GOV07: Privacy Policy

Type	Council	**Version**	2
Approval Date	01/09/2026	**Resolution**	14.1
Review Date	Prior to 2028	**Doc ID**	

Background

The purpose of this policy is to provide guidance to Council employees and Elected members when dealing with information that is of a confidential, personal and/or sensitive manner. This policy records Belyuen Community Government Council's commitment to preserving the confidentiality of information held by the Council.

Scope

This policy applies to all Council employees including contractors and volunteers, Elected and Committee members. The policy relates to any piece of information that contains information that is of a confidential, personal or sensitive manner that is collected, retained, stored and/or used by the Council to carry out the Council's functions.

Legislative and Other References

- Members Code of Conduct
- Contravention of the code of conduct Policy
- Code of Conduct for CEO and Staff Policy
- *Local Government Act 2019* (Act)
- *Information Act 2002*
- *Privacy Act 1988 (Cwth)*

Definitions

For the purposes of this policy:

Confidential Information includes

- Information considered and discussed in meetings closed to the public pursuant to *Local Government Act 2019*
- Any information designated as confidential by the CEO
- Names and/or address of complainants or witnesses
- Information provided to the Council on the condition that it is kept Confidential
- Confidential and commercial-in-confidence information associated with any person or body
- Information relating to preliminary budget/s
- Information dealing with appointment, discipline or appraisal of employees or industrial matters affecting employees
- Payroll related information where the individual can be identified

- Information dealing with rating concessions for individuals
- Information associated with contracts proposed by the Council
- Legal advice reviewed by the Council or any information starting or defending legal proceedings
- Information dealing with the security of property
- Any other information that is generally not known by, or available upon request to the public which identifies and relates to a particular individual or carries a risk that if released or improperly used would cause harm to the Council or a member of the community or give an unfair advantage to someone.

Sensitive and Private information includes:

- cultural information that Council employees, contractors, Elected and Committee Members, and volunteers may become aware of in the course of their work that is of a sensitive nature,
- personal information gathered in the delivery of Aged Care services including:
    - verbal information including telephone conversations or other conversations between staff or between staff and clients, discussions with community members,
    - written information such as case notes, pathology results, administration files, internal memos, etc., and
    - banking and medical information

Consent means express or implied consent by an individual whether oral or in writing

Information Includes any discussions, documents, electronic data, or knowledge

Personal Information includes any information gathered by the Council from which a person's identity is apparent or is able to be ascertained.

Unique identifier means a symbol or code (usually a number) assigned by an organisation to an individual to distinctively identify that individual while reducing privacy concerns by avoiding use of the person's name.

Policy Objectives

Belyuen Community Government Council employees will maintain confidentiality of all information regarding individual people (employees or clients), families, groups, or communities always. It is particularly important to stress that this policy includes information about communities as well as individuals.

It is a breach of this policy to discuss privileged community, employee, or client issues with people in social situations even in other places. This especially applies for Aged Care services in the Council.

Application of Policy

Confidential, Sensitive and Private Information

Council understands that confidential, personal and/or sensitive information within our organisation can be of a unique nature and it is occasionally challenging for Council employees to recognise which types of information are confidential, personal and/or sensitive. Employees, Councillors and volunteers are encouraged to treat all personal information as confidential and sensitive unless advised by the CEO.

Collection of confidential, personal and sensitive information

The Council shall collect personal information only if necessary for its functions, activities or programs or to comply with legislation and regulations.

Facilitating confidentiality of information

Council managers are responsible for ensuring confidentiality and privacy procedures are implemented and adhered to.

Managers and staff shall ensure that:

- all interviews, regardless of the nature take place in a private space,
- all interview folders are locked away and/or are destroyed as soon as possible,
- all employee files are locked away,
- all employee notes do not breach confidentiality and privacy procedures.

If Council staff member is under pressure to reveal confidential, sensitive, or personal information that they have gained in the course of their employment with the Council because of family ties or other reasons, then the problem should be discussed with their supervisor immediately.

Preservation of confidentiality

The Council shall preserve the confidentiality of confidential, personal, and sensitive information as far as possible under the law.

Confidential, sensitive, and personal information shall not be released to any person unless:

- the information relates only to that person (that is, it is solely information about the
- person)
- it is information that relates only to a person, and that person has provided the Council with
- written authority to release the information to someone else the release of information is necessary for conducting RGRC's business and it is in the public interest
- The Council is obliged under law to release the information to that person.

Customer service

Staff shall fully inform Council clients and customers about their confidentiality and privacy rights in any situation where it is necessary, the purposes for which the confidential information is being obtained and how it may be used. Council staff shall gain consent from clients for any information used outside the primary workplace.

Any complaint or grievance submitted by any of the Council customers, clients or members of staff shall be investigated and actioned in a timely manner and will remain confidential.

Publicly Available Material

The following Council documents are publicly available either through the Council's website or in hard copy from the Belyuen office:

- Notices and minutes and agendas of meetings of Council

- Current and previous 5 year's Annual Report and annual financial statement
- The draft Shire Plan (including Budget, Long Term Financial Plan)
- Current and previous 5 year's Shire Plan
- Council Policies
- Council's Code of Conduct
- Register of Members' interests
- The approved rating proposal
- Notice of the Declaration of Rates and Charges
- Any notices of Council
- Reviewable Decisions

An individual may apply in writing to the Chief Executive Officer for the suppression of personal information from publicly available material under section 293 of the Act.

Breaches of Policy

Breaches of the Privacy Policy will be dealt with in accordance with the nature and severity of the specific violation. A Council employee, Elected or Committee Member, contractor or volunteers who violates the Privacy Policy will be subject to disciplinary action under Council's Code of Conduct and CEO and Staff Code of Conduct.

Breaches of confidentiality and privacy constitute a serious breach of the Code of Conduct, and professional obligations, and may result in instant dismissal. All staff are to be fully informed of this requirement in the recruitment/employment process, and it is included in the Council's Code of Conduct and Induction.

Revision History

Policy Version	Approval Date	Resolution	Doc Ref
V1	09/08/2021	8.1.8.21	
V2	30/05/2023	8.1.8.21	
V3	01/09/2026	14.1	