the exercise of such function/s.

With regard to IPP 11, in addition to the above, the Code makes provision for council to depart from this principle in the circumstances described below:

1. Council may disclose personal information to public sector agencies or public utilities on condition that:
 - (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 function/s of that agency, and
 - (iii) Council is satisfied that the personal information is reasonably necessary for the exercise of that agency's function/s.

2. 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.

Part 5 – Dissemination of the Privacy Management Plan

5.1 Privacy Contact Officer, and Privacy Resource Officers

Privacy Contact Officer

The General Manager in consultation with the Assistant Director People, Legal and Governance will appoint the Privacy Contact Officer (PCO).

The PCO will:

- Conduct internal reviews (except in cases of conflict of interest);
- Assist with Privacy Impact Assessments for new projects;
- Keep up to date with changes to privacy legislation;
- Review the Privacy Management Plan;
- Raise awareness of this Plan, and Privacy Procedures and Principles;
- Train and advise the Privacy Resource Officers, and
- Assist in the appointment of Privacy Resource Officers

Privacy Resource Officers

The Privacy Contact Officer in consultation with each manager will appoint Privacy Resource Officer/s (PRO) as appropriate the business units under the manager.

A PRO will:

- Assist with Personal Information Requests in their section;
- Assist with Privacy/Purpose Statements, and
- Assist the PCO as needed

5.2 Compliance Strategy

During induction and on a regular basis all employees will be made aware of this Plan and it will be made available on council's intranet and council's website.

Councillors, employees, contractors and volunteers will be regularly acquainted with the general provisions of the PPIPA and HRIPA and, in particular, this Plan, the Information Protection Principles, the Public Register Provisions, the Privacy Code of Practice for Local Government and any other applicable code of practice.

5.3 Communication Strategy

Council informs its employees, Councillors and the community of their rights under PPIPA and this plan by:

- Publishing the Privacy Management Plan and associated documents on Council's website together with a link to the Information & Privacy Commission website;
- Including privacy statements on application forms and invitations for community engagement,

Part 6 – Complaints and Procedures for Internal Review

6.1 Internal Review

Any person is entitled to obtain access to any personal information that council holds about them. They may request alterations be made to their personal details or request information on the way their personal details have been used.

If an individual is not satisfied with council's conduct in relation to their privacy request, disclosure of personal information on a public register or believe council is contravening a Privacy Principle or Privacy Code of Practice they can make an application for internal review of council's conduct or decision by writing to council's Privacy Contact Officer.

The written application must be addressed to council, include a return postal address in Australia and be received by council within 6 months of the individual becoming aware of the conduct or decision that is the subject of the application.

6.2 How Does The Process Of Internal Review Operate?

The Privacy Contact Officer may appoint a reviewing officer to conduct the internal review. The review is to be completed within 60 days of receipt of the application. The applicant will be notified of the outcome of the review within 14 days of its determination.

The Privacy Commissioner will be notified by the Privacy Contact Officer of a review application as soon as is practicable after it is received. The PCO will brief the Privacy Commissioner on the progress of an internal review and notify them of the outcome. Following the review, recommendations will be made to the Executive Leadership Team of Wollondilly Shire Council.

The Role of the Privacy Commissioner in the Internal Review Process

The Privacy Commissioner may make submissions to council in relation to the subject matter of the application for internal review. Council may, if it deems it appropriate, ask the Privacy Commissioner to conduct the internal review.

6.3 What Happens After an Internal Review?

If the applicant remains dissatisfied with the outcome of a review, an application may be made to the NSW Civil and Administrative Decisions Tribunal for a review of council's conduct.

If the applicant is dissatisfied with an order or decision made by the Tribunal they may make an appeal to an Appeal Panel of the Tribunal.

6.4 Alternate Informal Resolution

If a person does not wish to lodge a formal application for Internal Review, they may contact Council's Privacy Contact Officer to arrange a meeting to discuss a cooperative problem-solving resolution.

6.5 Alternatives to Lodging an Application for Internal Review

If a person does not want to lodge an application for Internal Review with council, they may contact the Privacy Commissioner directly.

Part 7 - Specific Exemptions in PPIPA and HRIPA Relevant to Council

There are a number of exemptions from compliance with the PPIPA and HRIPA that apply directly to Council.

These relate to situations where:

- Information is collected in connection with proceedings (whether commenced or not) before any court or tribunal;
- Information is collected for law enforcement purposes;
- Information is used for a purpose reasonably necessary for law enforcement purposes or to protect the public revenue;
- Council is authorised or required by a subpoena or search warrant or other statutory instrument;
- Council is investigating a complaint that may be referred or made to an investigative agency;
- Council is permitted by a law or act not to comply;
- Compliance would prejudice the interests of the individual to whom the information relates;
- The individual to whom the information relates has given express consent to Council not to comply, or
- Disclosure is permitted under the Privacy Code of Practice for Local Government.

Part 8 - Other Information

Wollondilly Shire Council Privacy Contact Officer
PO Box 21
Picton NSW 2571
Phone: (02) 4677 1100
Email: council@wollondilly.nsw.gov.au

Information & Privacy Commission
GPO Box 7011
Sydney NSW 2001
Phone: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au
Web: www.ipc.nsw.gov.au

NSW Civil and Administrative Decisions Tribunal
Level 10
John Maddison Tower
86-90 Goulburn Street
Sydney NSW 2000
Phone: (02) 9377 5711
Fax: (02) 9377 5723

Summary Sheet

Responsible Division:
Governance

Date adopted by Council
18/06/2007 - Res: 140/2007

Date of previous adoptions
15/9/2015 – Res: 185/2014

A robust review of this plan was undertaken in 2018 which supersedes the previous version.

Date of next review

Prepared by
Privacy Contact Officer

Authorised by
Assistant Director People, Legal and Governance