

Griffith City Council Privacy Management Plan 2022



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1. Introduction

This Privacy Management Plan (Plan) explains how Griffith City Council (Council) manages personal and health information.

1.1 Why Council has a privacy management plan

This Plan explains how Council manages personal information in line with the [Privacy and Personal Information Protection Act 1998](#) (NSW) (PIIP Act) and health information in accordance with the [Health Records and Information Privacy Act 2002](#) (NSW) (HRIP Act). Council is required to have a Plan under s33 of the PIIP Act.

This Plan also explains how to contact Council about the personal and health information it holds, how information can be accessed and amended and how privacy complaints are handled.

1.2 What this Plan covers

Section 33(2) of the PIIP Act sets out the requirements of this Plan. This Plan must include:

- information about Council's policies and practices to ensure compliance with the PIIP Act and the HRIP Act;
- how employees, contractors and volunteers are made aware of these policies and practices;
- the internal review procedures; and
- anything else considered relevant to the Plan in relation to privacy and the personal and health information Council holds.

Any reference to employees in this document also includes reference to contractors and volunteers.

1.3 When this plan will be reviewed

This Plan will be reviewed every four years. It will be reviewed earlier if any legislative or administrative changes affect the management of personal and health information by Council.

2. About Council

Griffith City Council has responsibilities under the *Local Government Act 1993* and other Commonwealth and NSW laws including the *Environmental Planning and Assessment Act 1979*, the *Public Health Act 2010*, the *Companion Animals Act 1998*, the *State Records Act 1998* and the *Government Information (Public Access) Act 2009* (the GIPA Act).

The functions of Council are outlined in the [Local Government Act 1993](#).

More detailed information about Griffith City Council is available on Council's [website](#).

3. What is personal and health information

3.1 About personal information

Personal information is defined in section 4 of the PPIP Act as any information or opinions about a person where that person's identity is apparent or can be reasonably ascertained.

3.2 What is not personal information

There are some kinds of information that are not personal information, these include:

- Information about someone who has been dead for more than 30 years
- Information about someone that is contained in a publicly available publication
- Information or an opinion about a person's suitability for employment as a public sector official.

The Privacy and Personal Information Protection Regulation 2019 also lists other information that is not personal information, such as information about someone that is contained in: a document in a library, art gallery or museum.

3.3 About health information

Health information is a more specific type of personal information and is defined in section 6 of the HRIP Act. Health information can include information about a person's physical or mental health such as a psychological report, blood test or an x-ray, results from drug and alcohol tests, and information about a person's medical appointments. It can also include some personal information that is collected to provide a health service, such as a name and telephone number.

4. How Council collects and manages personal and health information

4.1 How Council collects personal information

Council collects personal information to enable it to conduct its functions. Council assesses the level of personal information that is appropriate to be collected on a case-by-case basis.

Council only collects personal information for a lawful purpose which is directly related to a function or activity of Council and where the collection of the information is reasonably necessary for that purpose.

Council will take all steps as are reasonable in the circumstances to ensure that the information collected is relevant to that purpose, not excessive and is accurate, up to date and complete by reviewing the information it collects and Council applications/forms on a regular basis.

In this section, a reference to personal information is also a reference to health information.

Personal information may be collected from:

- Members of the public
- NSW public sector agencies
- Businesses
- Non-government organisations
- Employees
- Medical professionals.

Contractors acting on Council's behalf may also collect personal information. Council includes clauses in its contracts that require contractors to comply with relevant privacy obligations.

Council has a range of functions requiring or involving the collection of personal information, including:

- Levying and collecting rates
- Providing services, for example, libraries and waste collection
- Consultation with the community, businesses and other stakeholders
- Assessing development and major project applications
- Recording, investigating, and managing complaints and allegations
- Site inspections and audits
- Incident management
- Enforcing regulations and legislation
- Issuing approvals, consents, licences and permits
- Providing funding grants
- Maintaining the non-residential register of electoral information
- Employment
- Fitness for work.

Personal information may be collected by Council in any of the following ways:

- Incident reports
- Medical assessment reports
- Submissions
- Application forms
- CCTV footage
- Public registers
- Financial transaction records
- Contracts
- Over the phone enquiries
- Counter enquiries
- Online services.

Personal information may be collected electronically, in writing, over the telephone and in person.

