



**Australian Government**  
**National Capital Authority**

# Privacy Policy

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National Capital Authority

2014

# Introduction

## The NCA's privacy obligations

As an Australian Government statutory agency, the National Capital Authority (NCA) is covered by the *Privacy Act 1988* (the Privacy Act) and is bound by the standards, rights and obligations in relation to the handling and maintenance of personal information in the Privacy Act.

The Privacy Act defines personal information as information or an opinion about an identified individual, or an individual who is reasonably identifiable whether it is true or not and whether it is recorded in a material form or not.

The Australian Privacy Principles (APPs) contained in the Privacy Act set out the NCA's obligations in relation to the collection, storage, use, disclosure, quality and security of personal information and access and correction rights of individuals in relation to their personal information.

## About the National Capital Authority

The National Capital Authority (NCA) performs a special role as trustee of the National Capital and, in this capacity, serves the interests of the Australian Government, the nation and its people. The NCA is responsible for shaping the National Capital into the future, as well as caring for the nationally significant parts of Canberra and informing all Australians about our National Capital.

The NCA is an Australian Government statutory agency established under the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act). The Act prescribes the NCA's powers and functions and makes it subject to general Ministerial direction. The Assistant Minister for Infrastructure and Regional Development administers the Act.

In addition to its functions and powers under the Act, the NCA is also responsible for administering the *National Land (Road Transport) Ordinance 2014* on National Land in the Central National Area and exercising various powers delegated by the Minister under the *National Land Ordinance 1989* and its applied provisions relating to the management and control of the national capital estate.

More information about the NCA is available from our website at [www.nationalcapital.gov.au](http://www.nationalcapital.gov.au).

## The purpose of our privacy policy

The purpose of our privacy policy is to:

- clearly communicate our personal information handling practices
- enhance the transparency of our operations
- provide individuals and our employees with a better and more complete understanding of the sort of personal information the NCA holds, and the way in which the NCA handles that information.

This policy is written in simple language. The specific legal obligations of the NCA when collecting and handling your personal information are outlined in the Privacy Act and in particular in the APPs found in that Act. The NCA will update this privacy policy when our information handling practices change.

## **Your right to deal with the NCA anonymously**

Where possible, we will allow you to interact with us anonymously or using a pseudonym. For example, if you contact our Switchboard on telephone (02) 6271 2888 with a general question we will not ask for your name unless we need it to adequately handle your question.

However, for most of our functions and activities we usually need your name and contact information and enough information about the particular matter to enable us to fairly and efficiently handle your inquiry, request, complaint or application, or to act on your report.

# The NCA's Personal Information Handling Practices

## Purposes for which the NCA collects, uses, holds and discloses personal information

We only collect personal information where it is reasonably necessary for, or directly related to, our functions and activities. These functions and activities include:

- administering the *Australian Capital Territory (Planning and Land Management) Act 1988* and its subordinate legislation
- administering the *National Land (Road Transport) Ordinance 2014* and its subordinate legislation
- administering any respective power delegated by the responsible Minister under the *National Land Ordinance 1989* and its applied provisions
- our responsibilities as a Statutory Agency under the *Public Service Act 1999* and other Commonwealth legislation.

## The kinds of personal information collected and held

The personal information we collect, hold and disclose will vary depending on what we require to perform our functions and activities. *Schedule 1* to this policy outlines the kinds of personal information collected and held by the NCA and the purposes for which the personal information is collected, held, used and disclosed.

## How personal information is collected

At all times we try to only collect the information we need for the particular function or activity we are carrying out.

We may collect personal information from the individual directly; the individual's representative or a third party.

- The NCA collects personal information in the following ways:
- information solicited by the NCA through written instruments, online electronic communications and telephone communications;
- correspondence and documents sent to the NCA;
- information given by other agencies and organisations for purposes relating to the functions and activities of the NCA; and
- publicly available sources.

We also collect personal information when we are required or authorised by law or a court or tribunal to collect the information.

We may also collect contact details and some other personal information if you are on our committees, panels or participating in a meeting or consultation with us, including public forums.

