

Council Policy



Policy Title:	Access to Council Records and Privacy Management Plan
Policy Number:	1.19
Focus Area:	CS1 Leading and Advocating for our Community
Responsibility:	Governance
Meeting Adopted:	15 September 2020 [Resolution 150920/16]

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OBJECTIVE

The objectives of this policy are to determine public accessibility to Richmond Valley Council records, and to convey Council's commitment to protecting privacy and complying with our obligations under the *Privacy and Personal Information Protection Act 1998* (PPIP Act), *Health Records and Information Privacy Act 2002* (HRIP Act) and the *Government Information (Public Access) Act 2009* (GIPA Act). This policy has been reviewed in line with the Privacy Code of Practice for Local Government published in 2019.

Under section 33 of PPIP Act, Council is required to prepare a Privacy Management Plan. This Plan forms part of Council's Governance Framework.

SCOPE

This policy applies to Councillors, employees (including volunteers), consultants, contractors and committee members when dealing with personal information or health information.

POLICY

1. Types of personal information held by Council

Council may hold personal information concerning its customers, ratepayers and residents, such as:

- Rates records;
- DA applications and objections;
- Request for action/complaints; and
- Various types of health information (such as applications made on the basis of health grounds i.e. tree removal or rate concession applications).

Council may hold personal information concerning Councillors, such as:

- Personal contact information;
- Complaints and disciplinary matters;
- Pecuniary interest returns; and
- Entitlements to fees, expenses and facilities.

Council may hold personal information concerning its employees, such as:

- Recruitment material;
- Leave and payroll data;
- Personal contact information;
- Performance management plans;
- Disciplinary matters;
- Pecuniary interest returns;
- Wage and salary entitlements;
- Health information (such as medical certificates and workers compensation claims).

2. Access to information under the *Government Information (Public Access) Act 2009*

Your rights to access Council information are provided in the GIPA Act. The GIPA Act was introduced on 1 July 2010 and replaced the *Freedom of Information Act 1989* and Section 12 of the *Local Government Act 1993*. It introduced a new right to information system designed to meet the community's expectations of a more open and transparent government.

The GIPA Act requires all councils to make certain information publicly available. The Act also requires Council to provide other information on request, although fees may be charged for access.

There are four ways in which council information is available under the GIPA Act:

Mandatory release: Certain information, referred to as open access information, must be published on the agency's website, free of charge.

Proactive release: Beyond mandatory release, agencies are encouraged to release as much government information as possible.

Informal request: Agencies are encouraged to informally release information, without the need for a formal application (and fee) to be submitted. Please note that photocopying charges may apply.

Formal application: This is the last resort if information is not accessible in any of the above three ways. Decisions made in response to formal applications are reviewable. Formal applications incur a \$30 application fee and may be subject to an additional \$30 per hour processing fee.

The GIPA Act requires Council to maintain an information guide and a disclosure log (both available on Council's website). The information guide includes information regarding the structure and functions of Council; the ways in which the functions (including, in particular, the decision-making functions) of Council affect members of the public; arrangements which exist to enable members of the public to participate in the formulation of Council's policy and the exercise of Council's functions; information on the various kinds of government information held by Council; and information on the kinds of government information held by Council which Council makes (or will make) publicly available.

A disclosure log is a list of documents released following a decision about an application for access made under the GIPA Act where in Council's opinion the information released may be of interest to other members of the public.

3. Access to information under the *State Records Act 1998*

The *State Records Act 1998*, Part 6, 'Public access to State records after 30 years', allows the General Manager to give an Open Public Access direction (OPA) or a Closed Public Access direction (CPA) on records older than 30 years, which have become State Archives.

On the 28 February 2002 the General Manager determined that with the exception of the following list, Richmond Valley Council Records, including those of Casino, Richmond River Shire, Tomki Shire and Woodburn Shire have OPA status if they are older than 30 years.

- Personnel case records;
- Workers compensation records; and
- Legal matters still pending.

Persons wishing to access the Council's archived records should apply in writing to the General Manager indicating which files they wish to access.

The General Manager may grant permission to use the reference facilities of the archive; examine and study individual archives and records or collections held by archives; or extract information from archives and records for research or publication.

If granted, the General Manager will make suitable arrangements for access to the records at the Council Office in Casino and determine supervision requirements. It should be noted that a record that is not open to public access under this Act does not affect any entitlement to access to the record under the GIPA Act.

4. Access to information under the *Privacy and Personal Information Protection Act 1998*

Council respects the privacy of the residents and ratepayers of Richmond Valley area. In order to comply with the requirements of the Acts and regulations governing the actions of local government, Council will endeavour to provide appropriate information to the public using the Information Protection Principles.

Personal information is defined at section 4 of the PPIP Act as "information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion".

Information Privacy Principles (Part 2 Division 1 Sections 8 to 19 inclusive, PPIP Act)

1. The Council will not collect personal information unless:
 - 1.1) information is collected for a lawful purpose that is directly related to a function or activity of Council, and
 - 1.2) the collection of the information is reasonably necessary for that purpose.

Council will not collect personal information by any unlawful means. From 1 July 2000 it may be unlawful to collect personal information from Government Departments in order to pursue debtors unless that Department has a clause allowing this under their management plan.

Council will continue the practice of dealing with the NSW Governments and Agencies for enquiries on personnel and recruitment matters where required.

2. When collecting personal information, Council will collect information only from the individual to whom the information relates unless:
 - 2.1) the individual has authorised collection from someone else, or
 - 2.2) the information has been provided by a parent or guardian of a person under the age of 16.

Note that Council is not required to comply with this principle where indirect collection of personal information is reasonably necessary when an award, prize, benefit or similar form of personal recognition is intended to be, or may be, conferred upon the person to whom the information relates.

3. When Council collects personal information about an individual, that person will be notified of:
 - 3.1) the fact that the information is being collected,
 - 3.2) the purposes for which the information is collected,
 - 3.3) the intended recipients of the information,
 - 3.4) whether the supply of the information is required by law or is voluntary, and any consequences for the individual if the information (or any part of it) is not provided,
 - 3.5) Council's name and address, where the information will be stored.

Council may depart from this principle where indirect collection of personal information is reasonably necessary when an award, prize, benefit or similar form of personal recognition is intended to be, or may be, conferred upon the person to whom the information relates.

4. Council will take reasonable steps to ensure that:
 - 4.1) information collected is relevant to a purpose, is not excessive, and is accurate, up to date and complete, and
 - 4.2) the collection of the information does not intrude to an unreasonable extent on the personal affairs of the individual to whom the information relates.

5. With regards to the retention and security of personal information Council will ensure:
 - 5.1) the information is used for a lawful purpose and is kept for no longer than is necessary,
 - 5.2) that the information will be disposed of securely,
 - 5.3) that the information is protected against loss, unauthorised access, use, modification or disclosure and against all other misuse (as are reasonable in the circumstances), and
 - 5.4) if it is necessary to release the information to a person in connection with the provision of a service to Council, everything reasonable is done to prevent unauthorised use or disclosure of the information.

The culling and destruction of records is carried by Records staff in accordance with the Council's approved Records Management Disposal Schedule.

6. If Council holds personal information about any individual it must take the necessary steps to enable any person to ascertain:
 - 6.1) whether the Council holds personal information; and
 - 6.2) whether the Council holds personal information relating to that person, and
 - 6.3) if Council holds personal information relating to that person:
 - 6.3.1) the nature of that information; and
 - 6.3.2) the main purposes that the information is being used, and
 - 6.3.3) that person's entitlement to gain access to that information.
7. Any person will be able to ascertain whether Council holds their personal information by making a request of Council.