4.2 Personal information provided to Council

Individuals may provide Council with personal information when they make application for employment, make enquiries and when Council delivers services to them. This can include names, contact details, opinions, health conditions, family relationships, housing or tenancy information, work and education details. Individuals may also provide Council with personal information about other people.

4.3 Privacy Protection Notice

Under section 10 of the PPIP Act, when Council collects personal information from an individual, such as their name, address, telephone number or email address, Council must make the individual aware of:

- The purposes for which the information is being collected
- The intended recipients of the information

- Whether the supply of the information is required by law or is voluntary
- Any consequences for the individual if the information (or any part of it) is not provided
- Ways the individual can access and correct their personal information
- How to contact Council or the Council section that is collecting and holding their information.

To ensure Griffith City Council complies with the PPIP Act and HRIP Act, a Privacy Protection Notice will be included on/in all Council forms, letters, documents and other records (e.g. electronic, digital) that request and/or collect personal and/or health information from individuals

Council's Privacy Protection Notice appears below:

Privacy Protection Notice

- *This information is being collected to (specify the purposes) for which the information is being collected e.g. provide a community program and service).*
- *This information is voluntarily required to process your request and will not be used for any other purpose without seeking your consent, or as required by law;*
- *Your information may comprise part of a public register related to this purpose;*
- *This form will be retained in Council's Records Management System and disposed of in accordance with the Local Government Disposal Authority;*
- *You can access and correct your personal information at any time by contacting Council.*
- *For further details on how the Griffith City Council manages personal information, please refer to our Privacy Management Plan*

4.4 Website Privacy Statement

Council's Website Privacy Statement explains how an individual's personal information will be treated as that person accesses and interacts with websites hosted by Griffith City Council.

4.5 Storage, access and accuracy of personal information

Personal information and health information are both sensitive information and are stored electronically and in hard copy files.

The following applies to information Council holds:

- Only authorised Council employees and authorised third parties can access personal information
- Employees will take reasonable steps to ensure personal information is accurate before using it
- Employees will use personal information only for the purpose for which it was collected
- Employees will not disclose personal information about a person to anyone without the consent of the person it concerns unless they are required or permitted to by law
- Personal information will be kept no longer than necessary and is disposed of securely in accordance with any requirements for the retention and disposal of personal information

- Personal information is protected, by taking such security safeguards as are reasonable in the circumstances, against loss, unauthorised access, use, modification or disclosure, and against all other misuse
- If it is necessary for an individual's personal information to be given to a person in connection with the provision of a service to Council, every reasonable effort is carried out to prevent unauthorised use or disclosure of information.
- A person may access or request the amendment of personal and health information Council holds about them by contacting Council's Customer Service

Please refer to Section 11 for details of exemptions, directions and code of practice that may affect the above.

Council's information is stored on secure electronic information systems and in physical files. Networks will be secure and require individual logins. New systems are assessed for compliance with the PPIP Act and HRIP Act. When not being used, hard copy files and sensitive information are securely stored.

Council's records & Information Management Program outlines how Council stores, accesses, secures, tracks, monitors and disposes of information collected.

4.6 Use and disclosure of personal information

Council will use your personal information for the purpose for which it was collected and may use it as is necessary for the exercise of other Council functions where it is satisfied that the personal information is reasonably necessary for the exercise of such functions. Council may also use your information to let you know about services or other information available and may share your information with authorised service providers to expedite services to customers.

Employees use the personal information collected to:

- Deliver services
- Conduct research
- Provide advice
- Continually improve services.

Council does not disclose personal or health information without consent, unless the disclosure is:

- for a purpose directly related to the reason the City collected it, and Council has no reason to believe the individual would object,
- necessary to prevent or lessen a serious and imminent threat to someone's life or health, or
- permitted under the PPIP Act, the HRIP Act or other legislation.

Council will not disclose sensitive personal and health information about a person's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual activities without consent, unless such disclosure is necessary to prevent or lessen a serious and imminent threat to life or health.

Council will allow people to remain anonymous where it is lawful and practicable. For example where possible our online surveys and other community engagement initiatives allow for feedback to be given anonymously.

5. Public registers

Part 6 of the PPIP Act governs how Council should manage personal information contained in public registers. In this Part, a reference to personal information is also a reference to health information.

