

Privacy Policy

Date Adopted: 26 November 2024

Version: 1.0

Policy Objectives

Maitland City Council ('Council') is dedicated to safeguarding personal information and is committed to maintaining its confidentiality, integrity, and security. As a government agency we are required to comply with the Information Protection Principles (IPPs) in the Privacy and Personal Information Act 1998 (PPIA Act). These regulate the collection, storage, use and disclosure of personal information held by government agencies.

Council also adheres to the mandatory notification requirements of Part 6A of *the Privacy and Personal Information Protection Act 1998* (NSW) ('PPIA Act'), also known as the Mandatory Notification of Data Breach ('MNDB') Scheme.

This Privacy Policy outlines Council's commitment to protecting and properly managing the personal and health information collected from individuals, in accordance with the NSW legislative framework.

Policy Scope

This Policy applies to the General Manager, all Council staff, councillors, contractors, volunteers, committees, and other authorised users of Council's Information and Communication Technology ('ICT') systems, networks, software, or hardware, and any other third party who collects or manages personal information on behalf of Council.

Policy Statement

Council is dedicated to safeguarding the privacy of individuals by ensuring that personal information and health information is handled in compliance with the Privacy and Personal Information Protection Act 1998 (NSW) and the Health Records and Information Privacy Act 2002 (NSW).

For more information, please read the *Council Privacy Management Plan*.

Collection of Information

Council collects personal and health information directly from individuals to fulfill its functions and deliver services effectively.

When the Council collects personal and health information, it follows these important legal principles:

- **Lawful Purpose:** Personal information must be collected for a lawful reason.
- **Direct Collection:** Information will be collected directly from the individual it concerns or from someone authorised to provide it.

- **Notification:** The individual must be informed before or soon after the information is collected. They will be told why the information is being collected, who will receive it, whether providing it is required by law or voluntary, and any consequences of not providing it.
- **Relevance and Accuracy:** The Council must ensure that the information collected is relevant, accurate, complete, up-to-date, and not excessive for its purpose.
- **Secure Handling:** Information will be kept only as long as necessary, disposed of securely, and protected from unauthorized access or misuse with appropriate security measures.
- **Access:** Upon request, the individual can access their information without undue delay or cost.
- **Compliance:** The information will only be used or disclosed according to applicable laws.

Personal and health information collected by Maitland City Council will be:

- managed in accordance with the Privacy and Personal Information Protection Act 1998, Health Records and Information Privacy Act 2002, Government Information (Public Access) Act 2009, and the Local Government Act 1993.
- managed according to the Council's *Privacy Management Plan*.
- managed in compliance with the legal obligations under the Information Protection Principles (IPP) and Health Protection Principles (HPP) for collection, storage, use, and disclosure.
- subject to the NSW Mandatory Notification of Data Breach (MNDB) Scheme.

These steps ensure that personal information is handled responsibly and in compliance with legal requirements.

Collection of Sensitive Information and Documents

As part of certain council services that require identity verification, the Council may need to sight sensitive documents, including but not limited to driver's licenses, passports, and birth certificates. These documents, known as "identity verification documents," will only be sighted to confirm your identity and will not be copied or stored by the Council. At no time will the Council request that you send copies of these documents.

The Council is dedicated to safeguarding the privacy of individuals and ensuring that personal and health information, including identity verification documents, is handled in compliance with the Privacy and Personal Information Protection Act 1998 (NSW) and the Health Records and Information Privacy Act 2002 (NSW).

For more information, please refer to the Council's *Privacy Management Plan*.

Use and Disclosure

Council will use personal and health information only for the purposes for which it was collected or as otherwise permitted by law. Council will not disclose this information to third parties without the individual's consent, except where required by law or where necessary to prevent a threat to life or health.

Data Quality and Security

Council will take reasonable steps to ensure that the personal and health information it collects is accurate, up-to-date, and complete. Council is committed to implementing security measures to protect this information from misuse, loss, unauthorised access, modification, or disclosure.

At no time shall information be shared with any internal or external party without a complete understanding of the risks associated with the sharing of that information.