A person can make a request to find out whether an agency holds their personal information, the nature of the information, the main purpose for which it was collected and the right of access by making a request in writing to the General Manager, Richmond Valley Council, Locked Bag 10 CASINO NSW 2470.

8. Any person who is unhappy with the accuracy or acceptable use of their personal information kept by Council, may request amendments be made to that information by writing to the General Manager.

Personal information must be used for the purpose that it was collected and used to any purpose that is directly related to that purpose, it must be relevant, up to date, complete and not misleading.

Council has an obligation to take such steps to amend personal information where necessary. If Council decides that it will not amend the information, it must add the additional information, so it can be read with the existing information and the individual notified. The individual to whom the information relates is entitled to have the recipients of the amendments made by Council.

9. Council will take reasonable steps to ensure the accuracy of personal information prior to use, having regard to the purpose it was collected, its proposed use, its relevance, accuracy, whether it is up to date, complete and not misleading.

A person can make a request to amend personal information held by Council, by writing to the General Manager, Richmond Valley Council, Locked Bag 10 CASINO NSW 2470.

10. Council will not use personal information for a purpose other than for which it was collected unless:
 - 10.1) the individual to whom the information relates has consented to use the information for that other purpose, or
 - 10.2) the other purpose for which the information is used is directly related to the purpose for which it was collected, or
 - 10.3) the use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual to whom that information relates or of another person, or
 - 10.4) it is for the purpose of undertaking Council's lawful and proper functions and Council is satisfied that personal information is reasonably necessary for the exercise of such functions, or
 - 10.5) where the personal information is to be used for the purpose of conferring upon a particular person, an award, prize or benefit or similar form of personal recognition.

Council will use any personal information for a variety of purposes within its departments, as on most occasions the information was collected for one main purpose, it may be used for a variety of other purposes. For example, the names and addresses of individual owners of property kept on the Rate Register are used to notify adjoining owners of proposed development, identify companion animal ownership, evaluate road openings and obstructions, evaluate tree preservation orders, investigate parking controls, evaluate land dedications and laneway status as well as being the basis of the Rating and Valuation Register. Staff investigating these uses of personal information will not notify individuals for approval to perform these functions. Personnel and recruiting records will be discussed with solicitors when the need arises and with administrative staff when necessary without prior approval of individuals.

11. Council will take reasonable care not to disclose personal information unless:
 - 11.1) the disclosure is directly related to the purpose for which it was collected and there is no reason to believe the individual concerned would object, or
 - 11.2) the individual has been made aware that this kind of information is usually released, or
 - 11.3) disclosure is necessary to prevent or lessen a serious or imminent threat to the life of the individual concerned or another person, or
 - 11.4) where a public sector agency or utility provider has written to Council and Council is satisfied that the information is to be used for the proper and lawful functions of that agency or utility provider, and that the personal information is reasonably necessary for the exercise of that agency or utility provider's functions, or
 - 11.5) where personal information about an individual collected or held is to be disclosed for the purpose of conferring upon that person, an award, prize, benefit or similar form of personal recognition, or
 - 11.6) where Council is requested by a potential employer, it may verify that a current or former employee works or has worked for Council, the duration of their employment and the position occupied during their employment. Note that this exception shall not permit Council to give an opinion as to that person's suitability to a particular position unless Council is satisfied that the person has provided their consent for Council to provide a reference.

12. Council will take reasonable care not to disclose personal information that:

- 12.1) relates to an individual's ethnic or racial origin, political opinions, religion or philosophical beliefs, trade union membership or sexual activities unless the disclosure is necessary to prevent a serious or imminent threat to the life or health of the individual concerned or another person.
- 12.2) relates to any enquiry from anyone outside the State of New South Wales unless:
 - 12.2.1) Council reasonably believes that the recipient of the information is subject to a law, binding scheme or contract that effectively upholds principles for fair handling of the information that are substantially similar to the information protection principles, or
 - 12.2.2) the disclosure is permitted or required by an Act or any other law, or
- 12.3) where Council is requested by a potential employer, it may verify that a current or former employee works or has worked for Council, the duration of their employment and the position occupied during their employment. Note that this exception shall not permit Council to give an opinion as to that person's suitability to a particular position unless Council is satisfied that the person has provided their consent for Council to provide a reference.