A public register is a register of personal information that is required by law to be made, or is made, publicly available or open to public inspection. Access to public registers can be arranged by contacting Council directly or making an online Informal Access Request.

Council employees must not disclose any personal information held on public registers unless the information is to be used for a purpose relating to the purpose of the register. If in doubt, an applicant seeking access to a public register may be requested to provide a statutory declaration to Council to verify their intended use of the information (Appendix 1).

Council's public registers include:

- Land register
- Contracts with the private sector valued from \$150,000
- Register of investments
- Register of disclosures of interest
- Register of development applications and approvals
- Register of complying development applications
- Records of approvals under Chapter 7 Part 1 of the Local Government Act 1993
- Records of impounding.

5.1 Suppression of personal information

Any person whose personal information is recorded in a public register has the right to request that their personal details be suppressed.

Council will comply with the request if it is satisfied the person's safety or wellbeing would be affected by not suppressing the information. Applications to suppress personal details from a public register should be made in writing to Council's General Manager. Council may require supporting information where appropriate.

6. How to access and amend personal and health information

The PPIP Act and the HRIP Act give people the right to access and amend their personal and health information.

Members of the public should make their request either:

- in person at Council's Administrative Building located at 1 Benerembah Street Griffith; or
- to Council's email account admin@griffith.nsw.gov.au; or
- in writing addressed to The General Manager PO Box 485 Griffith NSW 2680

Council does not charge a fee to access and amend personal and health information.

6.1 Limits on accessing or amending information

Council is prohibited from providing access to a person's personal and health information to another person unless:

- A person can give Council consent to collect their personal information from, or disclose their personal information to, someone that would not normally have access to it (section 26 of the PPIP Act refers)
- The use and disclosure of personal information is permitted under the Privacy Codes of Practice (refer to Exemptions, directions and codes of practice for details)
- That person is an "authorised person", who can act on behalf of someone else in regards to their health information (sections 7 and 8 of the HRIP Act refers)

Council is authorised to provide the information at the request of the person to whom it concerns or in the event to lessen or prevent a serious and imminent threat to the life, health and safety of the individual (Clause 11 Schedule 1 of the HRIP Act).

7. Data Breaches

A data breach occurs when there is a failure that has caused or has the potential to cause unauthorised access to Council's data. Examples include malware, hacking and data theft, accidental loss of a paper record, laptop, or USB stick, and emails sent to the wrong recipients if they contained classified material or personal information.

Council's Data Breach Response (Internal) Policy (GOV-PO-302) provides guidance on how Council responds to data breaches of Council held information. It sets out the procedures for managing a data breach, including considerations around notifying persons whose privacy may be affected by a breach.

8. Review rights and complaints

8.1 Internal review

Individuals have the right to seek an internal review under Part 5 of the PPIP Act if they think that Council has breached the PPIP Act or HRIP Act relating to their own personal and health information. Individuals cannot seek an internal review for a breach of someone else's privacy, unless they are authorised representatives of the other person.

An internal review is an internal investigation that Council conducts into a complaint. Council will assess whether or not it has complied with its privacy obligations and tell the applicant of its findings and if it will take any further action.

8.2 Internal review process

Applications for an internal review must be made within six months from the date when the applicant first became aware of the breach. Applications must be made in writing and addressed to Council, refer to Appendix 2 - Privacy complaint: Application For Internal Review.

The General Manager may appoint a Reviewing Officer to conduct the internal review. The Reviewing Officer will refer to the Privacy Commissioner's guidance materials when carrying out an internal review.

Council will:

- acknowledge receipt of an internal review within 5 working days; and
- complete an internal review within 60 calendar days.

Council's Reviewing Officer will inform the applicant of the progress of the internal review and will respond in writing within 14 calendar days of determining the internal review.

If an applicant is not notified of the outcome of an internal review within 60 days, the applicant may seek an external review.

An individual can make a complaint direct to the Privacy Commissioner about an alleged breach of their privacy.

8.3 The Privacy Commissioner's role in internal reviews

The Privacy Commissioner has an oversight role in how agencies handle privacy complaints and is entitled to make submissions to the City regarding internal reviews. If Council receives an internal review application, it will:

- notify the Privacy Commissioner of the application as soon as practicable after receiving the application
- keep the Privacy Commissioner informed of the progress of the internal review
- inform the Privacy Commissioner of the findings of the review and the action proposed to be taken by Council in relation to the matter.

