



INFORMATION PRIVACY

»» FREQUENTLY ASKED QUESTIONS

Q. What does 'personal information' mean?

A. Personal information can be almost any information that can identify an individual.

It must be information or an opinion:

- » About an individual whose identity is apparent from the information or opinion.
- » About an individual whose identity is reasonably ascertainable from the information or opinion (eg. property description, phone number).

Personal information does not need to be written nor does it need to be true or accurate. Personal information can include photographs, video recordings and information in a database or on a computer screen. It can also be spoken or communicated in another way, for example, by sign language.

Examples of personal information can include:

- » A person's name, date and/or place of birth, address, phone number or email address.
- » A photograph of a person.
- » A person's salary, bank account or financial details.
- » Allegations of wrongdoing against a person or details of wrongdoing or offences they may have committed.
- » Details about a person's education or education activities, such as what degree they possess or what school they attend.
- » The fact that a person is a member of an association and their attendance at meetings.
- » A person's medical details or health information.
- » A person's fingerprints or blood type.
- » Details about a person's religious or sexual preferences.

Q. How can I access personal information that council holds about me?

A. You should contact council on 1300 878 001 or enquiries@townsville.qld.gov.au to see whether it can be accessed administratively. For more

information see Administrative Release of Information Guideline at <http://www.oic.qld.gov.au>.

You are entitled to apply for access to personal information that council holds about you under the *Information Privacy Act 2009*. You can apply for access by completing the approved form.

Q. How long will it be until I receive a response from council about my access application?

A. Council has twenty-five business days from the date it receives your application to process it, provided that the application meets all of the requirements. In some circumstances the processing period may be extended.

If your application does not comply with all application requirements, council must make reasonable efforts to contact you within fifteen business days of receiving the application to advise you of the situation and to allow you the opportunity to comply with the application requirements.

Following this contact, if you do not take steps to make your application compliant, council can refuse to process it. If this happens, council must provide you with a notice of the decision within ten business days of making the decision.

Q. Will I get all the information I have requested?

A. Not necessarily. The information you are seeking will be considered by council to determine whether you are entitled to it, having regard to the operation of the *Information Privacy Act 2009*.

There are legitimate reasons why council may refuse to deal with an application, exempt information from release or delete some information which is contrary to the public interest.

Council must provide you with a prescribed written notice outlining the reasons for its decision.

Within twenty business days of receiving the prescribed written notice, you are entitled to seek either an internal or external review of these decisions if you disagree.



Townsville



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Q. What can I do if I'm not happy about the decision the council has made?

A. For many decisions made under the *Information Privacy Act 2009* by council, you are entitled to see the result of a review, either internal or external, within twenty business days of the decision.

The letter from the council advising you of the decision on your application will outline what your rights of review are.

Q. What should council tell me when it is collecting my personal information?

A. The *Information Privacy Act 2009* sets out the ways in which government agencies and local government in Queensland must handle your personal information. The way that council can collect, store, use and disclose your personal information is controlled through 11 Information Privacy Principles as contained in the *Information Privacy Act*.

When council is collecting your personal information, it must tell you:

- » Why it is collecting your personal information.
- » If the information collection is required by a particular law.
- » The details of any other entity to which it usually discloses personal information.
- » If council is aware that the entity to which it usually discloses personal information also forwards this personal information to another entity, they must tell you who the second entity is.

Whenever practicable, council must take reasonable steps to inform you of this information before it collects your personal information. If this isn't practicable, it must take reasonable steps to inform you of the above as soon as possible after collecting your personal information.

Q. Are there any costs involved with applying to access my personal information through the *Information Privacy Act*?

A. There is no application fee when applying for access to your personal information under the *Information Privacy Act 2009*. However, you may be required to pay access charges.

Q. I believe the personal information the council holds about me is inaccurate. What can I do?

A. You should contact council on 1300 878 001 or enquiries@townsville.qld.gov.au and ask them to correct the information.

If council will not do this administratively, you have the right to apply to amend the information under the *Information Privacy Act 2009*. To make a formal application to amend your information you should:

- » Complete the approved form.
- » Make it clear what information you believe to be inaccurate, incomplete, out of date or misleading, and why.
- » Inform council about what amendments are necessary in order for the information to be accurate, not misleading, complete or up to date.

You must also provide a copy of certified identification in order to verify your identity, for example, your passport, birth certificate or drivers licence, which has been certified by a Justice of the Peace, lawyer or Commissioner of Declarations.

Q. I am concerned that council has breached my privacy. What can I do?

A. Initially you should contact the council and speak with its Right to Information Privacy Officer to discuss your concerns. If council does not have a Privacy Officer, ask to speak to the complaints section.

If you are not satisfied with council's response you may lodge a privacy complaint with the Office of the Information Commissioner.