Council will fulfill its obligations under the *Government Information (Public Access) Act 2009* by providing free public access to documents and files and provide copies of those documents at reasonable cost. Restrictions on access will still apply, with exempt documents being released under the *Government Information (Public Access) Act 2009* following the application process and the payment of the fee. The disclosure of personal information contained on Council files and computer records will be dealt with the provisions of these Acts, and where information released may cause personal hardship to a resident or ratepayer, reasonable care will be taken to ensure appropriate levels of disclosure will be maintained.

5. [Access to information under the Health Records and Information Privacy Act 2002](#)

In 2002, most references to 'health information' were taken out of the PPIP Act and separate legislation was enacted.

The *Health Records and Information Privacy Act 2002* (HRIP Act) was enacted to deal with this specific type of personal information. From September 2004, various agencies and organisations, including local councils were expected to comply with the HRIP Act in their collection and management of health information.

Health information includes personal information that is information or an opinion about the physical or mental health or a disability of an individual. Health information also includes personal information that is information or an opinion about:

- a health service provided, or to be provided, to an individual;
- an individual's express wishes about the future provision of health services to him or her;
- other personal information collected in connection with the donation of human tissue; or
- genetic information that is or could be predictive of the health of an individual or their relatives or descendants.

Health information is defined in section 6 of the HRIP Act. Local councils will often hold health information; therefore, it is very important for councils to be familiar with the 15 Health Protection Principles ("HPP") set down in Schedule 1 to the HRIP Act.

The following is a non-exhaustive list of examples of the types of health information and circumstances in which councils may collect health information in exercising its functions:

- Tree pruning/removal application where residents approach council for a reconsideration or reassessment of a tree pruning/removal application on medical grounds;
- Issuing of clean up orders which may include recording information about a resident's health, GP professional contact details or involvement with mental health services;
- Volunteer programs where volunteers are asked to disclose health conditions which may preclude them from some types of volunteer work;
- Community Services programs where information may be collected on special medical needs or dietary requirements, e.g. allergies for catering purposes;
- Information may be collected through a healthy community program; and/or
- Community development or community support workers records.

Health Privacy Principles (Schedule 1, HRIP Act)

Following is a summary of the Health Privacy Principles (source: Fact Sheet – Health Privacy Principles for the public, August 2019 <https://www.ipc.nsw.gov.au/health-privacy-principles-hpps-explained-members-public>)

Health Privacy Principle 1: Purposes of collection of health information

Lawful – an agency or organisation can only collect your health information for a lawful purpose. It must also be directly related to the agency or organisation's activities and necessary for that purpose.

Health Privacy Principle 2: Information must be relevant, not excessive, accurate and not intrusive

Relevant - an agency or organisation must ensure that your health information is relevant, accurate, up-to-date and not excessive. The collection should not unreasonably intrude into your personal affairs.

Health Privacy Principle 3: Collection to be from the individual concerned

Direct - an agency or organisation must collect your health information directly from you, unless it is unreasonable or impracticable to do so.

Health Privacy Principle 4: Individual to be made aware of certain matters

Open - an agency or organisation must inform you of why your health information is being collected, what will be done with it and who else might access it. You must also be told how you can access and correct your health information, and any consequences if you decide not to provide it.

Health Privacy Principle 5: Retention and Security

Secure - an agency or organisation must store your personal information securely, keep it no longer than necessary and dispose of it appropriately. It should also be protected from unauthorised access, use or disclosure.

Health Privacy Principle 6: Information about health information held by organisations

Transparent - an agency or organisation must provide you with details regarding the health information they are storing, why they are storing it and what rights you have to access it.

