

# Information Privacy Policy

**NOTE:** Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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## 1. POLICY STATEMENT

South Burnett Regional Council ('Council') protects the privacy of individuals by ensuring that the collection, use, disclosure, and handling of all personal information complies with the *Information Privacy Act 2009* ('Act') and other relevant legislation.

## 2. SCOPE

This policy applies to all personal information held by Council. All Council representatives are responsible for ensuring this policy is adhered to.

## 3. GENERAL INFORMATION

The protection of personal information, which can identify an individual, is a matter of significance and Council will handle personal information in accordance with the Act and comply with the Information Privacy Principles ('IPP') contained in the Act.

Council collects and retains information about individuals for the purpose of conducting Council business and for the provision of services to the community.

Council will not collect sensitive personal information about an individual unless:

- consent is provided by the individual;
- collection is required by law;
- collection is necessary to prevent or lessen a serious threat to life, health, safety, or welfare of an individual; or
- collection is necessary for the establishment, exercise, or defence of a legal or equitable claim.

Council may, if practicable and lawful, offer individuals the option of not identifying themselves when entering into transactions with Council. The individual will be advised that Council's ability to respond, act and/or provide a requested service may be limited.

Personal information is only disclosed after written consent from the individual is obtained and for the purposes stated in the collection notice.

Individuals have the right to request a copy of their personal information and to ask for documents to be amended if they are inaccurate. If an individual is not satisfied with the manner in which Council has handled their request for access to their personal information, they may lodge a formal complaint under Council's Complaint Management Policy.

#### 4. DEFINITIONS

**Access** means providing an individual with their personal information held by the Council. This may include allowing that individual to inspect personal information or to obtain a copy of the personal information.

**Collection** means the gathering, acquiring, or obtaining of personal information from any source and by any means, including information that Council has come across by accident or has not asked for.

**Consent** means the voluntary agreement to some act, practice, or purpose.

**Council representative** means Councillors, employees, consultants, contractors, apprentices, trainees and work experience students and volunteers.

**Disclosure** means the release of personal information to persons or organisations outside the Council (third parties). It does not include giving individuals personal information about themselves.

**Individual** means a natural living person (entities and deceased persons do not have personal information).

**Personal information** means 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 (as defined by the Act).

**Sensitive information** means information or an opinion about an individual's:

- racial or ethnic origin;
- political opinions;
- membership of a political association, a professional or trade association or a trade union;
- religious beliefs or affirmations;
- philosophical beliefs;
- sexual preferences or practices;
- criminal record; or
- health.

**Use** means the handling of personal information within Council including the inclusion of personal information in a publication.

#### 5. LEGISLATIVE REFERENCE

*Local Government Act 2009 (Qld)*

*Information Privacy Act 2009 (Qld)*

*Right to Information Act 2009 (Qld)*

#### 6. RELATED DOCUMENTS

South Burnett Regional Council Complaint Management Policy – Statutory040

South Burnett Regional Council Employee Code of Conduct – Statutory011

#### 7. NEXT REVIEW

As prescribed by legislation or December 2025.

**8. VERSION CONTROL**

<b>Version</b>	<b>Revision Description</b>	<b>Adopted Date</b>	<b>ECM Reference</b>
1	Development of Policy	16 September 2010	2599230
2	Review of Policy	14 December 2016	2599230
3	Review of Policy	12 June 2019	2599230
4	Review of Policy – Resolution 2021/98	25 August 2021	2599230
5	Administrative amendment – organisational structure review – resolution 2022/432	27 April 2022	2599230
6	Review of Policy	13 December 2023	2599230

  
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**CHIEF EXECUTIVE OFFICER**

Date: 13 December 2023