8.4 External review by the NSW Civil and Administrative Tribunal (NCAT)

An applicant may seek an external review by the NSW Civil and Administrative Tribunal. To seek an external review, an application must be made to the NCAT within 28 days from the date of the internal review determination.

8.5 Other ways to resolve privacy concerns

Council encourages the informal resolution of privacy issues before undertaking the review process. Issues can be raised informally with Council. Complaints not dealt with through the internal review process will be managed under Council's Complaints Management process.

9. Promoting privacy

Council reinforces compliance with the PPIP Act and HRIP Act by:

- Endorsing this Plan and making it publicly available. This Plan will be available on Council's website under the [Information Held by Council](#) web page and copies available on request
- Providing a copy of this Plan to relevant oversight bodies such as the Audit, Risk and Improvement Committee
- Reporting on internal reviews to the IPC
- Identifying privacy issues when implementing new systems, services and processes.

9.1 Employee awareness

Council ensures that its employees are aware of and understand this Plan and how it applies to the work they do.

Council promotes awareness of privacy obligations among employees by:

- Publishing Council's Privacy Management Plan on Council's intranet and [website](#)
- Providing advice to employees about Council's obligations under the PPIP Act and HRIP Act
- Ensuring Council forms and applications comply with privacy legislation
- Including the Plan in induction packs
- Promoting the IPC's privacy resources and online training.

9.2 Public awareness

This Plan provides information to members of the public about how Council manages personal and health information. The Plan is publicly available as open access information under the GIPA Act.

Council promotes public awareness of Council's Privacy Management Plan by:

- Publishing the Plan on Council's website
- Providing copies of the Plan on request over the counter or mailed out
- Informing external customers about the Plan when responding to enquiries about personal and health information.

10. Privacy and other legislation

This section contains a general summary of how Council must manage personal and health information under the PPIP Act, the HRIP Act and other relevant laws.

10.1 The Privacy and Personal Information Protection Act

The PPIP Act sets out how Council must manage **personal** information.

Part 2 of the PPIP Act contains 12 Information Protection Principles (IPPs) with which Council must comply.

Information protection principles (IPPs)

IPP 1 – Collection of personal information for lawful purposes

IPP 2 – Collection of personal information directly from individual

IPP 3 – Requirements when collecting personal information

IPP 4 – Other requirements relating to collection of personal information

IPP 5 – Retention and security of personal information

IPP 6 – Information about personal information held by agencies

IPP 7 – Access to personal information held by agencies

IPP 8 – Alteration of personal information

IPP 9 – Agency must check accuracy of personal information before use

IPP 10 – Limits on use of personal information

IPP 11 – Limits on disclosure of personal information

IPP 12 – Special restrictions on disclosure of personal information

Collection

- Council will collect personal information only for a lawful purpose that is directly related to Council's functions and activities
- Council will collect personal information directly from the person concerned. Council will not collect personal information from third parties unless the individual has authorised collection from someone else or, in the case of information relating to a person under the age of 16 years, the information has been provided by a parent or guardian
- Council will inform people why their personal information is being collected, what it will be used for, and to whom it will be disclosed. Also how the personal information can be accessed and amended and any possible consequences of not providing personal information
- Council will ensure that personal information collected is relevant, accurate, is not excessive and does not unreasonably intrude into people's personal affairs by reviewing the information it collects and Council applications/forms on a regular basis and ensuring only the information required is asked for.

Storage

- Council will store personal information securely, keep it no longer than necessary and destroy it appropriately. Personal information is protected from unauthorised access, use or disclosure.
- Council's Records & Information Management Internal Policy outlines obligations for records management in compliance with the State Records Act 1998.
- Council's Records and Information Management Program outlines how Council manages information including appropriate storage, access and security procedures.

Access and accuracy

- Council is transparent about the personal information it holds, why it is used, and the right to access and amend it
- Council allows people to access their own personal information without unreasonable delay or expense
- Council allows people to update, correct or amend their personal information where it is necessary
- Council endeavours to ensure that personal information is relevant and accurate before using it.
- Council staff should make every effort to check the accuracy of the personal information Council is collecting before it is used.

