

## Item 11: Community

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### 11.1 Privacy Management Plan

REPORT BY THE GOVERNANCE CO-ORDINATOR  
TO 15 MARCH 2023 ORDINARY MEETING  
GOV400103, GOV400047

#### RECOMMENDATION

##### That Council:

- 1. receive the report by the Governance Co-ordinator on the Review - Privacy Management Plan;**
  - 2. place the Draft Privacy Management Plan on exhibition for 28 days to seek feedback from the community; and**
  - 3. adopt the Privacy Management Plan if no submissions are received during the exhibition period.**
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#### Executive summary

Council's Privacy Management Plan has not been updated since April 2010. The Governance Coordinator has reviewed and updated the plan to bring it into line with current legislation and Council processes.

#### Disclosure of Interest

Nil

#### Detailed report

Section 33 of the *Privacy and Personal Information Protection Act 1998* (PPIP Act) requires agencies to have a privacy management plan outlining Council's commitment to privacy of Councillors, staff and members of the public.

The Privacy Management Plan explains Council's functions and activities and the main types of personal or health information we use to carry out those functions as well as ensuring that the requirements of the PPIP Act and the *Health Records and Information Privacy Act 2002* (HRIP Act) apply to the personal and health information that Council manages.

The plan needs to contain enough information so that Council staff can understand how to deal with personal and health information and members of the public can understand Council's functions, the type of information Council use, the policies Council has put in place to comply with privacy legislation and how a person can request an amendment to their information or request a privacy internal review.

Changes were made to the existing Privacy Management Plan using the Information and Privacy Commission NSW checklist. It was identified that a lot of the requirements for a Privacy Management Plan were not currently included. Consultation was sought from Council's Records, Finance, Human

Resources, Customer Service, Waste, IT, Community Services, Family Day Care and Economic Development team to ensure that Council's current functions were captured.

Key changes to the existing Privacy Management plan are the inclusion of additional information Council collects, the removal of references to repealed legislation, the reasons for information disclosure, the inclusion of new policies and plans and the updating to out of date information.

On adoption of a Privacy Management Plan, a copy must be provided to the NSW Privacy Commissioner where a review will be completed within 28 days from the date of receipt in accordance with section 33(5) of the PPIP Act.

## Community Plan implications

<b>Theme</b>	<b>Good Government</b>
Goal	An effective and efficient organisation
Strategy	Prudently manage risks association with all Council activities

## Strategic implications

### Council Strategies

Not Applicable

### Council Policies

Not Applicable

### Legislation

Privacy and Personal Information Protection Act 1998  
Health Records and Information Privacy Act 2022

## Financial implications

Not Applicable

## Associated Risks

Privacy Breaches could occur should Council staff not be familiar with their obligations.

ASHLEIGH MARSHALL  
GOVERNANCE CO-ORDINATOR

SIMON JONES  
DIRECTOR COMMUNITY

9 February 2023

*Attachments:* 1. Privacy Management Plan - New Format - Track Changes. (separately attached)  
2. Checklist\_Privacy\_Management\_Plans\_September\_2019\_0. (separately attached)

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER