



Privacy Policy Additional Fact Sheet

This document is to be read with the Privacy Policy and provides additional background and detail to support the information outlined in the Policy.

Principle 1 – Collection

Personal information typically includes but is not limited to the following:

- Name, address (postal and email), telephone number (work, home and mobile)
- Date of birth, age, marital status and religion, occupation
- Medicare number, bank account numbers
- Motor vehicle registration number
- A photograph image, voice recording, CCTV images

The collection of this information could be in various ways, including:

- During conversations between individuals and Council representatives
- Accessing and interacting with Council's websites or social networking sites
- When making an enquiry over the phone, and/or providing feedback or completing an application (online or hardcopy)
- When taking either photos or videos for promotional or enforcement purposes such as motor vehicles illegally parked.

Consent

Council will seek consent to collect and use data or images for certain services provided to the community. Consent will differ based on the individual's circumstances; however, Council may not be aware of some the limitations to give consent. Some individuals may lack the capacity to give consent due to physical or intellectual disabilities, age, cultural or linguistic differences. Council's policy guidelines for consent are as follows:

Council will never seek consent where there is a known capacity limitation relating to physical or intellectual disabilities, age, cultural or linguistic differences. If insufficient capacity to consent is not known to Council, and consent is given Council can be contacted to remove consent by a parent/guardian or carer.

Consent has an expiration period of 5 years. Once a 5-year period has concluded from the original consent date consent must be again sought if images or personal information are to be used beyond this period.

Consent forms will specify the use of personal information and the proposed use. The consent forms will not allow for use outside of the listed purpose. Children and/or young people 17 years of age and under will be provided the opportunity to consent to images/videos taken, this consent will only be utilised by Council if accompanied by consent from their parent or guardian.

Individuals will be able to opt out at any time during the 5-year period, by notifying Council in writing that they no longer consent to the use of images, with a copy of the image. Council will comply with any individual opting out at any stage during the 5-year period. Exclusions

apply to copies of historic media (e.g reports, advertising) where data and images have been used and have been archived for reference purposes.

Photographs and Videography

Council takes photographs and videos both on Council premises and in public places. These photographs and videos may be used for promotional or enforcement purposes.

Photographs and videos support the issuing of an infringement and is used commonly as part of the evidentiary gathering to support action taken and is used by most enforcement agencies. Photographs or video are not, in themselves, 'personal information' therefore Council has not breached the Act or any privacy principles.

Notwithstanding this, Council ensures that the content is stored in a secure system only accessible to staff who require access to process internal reviews/appeals and assist with customer enquiries.

Before taking photographs and videos to be used for promotional purposes, Council will seek consent (if practicable) from individuals to take and use the content. Where feasible, this consent will be obtained in writing, using a specific consent form designed for this purpose, or via online form.

If, however, photographs are to be taken in a public place (such as at a community event), and obtaining individual consent forms is not practicable, Council may use other methods to inform individuals that photography and filming is taking place at the event and how they will be used. These methods could include signs advising the public that photography and filming is being taken or a public announcement.

All these methods will inform individuals that their photographs or video may be taken and provide them with an opportunity to approach Council staff/photographer and tell them they don't want their photo nor video used.

Principle 2 – Use and Disclosure

Use of personal information includes:

- searching records for any reason,
- using personal information in a record to make a decision,
- inserting personal information into a database.

Disclosure of personal information includes:

- providing personal information to a third party (such as a contractor),
- providing a record containing personal information to a member of the public.

Where necessary, Council may disclose your personal information to other work areas within the Council to assist in actioning your enquiry. Council may also disclose your personal information to other work areas of Council when there is a requirement to contact you to liaise with you in relation to the delivery of other Council services, or to exclude you from future sign-up alerts.

Council will ensure that your personal information is not disclosed to other institutions and authorities outside Council except if required or authorised by law, for example for fencing notices between neighbours as stipulated in the *Fences Act 1968* or where we have your consent.

Personal information may also be contained in Council's Public Registers. Refer to s58 (Public Transparency Principles) of the *Local Government Act 2020*, any person is entitled to inspect Council's Public Registers, or make a copy of them, upon payment of the relevant fee.

Below are some typical ways Council may use your personal information.

Complaints

Council will only use personal information contained in complaints which you make to Council to deal with the complaint or to address systemic issues arising from the complaint, and/or as part of any prosecution undertaken as part of its law enforcement functions.

If you have opted to complain to Council, please note that Council may be obliged under legislation to investigate your complaint, and if necessary, may initiate legal proceedings because of its investigation to prosecute possible offenders. However, Council will not disclose any personal information provided by you as part of a complaint to any parties who are subject of your complaint, without your prior consent unless authorised or required by law.