Use

- Council only uses personal information for the purpose it was collected for unless it has consent for its use for another purpose.
- to prevent or lessen a serious or imminent threat to the life or health of the individual to whom the information relates or of another person
- other purposes as specified under Exemptions and the Privacy Code of Practice for Local Government.

Disclosure

- Council does not disclose personal information without consent, unless disclosure is permitted under the PPIP Act or other legislation
- Council does not disclose personal information without consent unless disclosure is necessary to prevent or lessen a serious and imminent threat to someone's life or health

- Council does not disclose sensitive personal information without consent, e.g. ethnicity or racial origin, political opinions, religious or philosophical beliefs, health or sexual activities or trade union membership unless the disclosure is necessary to prevent a serious and imminent threat to the life or health of the individual concerned or another person.

Offences

Offences can be found in s62-68 of the PPIP Act. It is an offence for Council to:

- Intentionally disclose or use personal information for an unauthorised purpose
- Offer to supply personal information that has been disclosed unlawfully
- Hinder the Privacy Commissioner or their employees from doing their job.

10.2 The Health Records and Information Privacy Act

The HRIP Act sets out how Council must manage health information.

Health privacy principles (HPPs)

Schedule 1 of the HRIP Act contains 15 HPPs that Council must comply with. These are:

Collection

- Council collects health information only for a lawful purpose that is directly related to Council's functions and activities
- Council ensures that health information is relevant, accurate, is not excessive and does not unreasonably intrude into people's personal affairs and only asks for information which is required
- Council collects health information directly from the person concerned or with consent from the person concerned
- Council informs people why their health information is being collected, what it will be used for, and to whom it will be disclosed. Also how it can be accessed and amended and any possible consequences of not providing health information.

Storage

Council stores health information securely, keeps it no longer than necessary and destroys it appropriately. Health information is protected from unauthorised access, use or disclosure. Council staff personnel files have restricted access applied.

Council's Records and Information Management Program outlines how Council manages information including appropriate storage, access and security procedures.

Access and accuracy

- Council is transparent about the health information it holds, why it is used, and the right to access and amend it
- Council allows people to access their own health information without unreasonable delay or expense
- Council allows people to update, correct or amend their health information where necessary
- Council ensures that health information is relevant and accurate before using it.

Use

- Council only uses health information for the purpose it was collected for unless it has consent for its use for another purpose.

Disclosure

- Council does not disclose personal information without consent, unless disclosure is permitted under the HRIPA or other legislation.

Identifiers

- Although Council does not currently assign identifiers to individuals in managing their health information, Council may use unique identifiers if required for a Council function.

Transfers and linkage of health records

Council:

- Will only transfer health information outside of NSW or to a Commonwealth agency in accordance with HPP 14
- Does not currently use a health records linkage system.

Offences

Offences can be found in s68-70 of the HRIP Act. It is an offence for Council to:

- Intentionally disclose or use health information for an unauthorised purpose
- Offer to supply health information that has been disclosed unlawfully.

10.3 Other relevant laws

This section contains information about other relevant legislation.

10.3.1 Government Information (Public Access) Act 2009 (GIPA Act) and Government Information (Public Access) Regulation 2018

A request for Council records may be made through Council's website. Under this Act and Regulation members of the public can apply for access to information held by Council. This information may include personal or health information. If the personal or health information is about a third party rather than the applicant, the GIPA Act requires that Council take all reasonable steps to consult with the third party to ensure their information is not released without proper consultation and careful consideration.

Schedule 4 of the GIPA Act provides that information about a Council employee, including their name and non-personal contact details (such as position title and their public functions at the City) is not personal information for the purposes of the GIPA Act.

10.3.2 Independent Commission Against Corruption Act 1988

Under this Act Council must provide information to the Independent Commission Against Corruption about allegations of fraud and corruption that may contain personal information.

10.3.3 Public Interest Disclosures Act 1994 (PID Act)

Under the PID Act people working for a NSW public sector agency can make a public interest disclosure to Council.

The PID Act requires that information that might identify or tend to identify a person who has made a public interest disclosure should be protected.

10.3.4 State Records Act 1998 and State Records Regulation 2010

This Act and Regulation authorises the State Records Authority to establish policies, standards and codes to ensure that NSW public sector agencies manage their records appropriately.