Health Privacy Principle 7: Access to health information

Accessible - an agency or organisation must allow you to access your health information without unreasonable delay or expense.

Health Privacy Principle 8: Amendment of health information

Correct - allows a person to update, correct or amend their personal information where necessary.

Health Privacy Principle 9: Accuracy

Accurate - ensures that the health information is relevant and accurate before being used.

Health Privacy Principle 10: Limits on use of health information

Limited - an agency or organisation can only disclose your health information for the purpose for which it was collected or a directly related purpose that you would expect (unless one of the exemptions in HPP 11 applies). Otherwise separate consent is required.

Health Privacy Principle 11: Limits on disclosure of health information

Limited - an agency or organisation can only disclose your health information for the purpose for which it was collected or a directly related purpose that you would expect (unless one of the exemptions in HPP 11 applies). Otherwise separate consent is required.

Health Privacy Principle 12: Identifiers

Not identified - an agency or organisation can only give you an identification number if it is reasonably necessary to carry out their functions efficiently.

Health Privacy Principle 13: Anonymity

Anonymous - give the person the option of receiving services from you anonymously, where this is lawful and practicable.

Health Privacy Principle 14: Transborder data flows and data flow to Commonwealth agencies

Controlled - only transfer health information outside New South Wales in accordance with HPP 14.

Health Privacy Principle 15: Linkage of health records

Authorised - only use health records linkage systems if the person has provided or expressed their consent.

For further information on the HPPs, please contact the Information and Privacy Commission NSW (IPC) on 1800 472 679 or visit their website: www.ipc.nsw.gov.au.

6. Public Registers

Public Registers under the PPIP Act (Part 6, Clauses 57, 58 & 59 PPIP Act)

Council will not disclose personal information kept in a Public Register unless the information is to be used for a purpose relating to the purpose of the Register, or an Act under which the Register is kept. Council may require that any person who applies for information from a public register complete a statutory declaration describing the intended use of any information obtained from the inspection.

The following amendments have been made by the Privacy Code of Practice for Local Government adopted in 2019.

The application of section 57 PPIP Act is modified to the extent that:

Council may allow any person to inspect a publicly available copy of a public register in council premises and copy a single entry or page of the register without requiring the person to provide a reason for accessing the register and without determining that the proposed use of the register is consistent with the purpose of the register or the Act under which the register is kept.

The application of section 57 PPIP Act is modified to the extent that:

- Council should not require any person to provide a reason for inspecting the Council's Pecuniary Interest Register or any register on which the council records returns of interests made by councillors or designated persons under Part 4 of the Model Code of Conduct for Local Councils in NSW.
- Council should not require the making of a statutory declaration as to the intended use of any information obtained from an inspection the Council's Pecuniary Interest Register or any register on which the council records returns of interests made by councillors or designated persons under Part 4 of the Model Code of Conduct for Local Councils in NSW.

Section 58 PPIP Act allows for the suppression of personal information in public registers where the person about whom the information relates has requested the information be removed from, or not placed in the register and not be disclosed to the public. If the public sector agency is satisfied that the safety or well-being of any person would be affected by not suppressing the personal information as requested, the agency must suppress the information in accordance with the request. Unless the agency is of the opinion that the public interest in maintaining public access to the information outweighs any individual interest in suppression of the information.

Public Registers under the GIPA Act (Part 2, Division 1, Section 6 GIPA Act)

Section 6 GIPA Act requires the mandatory proactive release of certain government information, known as open access information, unless there is an overriding public interest against disclosure. Open access information is defined as Part 3 and includes an agency information guide, policy documents, disclosure log of access applications and register of government contracts.

Open access information will be made publicly available free of charge on Council's website. Please refer to Council's Agency Information Guide (available on Council's website) for further information.

