# Policy: Information Act - Privacy Statement

# Introduction

The Northern Territory Government introduced the *Information Act* (the Act), effective from 1 July 2003. The Act establishes ten Information Privacy Principles (IPP's) that impose specific obligations on all Northern Territory public sector organisations to respect the privacy rights of the public by placing limits on the collection, use, storage and disclosure of personal information and giving the right to access and correct personal information.

The Department of Treasury and Finance (DTF) is strongly committed to safeguarding the privacy of your personal information. This privacy statement contains the department’s policies for the management of the personal information collected and used by DTF. This statement is part of DTF’s ongoing commitment to protect the privacy of your personal information in accordance with the IPP’s set out in the Act.

# What is personal information?

Personal information is government information that is recorded in any way or form, whether true or not, from which your identity is apparent or can be reasonably ascertained.

Personal information includes personal details of an individual and any other information that directly or indirectly identifies a person who is alive or who has been alive within the last five years.

# Collecting personal information

DTF collects and handles a range of personal information about clients and staff for the purpose of providing services or carrying out its functions. DTF only collects personal information necessary for or related to its activities and functions and only by fair and lawful means.

Personal information may be collected for the purposes of:

* providing relevant information or services;
* statistical, research, planning or reporting;
* managing and administering agency services;
* managing an on-going agency/client relationship.

Where practical, when using information for these purposes, identifying details such as name and address are removed. Personal information is not included in reports or publications that are released to the public, except with the consent of the person concerned or where this is authorised.

# Use and disclosure of personal information

Where personal information is disclosed for the purposes outlined in this policy, DTF will ensure that the information is collected, held, used or disclosed consistently with the IPPs in the Act. DTF endeavours to only use personal information for the purpose for which it was collected and takes reasonable steps to acquire consent for disclosure to third parties. Personal information is only used or disclosed for another purpose if that purpose is related to the primary purpose and the person would reasonably expect the information to be used or disclosed or the individual has consented the use or disclosure.

Relevant groups or organisations to whom DTF may disclose personal information to include:

* other Northern Territory or Commonwealth government agencies;
* the Information Commissioner for the purposes of obtaining clarification or advice;
* outsourced service providers for the performance of their services;
* nominated referees of job applicants and tenderers; and
* an organisation where a law requires such disclosure.

Outsourced service providers engaged by the Department are required to comply with the requirements of the Act.

DTF may also use or disclose personal information for any other purpose if it is required or authorised by law or the use or disclosure is believed necessary to prevent a threat to an individual’s or the public’s health and safety.

# Security of personal information

Where reasonably possible, DTF has security procedures in place to protect personal information from misuse and loss, and from being seen, changed, used or disclosed by individuals who are not authorised to do so. DTF provides a secure environment and reliable systems to ensure the protection of personal information. This includes:

* only authorised staff who are employed under our security arrangements have access to personal details;
* administration systems use secure hardware and software products which protect against unauthorised access;
* hard copies of personal information are protected in secure records management systems; and
* DTF’s website uses industry standard security protocols to protect the personal information disclosed when using the online facilities.

DTF endeavours to ensure that records held by the department are managed in accordance with the Records Management Standards for Public Sector Organisations in the Northern Territory at all times.

# Access to personal information

DTF undertakes to provide access to personal information requested under the Act. A request to access personal information held by the department is subject to exemptions under the Act. Information will not be made available unless identity or the identity of another party who has the right to access the personal information is confirmed. If a request for personal information is declined, reasons for the decision will be provided. Forms are available on the NT.GOV.AU website (<https://nt.gov.au/law/rights/freedom-of-information/what-you-need-to-lodge-a-request>) or by contacting the Information Policy Officer on 08 8999 6982.

# Consent

DTF considers an individual to have consented to the collection, use or disclosure of their information if the individual has provided express consent or consent can be reasonably inferred from the conduct of the individual concerned.

# Applications and complaints on behalf of other persons

## Consent by and on behalf of Children

Children can give consent to the collection, use and disclosure of their personal information where it is established that they are of sufficient understanding and maturity to do so or are living independently. Consent can also be given on behalf of the child, by the child’s parent or a person chosen by the child or child’s parent or a person authorised to do so. Proof of authorisation must be provided in writing.

## Consent on behalf of a person with disabilities

Consent can be given on behalf of a person who has a disability, by a person authorised by the person with the disability or a person who has sufficient interest to do so, such as their legal guardian. Proof of authorisation must be provided.

## Consent on behalf of deceased persons

Consent can be given on behalf of deceased persons, within the first five years after death, by the administrator or executor of the deceased person’s estate, or a person authorised to do so, such as their next of kin.

# Accuracy and correcting personal information

Access to personal information for the purposes of correction may be made if it is established that the personal information is inaccurate, incomplete or out of date. A request to correct personal information held by the department is subject to exemptions under the Act. The respective application needs to be completed and lodged. Forms are available on the NT.GOV.AU website (<https://nt.gov.au/law/rights/freedom-of-information/what-you-need-to-lodge-a-request>) or by contacting the Information Policy Officer on 08 8999 6982.

# Complaints about privacy

A complaint may be lodged if personal information is not protected in accordance with details set out in this policy. Further information is available on our website ([www.treasury.nt.gov.au/InformationAct](http://www.treasury.nt.gov.au/InformationAct)) or by contacting the Information Policy Officer on 08 8999 6982.

# Contact details

Information Policy Officer

Department of Treasury and Finance

GPO BOX 1974, DARWIN NT 0801

P: (08) 899 96982

F: (08) 899 96150

E: [FOI.DTF@nt.gov.au](mailto:FOI.DTF@nt.gov.au)

W: [www.treasury.nt.gov.au/InformationAct](http://www.treasury.nt.gov.au/InformationAct)