10.3.5 Referrals to external agencies under other relevant legislation

Under the Ombudsman Act, the Independent Commission Against Corruption Act 1998, and the Crimes Act 1900 Council can provide information to the:

- NSW Ombudsman
- Independent Commission Against Corruption
- NSW Police.

Council does not have any memorandums of Understanding or referral arrangements in relation to Privacy Management.

11. Exemptions, directions and codes of practice

11.1 Exemptions to the Information Protection Principles (IPPs)

Part 2, Division 3 of the PPIP Act contains exemptions that may permit Council not to comply with IPPs in certain situations. These include the following:

- Council is not required to comply with IPPs 2-3, 6-8, or 10-12 if lawfully authorised or required not to do so
- Council is not required to comply with IPP 2 if the information concerned is collected in relation to court or tribunal proceedings.
- Council is not required to comply with IPPs 1-4, 10 or 11 in relation to emergency situations
- Council is not required to comply with IPPs 1-4, 10 or 11 if Council is providing the information to another public sector agency, in particular to enable inquiries to be referred between the agencies concerned.

For example, s 23(3) of the PPIP Act provides that Council is not required to comply with collection requirements if the information concerned is collected for law enforcement purposes such as the issue of a penalty infringement notice.

11.2 Exemptions to the Health Privacy Principles (HPPs)

Exemptions are located mainly in Schedule 1 to the HRIP Act, and may permit Council not to comply with HPPs in certain situations. For example, Council is not required to comply with HPPs 4-8, and 10 if lawfully authorised or required not to do so.

11.3 Privacy Code of Practice for Local Government

Council must comply with the Privacy Code of Practice for Local Government as prepared by the Office of the Privacy Commissioner. A Privacy Code of Practice allows Council to modify the application of:

- an Information Protection Principle (IPP); or
- provisions that deal with public registers.

These Codes also specify how modifications will apply in particular situations.

[Privacy Code of Practice for Local Government](#)

This Code provides exemptions to IPP 2, 3, 10 and 11 as follows:

- Access to and copies of a single entry from a public register or de-identified multiple entries can be provided without the need for the applicant to provide a reason or a statutory declaration on their purpose (IPP 2)
- Where it is reasonably necessary, Council may indirectly collect, use or disclose personal information to confer an award, prize, or similar form of personal recognition on the person about whom the information relates (IPP 2, 3 and 11)
- In pursuance of Council's lawful and proper functions, Council may use personal information for a purpose other than the purpose for which it was collected (IPP 10)

- Council may disclose personal information to public sector agencies or public utilities on condition that:
 - the agency or public utility has made a written request to Council (an email will suffice);
 - Council is satisfied that the personal information is to be used by that agency or public utility for their proper and lawful function(s); and
 - Council is satisfied that the personal information is reasonably necessary for the exercise of that agency utility's function(s) (IPP11).

12. Contact details

Further information about Council's Privacy Management Plan, or the personal and health information Council holds, can be obtained from:

12.1 Council's Privacy Contact Officer

Leanne Austin, Governance Manager

Telephone: 1300 176 077

Email: admin@griffith.nsw.gov.au

Griffith City Council

Telephone: 1300 176 077

Email: admin@griffith.nsw.gov.au

Street address: 1 Benerembah Street Griffith NSW 2680

Postal address: PO Box 485 Griffith NSW 2680

12.2 Information and Privacy Commission NSW

Interpreter Service: 131 450

National Relay Service: 133 677 (If you are deaf or have a hearing or speech impairment)

Email: ipcinfo@ipc.nsw.gov.au **Telephone:** 1800 472 679

Street address: Level 15, McKell Building, 2-24 Rawson Place, Haymarket NSW 2000

Postal address: GPO Box 7011, Sydney NSW 2001

12.3 NSW Civil and Administrative Tribunal

Telephone: 1300 006 228

Interpreter Service: 13 14 50

National Relay Service: 1300 555 727

Email: aeod@ncat.nsw.gov.au

Street address: Level 10 John Maddison Tower, 86-90 Goulburn Street, Sydney NSW 2000

Postal address: PO Box K1026, Haymarket NSW 1240

13. Approval and Review of this Plan

13.1 Approval status

Council approved this plan on 25 October 2022.

13.2 Review

This Plan is to be reviewed 2024.