Public Registers under the EPA Act (Section 4.58 & 6.26 EPA Act)

Under section 4.58 of the *Environmental Planning and Assessment Act 1979* (EPA Act), Council must keep a register of applications for development consent, determination of applications for development consent, determination of applications for complying development certificates and decisions on appeal from any determination made. The register is to be available for public inspections, without charge, at the office of the council.

Section 6.26 of the EPA Act addresses building information certificates. Council must keep a record of building information certificates issues. A person may inspect the record at Council's offices and a person may obtain a copy of a building information certificate without the consent of the owner of the building.

Public Registers under other legislation

The *Local Government Act 1993* requires the maintenance of the following registers:

- Public Land Register (section 53) - available to the public free of charge.
- Register of Pecuniary Interest Returns (section 450A) - available to the public free of charge.
- Record of rates and charges (section 602) - Council will not release the names and addresses of owners to any commercial valuation enquiries. Exceptions will be permitted for adjoining property owners for fence or development/building enquiries.

The *Companion Animals Act 1998* requires the maintenance of the following register:

- Companion Animals Register (section 79) - Council will only allow access to Council staff or a Police Officer.

The Building and Development Certifiers Regulation 2020 requires the maintenance of the following register:

- Registered Certifiers (cl 56) - Council must keep records of each registered certifier who is employed or engaged by the council to carry out certification work on behalf of the council, including name, registration number, date the registered certifier was engaged or commenced employment, the date on which such employment or engagement ceased and a description of each project.

7. Privacy Protection Notice (Part 2, Division 1, Section 10 PPIP Act)

When Council collects personal information from an individual, Council must make the individual aware of certain matters. To ensure that Council complies with the PPIP Act, where possible, a Privacy and Personal Information Protection Notice will be included on forms, letters and documents that are used to collect personal information from individuals.

The following is a sample statement that will be used as a guide when developing new forms for use by Council in collecting personal information.

Purpose of collection: Public access to Council's documents.

Intended recipients: Council staff and is publicly available under the GIPA Act.

Supply: Voluntary, a consequence of non-provision is that insufficient information will be provided.

Access/Correction: Requests for access/ correction of information under the GIPA Act or Privacy and Personal Information Protection Act 1998, contact Council's Right to Information Officer.

Storage: This form will be recorded in Council's Corporate Records Management System upon receipt.

8. Internal Review Process (Part 5 Section 52 & 53 PPIP Act)

Where a person who has requested information is aggrieved by the conduct of Council in the following circumstances:

- contravention of a privacy principle that applies to Council;
- contravention of a code of practice that applies to Council; or
- disclosure of personal information kept on a public register,

the person (applicant) is entitled to apply for an Internal Review. The application for review must be in writing and addressed to:

The General Manager
Richmond Valley Council
Locked Bag 10
Casino NSW 2470

The application must be lodged within six (6) months from the time the applicant first became aware of the conduct (the subject of the application).

The application will be dealt with by an individual within the agency who is directed to deal with the application, who will consider any relevant material submitted by either the applicant or the Privacy Commissioner.

The review will be completed as soon as reasonably practicable within 60 days from receipt of the request for review. Following the completion of the review, Council may do one or more of the following:

- take no further action on the matter;
- make a formal apology to the applicant;
- take appropriate remedial action;
- provide undertakings that the conduct will not occur again; and/or
- implement administrative measures to ensure that the conduct will not occur again.

As soon as practicable within 14 days of the completion of the review, Council will notify the applicant in writing of:

- the findings and the reasons for those findings;
- any proposed actions to be;
- the right of the applicant to have those findings and the Council's proposed action, reviewed by the Administrative Appeals Tribunal.

9. External Review Process

Under section 45 of the PPIP Act, individuals may make a complaint to the Privacy Commissioner if they believe an agency had breached or violated their privacy under the PPIP Act or the HRIP Act.

For further information, refer to Information and Privacy Commission NSW's website: www.ipc.nsw.gov.au or phone 1800 472 679.

