

	Privacy Policy Policy No. GOVPOL 13	Version No:	2
		Responsible Officer/s:	Governance Officer
		Classification:	Council
		Issued:	19 April 2006
		Next Review:	August 2029

1. Purpose

This Policy sets out the principles of the District Council of Grant (**the Council**) in relation to the management of personal information. The Council is committed to maintaining individual privacy whilst fulfilling its duties and will endeavour to protect the personal information it collects, stores, discloses and uses.

2. Scope

Although there is no specific privacy legislation for councils in South Australia, this policy aligns with the principles from the Privacy Act 1988 (Cth) and the South Australia Information Privacy Principles Instruction.

This policy applies to all people with access to information collected, stored, or used by Council.

3. Policy

3.1. Collection and Use of Personal Information

All personal information will be collected in a fair and lawful manner for the purpose of conducting Council business and services. The Council will take reasonable steps to protect the personal information it holds from loss, unauthorised access, use, modification, disclosure and other misuse.

Wherever possible, Council documents and forms used to collect personal information will include indicative titles to emphasise the intended use. This is to assist persons providing information to Council to understand the purpose of collection.

The Council will not check or verify the accuracy of any personal information provided and assumes that:

- any personal information provided is free from errors and omissions, is not misleading or deceptive, and complies with all relevant laws; and
- any persons providing personal information have the necessary authority to do so; and
- individuals will provide written details of any changes to their personal information as soon as reasonably practicable following such a change.

The Council may supply an individual with their personal information as part of a standard communication or pursuant to a request made by that individual including a request under the Freedom of Information Act (FOI Act). The Council does not accept any responsibility for any loss or damage suffered by any person because of their reliance on any personal information provided to them by the Council or because of the Council's inability to provide any requested personal information. Before relying on any personal information the Council provides, the Council expects that confirmation will first be sought from the Council about the accuracy and currency of such personal information.

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3.2. Distribution of Personal Information

The Council will not provide personal information it holds about a person to a third party, except:

- where the person has made a written request or given written approval for their personal information to be provided to a third party; or
- where the third party has been contracted by the Council to;
 - conduct business or provide services to or on behalf of Council; or
 - provide advice or services to the Council for it to conduct business or provide services.
- where the Council is required by legislation to provide the information to a third party or parties; or
- Council is required to under a funding agreement; or
- where the person has been advised of the Council's usual practice of disclosing personal information to that third party or a third party of that type for a particular purpose and the disclosure is consistent with that purpose; or
- it is information regarding persons interred at the Port MacDonnell Cemetery which is available on Council's website www.dcgrant.sa.gov.au.

3.3. Suppression of Personal Information

Personal information may be suppressed from the Council's Assessment Record and Voters Roll by the Chief Executive Officer, if inclusion would place at risk the personal safety of a person, a member of their family, or any other person. Personal information will be considered for suppression in this regard upon written request to the Chief Executive Officer and will be assessed on a case-by-case basis.

3.4. Freedom of Information

Council may release personal information to others if requested in accordance with the FOI Act. Council will process all requests in accordance with the requirements of the FOI Act including exempt information, consultation and review periods.

3.5. Development Applications

Although development applications are not considered personal in nature, it is a breach of the Copyright Act 1968 for Council to reproduce such documents that would be normally covered by this legislation without the written approval of the owner of the copyright documents. It is Council's position that it will not provide development applications including designs, plans and permits without the written consent of the named applicant/s.

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3.6. Complaints

A person who has any concerns regarding how the Council handles personal information, or requires further information, should contact the Principal Office of the Council in the first instance. If the person's concerns are not satisfied, the person may lodge a formal complaint in writing to:

Chief Executive Officer
District Council of Grant
PO Box 724
Mount Gambier SA 5290.

3.7. Access to this Privacy Policy

This Privacy Policy is available from Council's web site and available for public inspection upon request at the Principal Office of the Council. A copy of the Privacy Policy may be purchased on the payment of a fee set out in the Annual Schedule of Fees and Charges.

4. Responsibilities

All staff, volunteers, Elected Members and contractors are responsible for adhering to this Policy.

5. References / Other Documents

References to legislation and/or documents include as amended, supplemented, updated and/or augmented from time to time.

5.1. Legislation

Privacy Act 1988 (Cth)
Local Government Act 1999 (SA)
Freedom of Information Act 1991 (SA)
State Records Act 1997 (SA)
Information Privacy Principles Instruction (SA)

5.2. Council Policies / Procedures

Customer Service, Complaints and Requests for Service Policy
Internal Review of a Council Decision Policy

6. Review

This Policy shall be reviewed by the District Council of Grant at a minimum, once within every four (4) year Council term (or on significant change to legislation or other matters which could affect this policy).

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Action	Date	Minute Reference
Adopted by Council	19 April 2006	06121.3
Reviewed	3 November 2008	08267.1
Reviewed	7 October 2015	15127.7.9
Reviewed and amended	21 October 2019	19144.4.4
Minor formatting amendments	4 May 2020	Governance Officer
Reviewed	15 September 2025	25151