Access and Correction

Individuals have the right to request access to their personal and health information held by Council and to request corrections to ensure the information is accurate, complete, and up-to-date. Requests for access or correction should be made using the *Change of Contact Details* or *Alteration of Personal or Health Information, Informal GIPA* request forms on Councils website and will require Council staff to sight identity verification documents to confirm identity.

Complaints and Enquiries

Complaints or enquiries about the handling of personal and health information can be directed to Council's Privacy Officer. If the matter is not resolved to the individual's satisfaction, they may contact the NSW Information and Privacy Commission.

The Manager Enterprise Architecture is Council's Privacy Officer and maintains the '*Privacy Management Plan*' and '*Data Breach Policy*' in accordance with the Privacy and Personal Information Act 1998.

Council Surveys

The Council occasionally requests voluntary participation in surveys to identify current issues or gather feedback. These surveys may collect various types of demographic data. The Council ensures that any survey or data collection effort complies with the PPIP Act and HRIP Act.

Feedback surveys on our publications, available on the Council website, are conducted anonymously and help the Council evaluate and enhance its resources.

Council use of 'Cookies' on our Websites

'Cookies' are small pieces of text data that a website stores on your computer and can retrieve later. While cookies do not personally identify you, they do recognize your browser. There are two types of cookies: 'persistent' and 'session' cookies. Persistent cookies remain on your computer, have an expiration date, and can track your browsing activity when you revisit the website. Session cookies are temporary and are deleted when you close your browser.

The Council website in some cases use persistent cookies. These cookies remember your preferences on the site and provide us with information about your visit, enabling us to recognise your browser if you return in the future. This helps the Council understand which parts of the site are most useful to users, what content is accessed most frequently, and allows us to enhance the website's effectiveness.

Cookies on these sites do not access information on your hard drive or cause your computer to perform any actions. They do not send your information to other computers over the internet. The Council does not attempt to link cookies with your name or identity. Our server cannot obtain your name, email address, or any other personal information using cookies.

What information is collected and how it used?

The Council uses Google Analytics to understand how people use our websites. Google Analytics collects information such as:

- The IP address of the device accessing the site
- Browser type

- Date and time of visit
- How you navigate the website
- The pages you visit
- Files you download
- How you arrived at the website

Google Analytics helps us figure out which parts of our web sites are most useful and what people visit the most, so we can make the websites better. Some of this data, like total site views for the year, is included in our Annual Report to show public engagement.

We do not and cannot use this information to track individuals, and there's no way for us to link this data back to you personally, the information is stored securely by Google.

FURTHER INFORMATION

For assistance in understanding the process associated with the PPIP Act and the HRIP Act, the following organisations can be contacted:

Maitland City Council

Privacy Officer
PO Box 220
Maitland NSW 2320

Phone: (02) 4934 9700
Email: privacy@maitland.nsw.gov.au
Website: www.maitland.nsw.gov.au

Information and Privacy Commission NSW

GPO Box 7011
Sydney NSW 2001

Phone: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au
Website: www.ipc.nsw.gov.au

Policy Administration

BUSINESS GROUP:	Customer and Digital Services
RESPONSIBLE OFFICER:	Manager Enterprise Architecture
COUNCIL REFERENCE:	26 November 2024 - Item 11.7
POLICY REVIEW DATE:	Three (3) years from date of adoption
FILE NUMBER:	35/62
RELEVANT LEGISLATION	Health Records and Information Protection Act 2002 (NSW) Privacy and Personal Information Protection Act 1998 (NSW) Health Records and Information Privacy Regulation 2022 (NSW) Privacy and Personal information Protection Regulation 2019 (NSW) State Records Act 1998 (NSW) Privacy Code of Practice for Local Government
RELATED POLICIES / PROCEDURES / PROTOCOLS	Privacy Management Plan Records Management Policy Data Breach Policy Code of Conduct Cyber Information Security Policy CCTV policy Workplace Surveillance Policy

Policy History

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1.0	26/11/2024	NEW - Initial Version