

Privacy Policy

Purpose

This purpose of this Policy is to ensure that the City of Burnside recognises the importance of protecting the privacy of individuals within the community, including residents, ratepayers, staff, and other stakeholders.

This Policy outlines the position on how the Council collects, uses, stores and discloses of personal information

The Council will adopt best practice approaches to managing personal information and data to ensure the protection of privacy in accordance with the relevant legislation. The Policy applies to employees, Council Members, volunteers, contractors and suppliers.

Policy Statement

1. Introduction

- 1.1 This Privacy Policy outlines the City of Burnside's commitment to fostering a culture that values and protects privacy. The Council will endeavour to protect the personal information it collects, stores, discloses and uses. The Council acknowledges that although the principles outlined in the following legislation may not directly be applicable to Councils in South Australia, they provide appropriate standards for privacy protection and will be applied within the Council.
- 1.2 This Policy outlines the way in which the Council manages personal information and how you can contact us if you require any further information.

2. Legislative Requirements and Corporate Policy Context

- 2.1 The *Freedom of Information Act 1991* gives a legally enforceable right of access by members of the public (subject to certain restrictions) to corporate records held by government agencies and councils. Official records by Council may be accessible to an applicant under this Act.
 - 2.2 The *Local Government Act 1999* sets out the principles around access to information by Council members and provision of information to Council's subsidiaries or to the Minister upon request.
 - 2.3 The provisions of the *Privacy Act 1988 (Cth)* and accompanying *Australian Privacy Principles (APPs)* do not currently apply to
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Local Government organisations. However, notwithstanding that the Council is not strictly bound by the Privacy Act and APP's, our intention is to manage personal information in a manner that is consistent with these standards and community expectations.

- 2.4 The policy is made in consideration of the *Surveillance Devices Act 2016 (SA)* which makes provisions relating to the use of Optical Surveillance Devices and Listening Devices.

3. Personal Information

- 3.1 All personal information collected by Council is to be used only for the purpose of conducting and enabling Council business in accordance with the *Local Government Act 1999* (and other relevant Acts under which Council is charged with any responsibility) and in the provision of Council services or community engagement.
- 3.2 Personal information collected by one department is held by Council as an agency and may be used in carrying out function or services in other areas of Council.

4. Disclosing or Releasing Information

- 4.1 Any person who, on behalf of Council, uses or discloses personal information held by the Council must have appropriate authorisation to do so.
- 4.2 In general, we will only use and disclose your personal information for the following purposes:
- To provide our services and events to you
 - To respond to enquiries and provide you with any information that you have requested
 - To provide news, updates and information about our services and our local area
 - To conduct general administrative, business and management functions, and
 - To provide the information to third parties (such as our contracts, and suppliers) for the above purposes.
- 4.3 If you do not wish to receive any marketing or promotional materials from us (e.g. updates and information about our services or local area) please contact us per the details provided at the bottom of this policy. Please note this is not possible to opt
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out of community engagement materials which are delivered in all residents and ratepayers by Australia Post.

- 4.4 Council also wishes to assure the community that it endeavours to keep its database and systems secure and that it does not and will not disclose or sell personal information to third parties for marketing purposes.

5. Sensitive Information

- 5.1 To the extent that we collect any sensitive information from you (for example, health information in the context of a job applicant) we will ensure that such information is used solely for the purpose for which it was collected, any purpose to which you have consented, and purposes required or permitted by law.

6. CCTV (Closed Circuit Television)

- 6.1 Council is committed to providing a safe environment in which residents, businesses and visitors may enjoy the amenity of Council area without disruption or fear of harm. Strategies have been developed for the prevention of disorderly behaviour and detection of crime incorporating the use of CCTV.
- 6.2 Council may collect and store audio/visual recordings which contain attributes of an individual.
- 6.3 Information, disclosure and management relating to CCTV is specified in the related *Closed-Circuit Television (CCTV) and Recording Policy*.

7. Collection of Personal Information

- 7.1 Council understands that individuals within the City of Burnside have a right to personal privacy. It is within the context of reassuring the community that any personal information will be handled sensitively and with respect that Council has developed this Privacy Policy.
- 7.2 We may collect and hold personal information about residents and ratepayers in our local council area as well as current and prospective employees, contractors, suppliers, and other people who the Council meets.
- 7.3 Where reasonable to do so, information will be obtained directly from the person to which the information pertains, however information will also be received via other agencies or avenues including but not limited to, your spouse/partner, government bodies (e.g. Centrelink, the Electoral Office, Office of the Valuer
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General), service providers (e.g. SA Water, telecommunications companies), and from other residents or ratepayers.