We also collect personal information from publicly available sources to enable us to contact stakeholders who may be interested in our work or in participating in our community consultations.

### **Social Networking Services**

We use social networking services such as Facebook and Twitter to communicate with the public about our work. When you communicate with us using these services we may collect your personal information, but we only use it to help us to communicate with you and the public. The social networking service will also handle your personal information for its own purposes. These sites have their own privacy policies.

### **Email lists**

We collect your email and, if you provide it, other contact details when you subscribe to our email lists. We only use this information for the purpose of sending you regular updates on the activities of the NCA, and to administer the lists.

### **Collecting through our websites**

The NCA has its own public website — [www.nationalcapital.gov.au](http://www.nationalcapital.gov.au). We also have a separate web blog called “Have Your Say” where we allow comments.

Where our websites allow you to make comments or give feedback we collect your email address and sometimes other contact details. We may use your email address to respond to your feedback. We store this personal information on servers located in Australia.

For further information about information collected from our website, including the “Have Your Say” portal refer to the [NCA’s Website Privacy Policy](#).

### **How personal information is held**

We take steps to protect information, including personal information, against loss, unauthorised access, use, modification or disclosure, and against other misuse. These steps include:

- password protection for accessing the NCA’s electronic information and communication system
- securing paper based files with personal information in locked cabinets and with physical access restrictions
- regularly assessing the risk of misuse, interference, loss, and unauthorised access, modification or disclosure that information
- taking measures to address those risks, for example, we keep a record (audit trail) of when someone has added, changed or deleted personal information held in our electronic databases and regularly check that employees only access those records when they need to
- conducting regular internal and external audits to assess whether we have adequately complied with or implemented these measures.

Our employees are also required to assess the consequences of damage from unauthorised compromise or misuse of information and apply appropriate security classifications to documents they create or handle.

When personal information collected by the NCA is no longer required, it is stored, managed and destroyed consistent with the *Archives Act 1983*.

## **How you may access your personal information and seek its correction**

You have a right to request access to the personal information the NCA holds about you and to request its correction in accordance with Australian Privacy Principles 12 and 13 in the Privacy Act. You can ask for access or correction by contacting us and we must respond within 30 days. The Privacy Act permits access to be refused in certain cases, including where an exemption under the *Freedom of Information Act 1982* (FOI Act) would apply.

To request access or correction to your personal information held by the NCA, you can contact the NCA's Privacy Contact Officer using the details outlined at the 'How to contact us' section below. Discussing the nature of your request with the NCA's Privacy Contact Officer will enable the NCA to provide guidance on whether your request is better dealt with under the Privacy Act, the FOI Act or another arrangement, and will likely vary depending on your circumstances.

## **Disclosure**

*Schedule 1* to this policy outlines the kinds of personal information collected and held by the NCA and the purposes for which the personal information is collected, held, used and disclosed.

### **Disclosure to service providers**

The NCA uses a number of service providers to whom we disclose personal information. These include providers that:

- manage and deliver ICT services
- manage our human resources information, including the delivery of payroll services
- arrange and or book travel for employees and other individuals
- assist the NCA in the management of parking in the Central National Area.

To protect the personal information we disclose we:

- enter into a contract or Memorandum of Understanding (MOU) which requires the service provider to only use or disclose the information for the purposes of the contract or MOU
- include special privacy requirements in the contract or MOU, where necessary.

### **Disclosure of sensitive information**

We only disclose your sensitive information for the purposes for which you gave it to us or for directly related purposes you would reasonably expect or if you agree.

### **Disclosure of personal information overseas**

Most personal information collected and held by the NCA will not be disclosed to overseas recipients. A limited amount of personal information may be disclosed to overseas recipients in some circumstances.

## **Privacy complaints**

If you believe the NCA has breached any of the APPs, you may submit a complaint to the NCA. Complaints must be made in writing to the Privacy Contact Officer at the email or postal address listed in this policy.

You may submit a complaint anonymously. However, in order to properly consider and respond to your request, your complaint should include a brief description of your privacy concern, any action

or dealings you have had with a NCA employee to address your concern and your preferred contact details.

The NCA will respond to complaints within 30 days of receipt. If you are dissatisfied with the NCA's response to a complaint, you may complain to the Office of the Australian Information Commissioner (OAIC). The OAIC can receive privacy complaints through the following:

Office of the Australian Information Commissioner complaints contact details	
Online form	<a href="#">OAIC Privacy Complaint Form</a>
Email	<a href="mailto:enquiries@oaic.gov.au">enquiries@oaic.gov.au</a>
Post	The Privacy Commissioner Office of the Australian Commissioner GPO Box 2999 CANBERRA ACT 2601
Facsimile	(02) 9284 9666

## How to contact us

You can contact us by:

**Email:** [privacy@natcap.gov.au](mailto:privacy@natcap.gov.au)

**Telephone:** (02) 6271 2888 (from overseas +61 2 6271 2888)

**Post:** GPO Box 373, Canberra ACT 2601.

**Facsimile:** (02) 6273 4427 (from overseas +61 2 6273 4427)

# Schedule 1

NCA Business Unit(s)	Purpose of collection	Kinds of personal information the NCA collects and holds		To whom disclosures are made outside the NCA (if applicable)
<p><b>Corporate Services</b></p>	<p>To capture appropriate personal information to manage the recruitment/employment (including employment history records) of all former and current employees, applicants for vacancies, and secondees to the NCA.</p>	<p><b>Personnel and payroll</b> include attendance and overtime records, leave applications and approvals, medical records, payroll and pay related records (including bank details), tax file number, declaration of interests, personal history files, performance appraisals, records relating to learning and development, records relating to personal welfare matters, contracts and conditions of employment, equal employment opportunity data and next of kin and emergency contact details.</p> <p><b>Recruitment</b> records include records relating to curriculum vitae, records relating to relocation of staff and removals of personal effects and records relating to character checks and security clearances.</p> <p><b>Personnel Security Files</b> may include copies of birth certificate, Deed Poll or change of name certificate, naturalisation/citizenship certificate, marriage certificate, divorce documentation, passport, armed services discharge certificate, education certificates, driver's licence, personal particulars, employee photograph, police record checks and supervisor/referee</p>	<p>Contents of personnel records may include: name, address, date of birth, occupation, AGS number, gender, qualifications, equal employment opportunity data, next of kin, details of pay and allowances, leave details, work reports, security clearance details and employment history.</p> <p>Sensitive contents of personnel records may include: physical and mental health, disabilities, racial or ethnic origin, disciplinary investigation and action, criminal convictions, adverse performance and security assessments, tax file numbers, relationship details and personal financial information.</p>	<p>Disclosures are made to the NCA's payroll provider and to other agencies on an 'as required' basis to meet relevant employer obligations.</p>

NCA Business Unit(s)	Purpose of collection	Kinds of personal information the NCA collects and holds	To whom disclosures are made outside the NCA (if applicable)
		<p>reports.</p> <hr/> <p><b>Other personnel</b> records may include records of accidents or injuries, compensation case files, complaints and grievances, recommendations for honours and awards and records relating to counselling and discipline matters (including disciplinary, investigation and action files, legal files, records of criminal convictions).</p>	
<b>Corporate Services</b>	To manage the NCA's security risks.	<p>Personal security files including name, date of birth, contact details, employment and education history, and other personal information relevant for obtaining or maintaining a security clearance.</p> <p>May also include sensitive personal information such as racial or ethnic origin, <a href="#">membership</a> of a political association, religious beliefs or affiliations, <a href="#">membership</a> of a professional or trade association, <a href="#">membership</a> of a trade union, sexual orientation or practices, or criminal <a href="#">record</a>.</p>	The information is disclosed to security and law enforcement agencies for the purpose of police records and/or security clearance checks.
	A record of gifts received by employees of the NCA.	Name of the recipient of gift/s and presenter of gift/s.	Not applicable.
<b>Corporate Services</b>	To process Freedom of Information requests made to the NCA or consultation on Freedom of Information requests to the NCA.	The personal information may relate to the Freedom of Information applicant and/or third parties to whom the information requested relates. Details may include names, gender, occupation, email, postal address, telephone number, and on occasion credit card and bank details.	The information may be disclosed to other agencies with subject matter responsibility, the Administrative Appeals Tribunal, the Office of the Australian Information Commissioner, the Portfolio Department, the NCA's legal advisors, the Minister or the Minister's office/staff.
<b>Executive</b>	To coordinate the receipt and response of correspondence received by the Minister and the NCA.	Name, gender, email, postal address, occupation, and other personal information provided by the author.	<p>The Minister and their offices/staff.</p> <p>Misdirected correspondence may be referred to the</p>