Under section 55 of the PPIP Act, if a party is not satisfied with the outcome of an internal review, they may appeal to the NSW Civil and Administrative Tribunal (NCAT).

For further information, refer to NCAT's website www.ncat.nsw.gov.au or phone 1300 006 228.

10. Awareness

Officers and Councillors of Richmond Valley Council will be made aware of this policy and the obligations contained within upon induction and through ongoing awareness programs.

This policy will be published on Council's website to assist the public understand their rights regarding personal and health information held by Council.

11. Offences

Offence	Maximum penalty	Legislative provision
It is a criminal offence to access or modify restricted data held in a computer where authorisation has not been provided	2 years imprisonment	Section 308H Crimes Act 1900
It is a criminal offence for a public sector official to corruptly disclose and use personal or health information	Fine of up to 100 penalty units (\$11,000) or Imprisonment for two years, or both	Section 62 PPIP Act Section 68 HRIP Act
It is a criminal offence for a person to offer to supply personal or health information that has been disclosed unlawfully	Fine of up to 100 penalty units (\$11,000) or Imprisonment for two years, or both	Section 63 PPIP Act Section 69 HRIP Act
It is a criminal offence for a person – by threat, intimidation or misrepresentation – to persuade or attempt to persuade an individual: § to refrain from making or pursuing a request to access Health information, a complaint to the Privacy Commissioner or NCAT, or an application for an internal review; or § to withdraw such a request, complaint or application.	Fine of up to 100 penalty units (\$11,000)	Section 70(1) HRIP Act
A person must not – by threat, intimidation or misrepresentation – require another person to give consent under HRIP Act, or require a person to do, without consent, an act for which consent is required.	Fine of up to 100 penalty units (\$11,000)	Section 70(2) HRIP Act

<p>It is a criminal offence for a person to:</p> <p>§ wilfully obstruct, hinder or resist the Privacy Commissioner or a member of the staff of the Privacy Commissioner,</p> <p>§ refuse or wilfully fail to comply with any lawful requirement of the Privacy Commissioner or a member of the staff of the Privacy Commissioner, or</p> <p>§ wilfully make any false statement to or mislead, or attempt to mislead, the Privacy Commissioner or a member of the staff of the Privacy Commissioner in the exercise of their functions under PPIP Act or any other Act</p>	<p>Fine of up to 10 penalty units (\$1,100)</p>	<p>Section 68(1) PPIP Act</p>
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CONSULTATION

This review was undertaken in consultation with relevant Council staff, together with feedback from the Information and Privacy Commission.

FURTHER INFORMATION

For information about your privacy rights under the PPIP Act or HRIP Act call the NSW Information and Privacy Commission on 1800 472 679 or visit the NSW Information and Privacy Commission website at www.ipc.nsw.gov.au.

REFERENCES

- Building and Development Certifiers Regulation 2020
- *Companion Animals Act 1998*
- *Crimes Act 1900*
- *Environmental Planning and Assessment Act 1979*
- *Government Information (Public Access) Act 2009*
- Health Privacy Principles for the public, August 2019 (Factsheet) <https://www.ipc.nsw.gov.au/health-privacy-principles-hpps-explained-members-public>
- *Health Records and Information Privacy Act 2002*
- *Local Government Act 1993*
- *Privacy and Personal Information Protection Act 1998*
- Privacy Code of Practice for Local Government 2019
- Richmond Valley Council Model Code of Conduct – Councillors/Personnel
- *State Records Act 1998*

REVIEW

This policy will be reviewed by Council at the time of any relevant legislative changes, compliance requirements or at least every four years.

Version Number	Date	Reason / Comments
1	15 September 2020	<p>This policy updates and combines the previously stand-alone documents of Privacy Management Plan (adopted 2000), and the Access to Council Records by the Public Policy (adopted 2002).</p> <p>Following feedback from the IPC, the following sections have been added/expanded upon: Types of personal information held by Council, Health Privacy Principles, Offences, Consultation.</p>