Public Submissions

Personal information provided by you as part of a public submission pursuant to Section 223 of the *Local Government Act 1989* to a Council or Special Committee meeting may be included with the published agenda papers and minutes of the meeting.

The published agenda papers and minutes are displayed on Council's website.

All written submissions received will be made publicly available for inspection in accordance with s58 (Public Transparency Principles) of the *Local Government Act 2020*.

Planning Submissions (Objections)

With regard to planning objections, where there is a current application for a planning permit, Council is required by the *Planning and Environment Act 1987* to make a copy of every objection available to any person wishing to inspect the file until the end of the period during which an application may be made for a review of a decision on the application.

All copies of objections sent out during the period that the application is open will have the following disclaimer noted on the objection.

(Note that the objections have been released under the provisions of the *Planning and Environment Act 1978 (As Amended)* and the personal information contained must only be used for the sole purpose of enabling consideration and review as part of the planning process).

Employment Applications

Personal information in applications for employment with Council will be supplied to agencies such as the Victoria Police, where required by law (for instance, under the *Working with Children Act 2005*) as part of a background check. Background checks will only be carried out on applicants for selected positions prior to employment with Council. Such checks will only be carried out with your written authorisation and the results will not be disclosed to third parties unless authorised by law.

Below are some examples of other ways the information that you provide may be used:

Use	Example
To contact you in order to provide services requested by you.	When you submit a request for a resident parking permit via our public interfaces
For Council or our contracted service providers to contact you where it is necessary to resolve issues relating to the Whitehorse City Council services or functions which you have brought to our attention.	Contacting you in response to your report of a cracked foot path or fallen tree branch.
Community engagement.	As part of our commitment to customer service and community consultation, we may periodically invite you to provide opinions or feedback. Any form of consultation and engagement, including a survey, that Council conducts is voluntary, and you have the option not to participate.
To clarify or confirm details provided.	Contact you prior to a Council meeting to confirm your attendance or advise you of any changes to the meeting details where you have made a submission for consideration.
To supply you with material concerning Council initiatives and programs.	Where you have opted to be included on a mailing list for a Council publication
To facilitate the collection of Council fees and charges.	We will use your name and address details to forward rate notices to you.
We may use your details to confirm your address.	If Council receives any Return to Sender (RTS) correspondence that was sent to you.
We collect your credit card and bank account details when you make payment for goods and services.	To enable payment for Council provided goods and services.
To enable Council to undertake its law enforcement functions.	Council collects information about you from Vic Roads to process Parking Infringement Notices. Council will only collect information about you from third parties where it is authorised to do so.

To aid community safety.	Council collects images via camera surveillance which are located throughout the municipality including in, and around Council buildings. Footage and photographs of incidents are made available only to authorised police members and citizens in accordance with Council's Camera Surveillance Policy, which can be found on Council's website who agree to comply with the requirements for handling, use and return of footage and photographs.
Dealing with complaint of dissatisfaction.	Investigation of complaints regarding the quality of an action taken, decision made, or service provided by Council or its contractor; or a delay or failure in providing a service, taking an action, or making a decision by Council or its contractor.

Handling information on behalf of other bodies

Any arrangements that involve Council handling personal information on behalf of another agency, will be set out clearly in a written agreement between the two agencies (unless other legislative arrangements apply). This clarifies and strengthens the chain of accountability. The agreement is to address:

- the types of personal information involved;
 - which Officers of Council are to have access to the information;
 - what safeguards are to be put in place to protect the information procedures to be followed if Council mishandles the information;
 - arrangements for liaising between the agencies.
- Where authorised, Council may also disclose personal information to:
- debt collection agencies;
 - government agencies including the Department of Health and Human Services, the Department of Education & Training, the Victorian Building Authority, the Independent Broad-based Anti-Corruption Commission (IBAC) and the Victorian WorkCover Authority, Department of Justice, Streatrader, Australian Taxation Office (ATO), CES, and Vic Roads;
 - statutory authorities to enable them to advise you of works which may impact upon you and your property (such as road closures/reconstruction, property acquisition etc.).Level Crossing Authority to enable them to advise you of works which may impact upon individuals or properties;
 - law enforcement agencies, including the courts and Victoria Police, in instances where Council is required to respond to a subpoena or provide information to assist a police investigation, and SES for emergency purposes;
 - water, gas and electricity utilities for the purpose of ensuring data is accurate.
 - Council's professional advisers, including accountants, auditors, bankers, Valuers;

- other individuals or organisations only if Council believes that the disclosure is necessary to lessen or prevent a serious and imminent threat to an individual's life, health, safety or welfare or a serious threat to public health, safety, or welfare.