

POLICY NUMBER:	30
NAME OF POLICY:	PRIVACY POLICY
DATE AMENDED:	September 2014
DATE OF NEXT REVIEW:	September 2018
DATE APPROVED:	16 September 2014
RESPONSIBLE OFFICER:	General Manager Corporate Services
REFERENCES:	Information Privacy Act 2000 (Vic) Health Records Act 2001 (Vic)

Best Value Principles

Hepburn Shire Council has the responsibility to provide its ratepayers with best value, with all services provided by Council meeting the expectations in terms of quality and cost. In providing this, all services need to be accessible, responsive to the needs of the community, considerate of the natural environment and subject to continuous improvement.

To achieve the best over life outcome for Council's expenditures, which meets quality and service expectations, there will be periodic review of services against best on offer in both the public and private sectors.

All Council staff members are responsible for supporting best value principles in their normal day to day actions to ensure services are recognised by the community as delivering best value.

INTRODUCTION

To state Council's commitment to the 10 Information Privacy Principles as listed in the Information Privacy Act 2000 (Vic) and the Health Privacy Principles contained in the Health Records Act 2001 (Vic) and to clearly state that Council will only collect required information and Council will use information only for the purposes for which it was collected and Council will safeguard any personal information held.

Any enquiries regarding this policy should be directed to Council's General Manager Corporate Services.

SCOPE

Information Privacy Act 2000 (Vic) & Health Records Act 2001 (Vic)

The Information Privacy Act 2000 (Vic) is legislation that requires state and local Government agencies to protect the rights of the individual by complying with standardised guidelines in the collection and maintenance of information. The protections provided by the Act are based on 10 Information Privacy Principles

PURPOSE

Hepburn Shire Council believes that the responsible handling of personal and health information is a key aspect of democratic governance, and 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) (Privacy Act) and the Health Records Act 2001 (Vic) (Health Act). In particular, Council will comply with the Information Privacy Principles and the Health Privacy Principles contained in these Acts. This Privacy Policy explains some of these Principles and how they will apply.

DEFINITION

What is Personal and Health Information?

This Policy applies to both personal and health information held by Council.

Personal Information is information about an individual. This information or opinion, whether true or not, can be recorded in any form and will allow the identification of that individual.

For example, Council holds personal information about its ratepayers (e.g. names and addresses) in order to carry out its functions (e.g. planning, valuation and property services). It may also request personal information in order to provide education, welfare and other community services (e.g. aged-care services). In some instances, personal information may be contained on a public register (register of building permits, food premises and animal registration details).

Health Information is broadly defined to include information or an opinion about the physical, mental or psychological health of an individual, a disability, an individual's expressed wishes for future provision of health services or any health service provided to an individual, or other information collected to provide or in providing a health service.

For example, Council may request health information in order to provide community service needs (e.g. Aged Care Service).

Some personal information may also be "sensitive information" as defined in the Privacy Act. Sensitive information includes information like an individual's racial or ethnic origin, religious beliefs, membership of groups or criminal record (relates only to staff members or volunteers in sensitive areas).

POLICY

What information will Council collect?

Council will only collect personal and health information that is necessary for its functions and activities and will do so in lawful and fair manner.

In regards to personal and health information, Council will only collect sensitive information where consent has been given or otherwise as permitted by law.

Under normal circumstances Council must collect personal information about an individual only from that individual. However, if Council collects personal information about an individual from someone else, Council must take all reasonable steps to ensure that individual is informed of his or her rights relating to the information collected.

Individuals will have the option of not identifying themselves when supplying information or entering into transactions with Council wherever it is lawful and practicable.

How will the information be used?

Council will only use or disclose personal and health information for the purpose for which it was collected. Council staff will treat personal and health information confidentially. If Council needs to share information for any other purpose than for which it was collected, agreement will be sought before doing so (unless otherwise required by law).

Council will take reasonable steps to ensure that all personal and health information collected, used or disclosed is accurate, complete and up to date.

How will information remain secure?

Council will maintain secure systems for storing personal and health information. Council will also maintain operational policies and procedures to protect personal and health information from misuse and loss and from unauthorised modification or disclosure. Council will destroy or de-identify personal and health information if it is no longer needed for any purpose or as required by law.

What rights do individuals have to access or correct information?

Individuals have a right to seek access to their personal and health information and make corrections. Access and correction will be handled under the Victorian Freedom of Information Act. Some limits may apply where particular circumstances prevent Council from releasing information. If any limits apply, this will be explained.

If personal and health information is inaccurate, incomplete, misleading or out of date, the individual may request Council to correct this information. Personal and health information cannot be removed from records, but a correcting statement may be added.

Requests for access and/or correction of personal and health information, should be made to Council's Privacy Officer Telephone 5321 6450.

What if Council services are serviced by third party contractors?

Council does outsource some of its functions to third party contractors. All third party contractors will be required to comply with the Acts in all respects.

How are complaints handled?

Complaints in relation to privacy and confidentiality will be handled by Council's Privacy Officer Telephone 5321 6450. Complaints will be investigated and a written response will be provided as soon as possible (but no later than 45 days). If an individual is not satisfied with the way in which

Council handles information or deals with a complaint, a formal complaint can be made to the relevant Commissioner.

Privacy Victoria

Complaints and Information
Telephone: (61 3) 8619 8719
Toll Free: 1300 666 444
Fax No.: (61 3) 8619 8700

E-mail: enquiries@privacy.vic.gov.au

or write to:

Victorian Privacy Commissioner
Level 11
10-16 Queen Street
Melbourne. 3000
Victoria, Australia

Health Services Commissioner

Complaints and Information
Telephone: (61 3) 8601 5200
Toll Free: 1800 136 066
Fax No.: (61 3) 8601 5219

E-mail: hsc@health.vic.gov.au

or write to:

Health Services Commissioner
30th Floor
570 Bourke Street
Melbourne. 3000
Victoria, Australia

FURTHER INFORMATION

Any enquiries about this Privacy Policy should be directed to Council's Privacy Officer Telephone 5321 6450.

IMPLEMENTATION

Adopted policies are placed on the internet for public access.

REVIEW

The Privacy policy will be reviewed every four years or sooner if required by legislation. The officer responsible for the review of this policy is the General Manager Corporate Services.