

<b>Frankston City Council Policy</b>	<b>Policy Number: 02/2008/p</b>
<b>Privacy Policy A482141</b>	<b>Issue 1 Date: 06/10/08</b>

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**1. POLICY STATEMENT:**

Frankston City Council is strongly committed to protecting an individual's privacy and enforcing The Information Privacy Act 2000.

**2. REASON FOR POLICY:**

The responsible handling of personal information and health information is a key aspect of democratic governance, and Frankston City Council is strongly committed to protecting an individual's right to privacy. Accordingly, Council is committed to full compliance with its obligations under the Information Privacy Act 2000 (Vic) and Health Records Act 2001 (the Acts). In Particular, Council will comply with the Information Privacy Principles and Health Privacy Principles contained in these Acts.

**3. SCOPE:**

This policy will apply to all Council employees, Mayor and Councillors, Contractors, Volunteers, Work Experience Students and the general public, who collect, utilise, disclose, or destroy personal information.

**4. AUTHORISATION:**

This policy was approved by Council on .....

This policy is managed by the Chief Executive Officer, Frankston City Council, and is approved by:

..... CEO, Frankston City Council

..... General Manager, Corporate

..... Manager, Information Services

**5. REVISION DATE:**

This policy will be reviewed every 2 years by the Information Management Coordinator.

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## 6. PRINCIPLES

1. Council will only collect personal, sensitive and health information that is necessary for its functions and activities.
2. If it is reasonable and practicable to do so, Council will collect personal, sensitive and health information about individuals directly from the person concerned.
3. Council will only use personal, sensitive or health information within Council, or disclose it outside Council, for the purpose for which it was collected or in accordance with the Act (eg where the individual has consented or where the individual would reasonably expect this to occur).
4. Council will maintain a secure system for storing personal, sensitive and health information.
5. Should an individual wish to access their personal information (including health information), they must contact Council's Privacy Officer on telephone number 1300 322 322.
6. If a person believes that their information is inaccurate, incomplete or out of date, they may request Council to correct it. The request will be dealt with in accordance with the Acts.
7. Where lawful and practicable, Council will give individuals the option of not identifying themselves when supplying information or entering into transactions with it.
8. Council will require Contractors, Volunteers and Work Experience Students to comply with the Acts in all aspects.
9. Council will ensure that access to all personal, sensitive and health information is protected from being accessible by visitors to any council building.

### **ROLES AND RESPONSIBILITIES:**

The CEO has delegated the authority to the Information Management Coordinator for enforcement of the Information Privacy Act 2000.

All Council employees, Mayor and Councillors, Contractors, Volunteers and Work Experience Students are required to comply with the Information Privacy Act 2000.

The Information Management Coordinator will be responsible for providing the interpretations of the policy in the event of the need to clarify or when there is a dispute.

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**7. POLICY NON-COMPLIANCE:**

A serious contravention of the Information Privacy Act 2000 can result in a compliance notice from the privacy commissioner. Disregarding the compliance notice risks a fine of up to \$300,000 for the organisation and \$60,000 for each individual.

**8. RELATED DOCUMENTS:**

Frankston 2025 Vision

The current Council Plan.

Information Privacy Act handy tips and information – refer to Objective folder id fA95866.

Information Privacy Act forms and guidelines – refer to Objective folder id fA106422.

Information Privacy Act staff awareness and education – refer to Objective folder id fA100063.

**9. IMPLEMENTATION OF POLICY:**

A 30 minute awareness session on the Information Privacy Act 2000 and Council's obligations is provided as part of the compulsory induction training for all staff.

Team / group training will be arranged as requested or identified for staff.

Individual training will be arranged as requested by Managers/Team Leaders for Contractors, Volunteers, Work Experience Students and Visitors.

**10. DEFINITIONS:**

**Council** this implies all council employees, mayor and councillors, contractors, volunteers, and work experience students

**Personal Information** means information or an opinion about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

**Sensitive Information** includes information or an opinion about an individual's racial or ethnic origin, political opinions, trade union membership, philosophical or religious beliefs, sexual preferences or criminal record.

**Health Information** includes information about the physical, mental or psychological health, or disability of an individual. It also includes information collected to provide a health service to an individual (such as a disability or aged care services, immunisation service or mental health care service), including an individual's expressed wishes about the future provision of health services.