- 7.4 If you provide us with personal information about a third party, you warrant that the third-party consents to us collecting and using their personal information in accordance with this Policy.
- 7.5 The type of personal information that is collected and held will depend on the services provided to residents, ratepayers, and the broader community, and may include but is not limited to, name and address, telephone numbers, age, and or date of birth, property ownership and or occupier details, details of residents or ratepayers spouse, partner, family or household members, health and disability information, animal ownership, electoral roll details, financial, rental or income details, pensioner or concession information, payment history and financial information including bank account \details and community service membership details.
- 7.6 In limited circumstances, we may also collect sensitive information from residents/ratepayers, such as:
- Health information (e.g. for the purpose of processing disability claims, enabling us to provide suitable services to their physical needs, or where directed by the SA Government); and
 - Information about financial hardship and related circumstances.
- 7.7 For job applicants or staff, the Council may also collect information about your employment history, educational qualifications, licence and certificate work rights reference, cheques, payroll information and medical information (where relevant).
- 7.8 Council will protect this type of information and will not provide to any third parties unless authorised by the employee or required to do so by law.

8. Security of Personal Information

- 8.1 We take reasonable steps to securely store your personal information. We will keep personal information as long as we need it for our business purposes or as long as we are required by law to retain it, after which time we will destroy it.
- 8.2 In extending situations where there might be a risk to the personal safety of an individual or a member of that person's family or any other person, under the *Local Government Act 1999* the CEO
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may suppress the name and address from councils' assessment record and rates notices if a member of the public requires this additional level of privacy they must apply through the CEO.

- 8.3 Further details on access controls and management of information are specified in the related Records Management Policy and IT Acceptable Use and Security Protocol.
- 8.4 Our website (<https://www.burnside.sa.gov.au>) may detect your web browser or temporary session data. We do not use this information to attempt to identify you or collect information about you. You may configure your web browser to block this through privacy and security settings. Our website may contain links to other websites. We are not responsible for the privacy practices or the use and protection of your personal information on those other websites. We cannot warrant the privacy or security of personal information during transmission of our websites.

9. Access and Correction of Personal Information

- 9.1 You may request access to personal information held by the Council by making a written application under the *Freedom of Information Act 1991*. For more information about this process, please visit <https://www.burnside.sa.gov.au/About-Council/Freedom-of-Information>

If you believe the personal information, we hold about you is inaccurate, incomplete, or out of date, please contact us and we will amend the records accordingly.

Other Useful Documents

Related Documents

- Closed Circuit Television (CCTV) and Recording Policy
- Code of Practice – Access to meetings and Documents
- Employee Conduct Management Protocol
- IT Acceptable Use and Security Protocol
- Records Management Policy

Relevant Legislation

- *Australian Privacy Principles (APPs)*
- *Department of Premier and Cabinet Information Privacy Principles (IPPS) Instruction 2020*
- *Freedom of Information Act 1999*
- *Local Government Act 1999*
- *Privacy Act 1988*
- *State Records Act 1997*

- *Surveillance Devices Act 2016 (SA)*

Glossary

Throughout this document, the below terms have been used and are defined as:

Access: The provision of personal information to a person in any manner that Council deems fit and in accordance with this Policy.

CEO: The Chief Executive Officer of the City of Burnside

Collection: The gathering, acquiring, or obtaining of personal information from any source or means, including information that Council has come across by accident or has not asked for.

Consent: Individual's express or implied voluntary agreement to some act or purpose.

Council: The City of Burnside.

Disclosure: The release of personal information to persons or organisations outside of Council. It does not include giving individuals' information about themselves.

Personal Information: Information about an individual whose identity can be ascertained from that information.

Sensitive Information: Personal information that reveals racial or ethnic origin, political opinions, membership, or a political association, a professional or trade association or a trade union, religious or philosophical beliefs or affirmations, sexual preferences or practices, criminal record, health information etc.

Use: Handling of personal information within Council, including the inclusion of information in a publication.

Administrative

As part of Council's commitment to deliver the City of Burnside Strategic Community Plan, services to the community and the provision of transparent information, all policy and protocol documents are reviewed as per legislative requirements or when there is no such provision a risk assessment approach is taken to guide the review timeframe.

This Policy document will be reviewed every 4 years unless legislative or operational change occurs beforehand.

Adoption Date: 15 July 2025

Review Date: July 2029

**Strategic Plan
Reference**

Principles: Governing with Integrity, Improvement and Innovation

Theme: Spans all Strategic Plan Themes

Goals: Spans all Strategic Plan Goals

Priorities: Spans all Strategic Plan Priorities

Review History

ECM Reference:	Authorising Body:	Date/Decision ID	Description of changes
12083554	Council	24 November 2020, C12703	
		C72025/13984	Format change to new template Updated: <ul style="list-style-type: none"> • Related documents • Legislative requirements and corporate policy context • Definitions

Contact

For further information contact the City of Burnside:

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