NCA Business Unit(s)	Purpose of collection	Kinds of personal information the NCA collects and holds	To whom disclosures are made outside the NCA (if applicable)
			appropriate agency or Minister for response.
<b>Inform and Educate</b>	To administer and manage our Volunteer Programs.	Details of each Volunteers or potential Volunteers which may include name, gender, email, postal address, telephone numbers.	Not applicable.
<b>Estate</b>	To administer and manage: <ul style="list-style-type: none"> <li>• boat permits for Lake Burley Griffin</li> <li>• applications to conduct an event on National Land</li> <li>• the patrons program for the Old Parliament House Rose Gardens</li> </ul>	Details may include name, gender, occupation, email, postal address, telephone numbers, and on occasion credit card and bank details.	Not applicable.
<b>Estate</b>	To administer and manage parking on National Land including any action relating to the payment or non-payment of parking infringement notices.	<p>Personal details relating to the owner of a vehicle that has been issued with a parking infringement notice (PIN) where:</p> <ul style="list-style-type: none"> <li>• the PIN is in dispute</li> <li>• the PIN has not been paid by the due date</li> <li>• a refund is being sought.</li> </ul> <p>Details may include names, gender, email, home address, postal address, telephone numbers, motor vehicle registration, driver's licence details, and on occasion credit card and bank details.</p>	<p>The information may be obtained from or disclosed to the:</p> <ul style="list-style-type: none"> <li>• ACT Government Justice and Community Safety Directorate</li> <li>• the NCA's service provider responsible for the management of pay parking in the Central National Area of Canberra.</li> <li>• the NCA's service provider(s) or lawyers whom may be responsible for the collection of a debt or for the purposes of court action</li> <li>• a court of law</li> </ul>
<b>Estate and Plan</b>	To administer and manage applications for works approval under section 12 of the <i>Australian Capital Territory (Planning and Land Management) Act 1988</i> .	Details may include names, gender, email, postal address, telephone numbers, occupation and on occasion credit card and bank details.	Not applicable
<b>Finance</b>	To maintain the NCA's financial management information system (FMIS) by including information about employees, volunteers and suppliers - to facilitate payment for employee entitlements or goods/services provided under a contract- and to	<p>Employee names (personnel profiles), numbers and salary paid.</p> <hr/> <p>Names and contact details of individuals and organisations for contracts.</p> <hr/> <p>Supplier contact and bank details for accounts payable and receivable processing, employee bank accounts (where employees have made payments through this system) and credit card details.</p>	Not applicable.

NCA Business Unit(s)	Purpose of collection	Kinds of personal information the NCA collects and holds	To whom disclosures are made outside the NCA (if applicable)
	record financial transactions from across the NCA.		
<b>All business units</b>	To manage the NCA's procurement and contracting processes.	Tenders, contracts and other procurement documentation including company details, names of specified personnel, names of sub-contractors, financial information, past performance and referee details, and any other relevant information that may be required as part of the procurement process.	The information may be disclosed to other agencies with subject matter responsibility, or where required to meet statutory reporting or audit obligations.
<b>All business units</b>	To facilitate the NCA's travel processes.	Name, date of birth, contact details, bank account details, driver's licence number, and any other relevant information that may be required to book travel.	The information is disclosed to travel and accommodation providers on a need to know basis.