

Information Privacy Policy

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2.01	18/11/2016	Director Policy	Editorial amendments
2.02	30/03/2022	Operational Policy	Rebranded
3.0	26/04/2023	Strategic Services	Include all Departmental Portfolios
4.0	05/07/2023	Strategic Services	Reviewed to align with best practice and legislative requirements

Acronyms	Full form
IT	Information Technology
The Department	Department of Territory Families, Housing and Communities

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1. Application and scope

The Department of Territory Families, Housing and Communities (the Department) receives and holds personal information about its clients.

This policy outlines what personal and sensitive information the Department collects, how it is used and disclosed and how individuals can request access or correction.

2. Scope

This policy applies to all personal information and sensitive information held by the Department. The *Information Act 2002* defines personal information as 'government information from which a person's identity is apparent or is reasonably able to be ascertained'.

The Information Act defines sensitive information as personal information about racial or ethnic origin, political opinions or affiliations, religious beliefs or affiliation, philosophical beliefs, membership of a professional association, trade association or trade union, sexual preferences or practices, criminal record or health information.

3. Collection

Who we collect information about

The Department delivers services to a wide range of Northern Territory residents, through the following portfolios:

- **Child protection services** – for children and young people who are identified as being at a safety or welfare risk, or are in the care of the Department;
- **Youth justice services** – for children and young people who are subject to the youth justice system, including those in youth justice centres; and
- **Public housing services** – for individuals and families in need of housing and homelessness support services.

The Department may collect personal information about its clients across those portfolios and, where relevant, about family or household members of a client.

Information we collect

The types of personal information that the Department collects, and its uses of that information, depends on the particular individual's dealings with the Department. Generally, personal information may include:

- **identity information** – such as name, address, gender, date of birth, contact details and relevant NT government identifiers;
- **individual circumstances** – including information about education or employment, income, health information or, where applicable, racial and ethnic background;
- **family relationships** – including family members as understood under the Aboriginal and Torres Strait Islander kinship system, and members of the client's household;
- **interactions with the Department** – such as any services we provide to the client and other interactions with the client; and

- any other information reasonably necessary to or related to the Department's functions or activities.

How we collect information

The Department uses different methods to collect personal information. The Department will generally collect personal information directly from the individual (e.g. in person, by telephone, by correspondence or through paper or electronic forms submitted to us).

The Department may also collect personal information:

- from government agencies and other service providers;
- where permitted by law, including under the *Care and Protection of Children Act 2007 (NT)* and *Information Act 2002 (NT)*; and
- from other third parties, such as health professionals, educators, social workers.

When the Department collects personal information from a third party, it will take steps to inform the individual, if it is reasonably practicable to do so. This may occur through this Privacy Policy, collection notices, application forms, and discussions with Department staff, either in person or over the phone.

4. Use and disclosure

- contact details;
- income;
- family relationships;
- age;
- sensitive health information, if necessary; and
- all other information reasonably necessary to or related to the Department's functions and activities.

The Department will use and disclose personal information for the purposes for which it was collected, for related purposes that the individual would reasonably expect, and for other purposes required or permitted by law. Generally, these purposes include:

- to verify an individual's identity;
- to administer and provide the Department's services including housing, youth justice, child protection, and community engagement;
- to provide advice and assistance to vulnerable individuals in need of support with housing, youth justice or child protection issues;
- to investigate incidents, including child safety and wellbeing concerns;
- to comply with any legal obligations of the Department (including disclosure, reporting and law enforcement obligations);
- to manage complaints and feedback to the Department;
- to manage and respond to requests for information to the Department;
- to otherwise operate, administer, manage, improve, and conduct the Department's functions and activities;
- to work better internally across the Department by sharing information with other service areas;

- to participate in interagency data sharing, including to verify a person's identity on another government agency system; and
- to disclose information to third parties (such as other government agencies, service providers, carers, or other relevant individuals) as necessary for the above purposes.

5. Data Security

The Department takes reasonable steps to protect personal information against misuse, interference, and loss, and from unauthorised access, modification, or disclosure, for example through the use of technical and physical security measures, including restricting access to electronic records through technical access restrictions. Department staff must also comply with all internal confidentiality and privacy policies and procedures.

When no longer required, subject to any ongoing legal or regulatory requirements, the Department may destroy or archive personal information in a secure manner.

6. Access and correction

Individuals are entitled to access the personal information the Department holds and may do so by completing an application form here - [Access to information | Department of Territory Families, Housing and Communities](#).

The Department will comply with its obligations under the Information Act in processing the application, noting that it may need to verify an applicant's identity before allowing access to their personal information.

Individuals may also request correction of their records if they believe the personal information the Department holds about them is inaccurate, incomplete, or out of date. If the Department is satisfied that any personal information held about the individual is not accurate, complete or up-to-date it will amend those records accordingly, unless there is a law that allows or requires the Department not to do so.

The Department is permitted by law to refuse access or correction of personal information in certain circumstances. The Department will give notice in writing, and explain its reasons, if it refuses to give access, or make correction to, personal information.

7. Roles and responsibilities

Roles	Responsibilities
All staff	<ul style="list-style-type: none"> • Consult with the Department's Legal and Freedom of Information unit before considering the release of any personal information held by the Department. <p>Note: Where legislated requirements to immediately/directly report matters exist within other applicable legislation (e.g. Work Health and Safety Notifiable Incidents), these obligations must be adhered to. Pre-emptive advice can be sought from the Legal and Freedom of Information unit to better understand in what circumstances this exception would be applicable.</p> <ul style="list-style-type: none"> • Be aware of the Information Privacy Principles of the <i>Information Act 2002</i> and relevant policies. • Do not release personal information without the permission of the client unless it is required by law or for the purposes of law enforcement investigations.
Legal and Freedom of Information	<ul style="list-style-type: none"> • Apply the Information Privacy Principles of the <i>Information Act 2002</i> in providing advice to staff on possible release of any personal information held by the Department.

8. Discretionary decision making

No discretion applies to this policy. See *Discretionary Decision-Making policy*.

9. Complaints and/or appeals

If a client is not satisfied with either a decision or action of the Department, they can access the Department's complaints and/or appeals processes at TFHC.Complaints@nt.gov.au or on 1800 750 167.

10. Review of the policy

If at any time the legislative, operating or funding environment is so altered that the policy is no longer appropriate in its current form, the policy shall be reviewed and amended accordingly. This policy will be reviewed within two years of release.

11. Legislation and related resources

[Care and Protection of Children Act 2007](#)

[Domestic and Family Violence Act 2007](#)

[Housing Act 1982](#)

[Information Act 2002](#)

[Public Sector Employment and Management Act 1993](#)

[Residential Tenancies Act 1999](#)

[Youth Justice Act 2005](#)

Employment Instruction 12 – [Code of Conduct](#)