14. Appendix 1 - Statutory Declaration for access under Section 57 of the Privacy and Personal Information Protection Act 1998 to a Public Register held by Council

GCC Document No: 22/86516



Privacy Management Plan - Appendix 1

Statutory Declaration for Access under Section 57 of the Privacy and Personal Information Protection Act 1998 to a Public Register held by Council

Statutory Declaration Oaths Act, 1900, Ninth Schedule

I, the undersigned (1)

.....
(1) insert full name

of

.....
(2) insert address

in the State of New South Wales, do solemnly and sincerely declare that:

I am (3)

.....
(3) insert relationship, if any, to person inquired about

I seek to know whether (4)

.....
(4) insert name

is on the public register of (5)

.....
(5) Applicant to describe the relevant public register

The purpose for which I seek this information is (6)

.....
(6) Insert purpose seeking information

The purpose for which the information is required is to (7)

.....
(7) Insert purpose

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act 1994.

.....
Signature of Applicant

Declared at:

in the said State this day of 20.....

before me.....

Name of Justice of the Peace/Solicitor to be printed

Who certifies that:

1. *I saw the face of the declarant/deponent OR

*I did not see the face of the declarant/deponent because he/she was wearing a face covering, but I am satisfied that he/she had a special justification for not removing it, and

2. *I have known the person for at least 12 months OR

*I confirmed the person's identity with

[describe identification document relied on]

Signature of Justice of the Peace/Solicitor to be printed

15. Appendix 2 – Privacy Complaint – Application for Internal Review

GCC Document No: 22/111515



Privacy Management Plan – Appendix 2

Privacy complaint: Internal Review Application Form

This is an application for review of conduct under: (please select one)

- ☐ s53 of the Privacy and Personal Information Protection Act 1998 (PPIP Act)
- ☐ s21 of the Health Records and Information Privacy Act 2002 (HRIP Act)

| | |
|----|--|
| 1. | Your full name: |
| 2. | Postal Address: Telephone Number: Email Address: |
| 3. | If the complaint is on behalf of someone else, please provide their details: What is your relationship to this person? Is the person capable of making the complaint by himself or herself? yes / no |
| 4. | What is the specific conduct you are complaining about? "Conduct" can include an action, a decision, or even inaction by Council. For example: the "conduct" in your case might be a decision to refuse you access to your personal information, or the action of disclosing your personal information to another person, or the inaction of a failure to protect your personal information from being inappropriately accessed by someone else. |
| 5. | Please tick which of the following describes your complaint: (you may tick more than one option) <ul style="list-style-type: none"><input type="checkbox"/> collection of my personal or health information security or<input type="checkbox"/> storage of my personal or health information<input type="checkbox"/> refusal to let me access or find out about my own personal or health information<input type="checkbox"/> accuracy of my personal or health information<input type="checkbox"/> use of my personal or health information<input type="checkbox"/> disclosure of my personal or health information<input type="checkbox"/> other<input type="checkbox"/> unsure |



| | |
|-----|--|
| 6. | When did the conduct occur (date)? |
| 7. | When did you first become aware of this conduct? (date) |
| 8. | You need to lodge this application within six months of the date above. If more than six months has passed, you will need to ask Council for special permission to lodge a late application. Please explain why you have taken more than six months to make your complaint (for example: I had other urgent priorities – list them, or while the conduct occurred more than six months ago, I only recently became aware of my privacy rights, etc.) |
| 9. | What effect did the conduct have on you? |
| 10. | What effect might the conduct have on you in the future? |
| 11. | What would you like to see Council do about the conduct? (for example: an apology, a change in policies or practices, your expenses paid, damages paid to you, training for staff, etc.) |

I understand that this form will be used by Council to process my request for an internal review. I understand that details of my application will be referred to the Privacy Commissioner in accordance with: section 54(1) of the Privacy and Personal Information Protection Act; or section 21 of the Health Records and Information Privacy Act; and that the Privacy Commissioner will be kept advised of the progress of the internal review.

Your signature:

Date:

SEND THIS FORM TO: admin@griffith.nsw.gov.au

Keep a copy for your records. For more information on the PPIP Act or the HRIP Act visit: www.ipc.nsw.gov.au

Enquiries concerning this matter can be addressed to:
The General Manager
Griffith City Council
PO Box 485
Griffith NSW 2680