



# Suburban Land Agency Privacy Policy

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## 1.0 Policy Statement

1.1. The Suburban Land Agency (SLA) Privacy Policy (Policy) specifies SLA’s position in relation to its protocols on matters relating to personal information collected while conducting its business operations.

## 2.0 Purpose

2.1 The Policy has been developed to ensure that SLA’s practices in relation to the personal information it collects is aligned with legislative and other relevant whole of Government requirements.

## 3.0 Scope

3.1 The Policy is to be read in conjunction with SLA’s Privacy Statements (Statements), which can be found on the SLA [website](#). The Statements and Policy provide a consolidated approach that sets out the specific functions and requirements, and the way SLA collects, stores, handles and discloses personal information as prescribed in the Information Privacy Act 2014 (IP Act). The Policy is consistent with the requirements of the Territory Privacy Principle (TPP) 1.3 of the IP Act regarding the collection, management, use and disclosure of personal information.

3.2 The Policy and Statements also provide directions for relevant parties to, where deemed necessary, make complaints relating to SLA’s handling of personal information.

## 4.0 Roles & Responsibilities

4.1 Table 1 outlines the roles and responsibilities for this Policy.

Table 1: Roles and Responsibilities

Position/Business Area/Committee	Responsibility
Chief Executive Officer	Approves the Policy
Executive Branch Manager, Governance and Corporate Services	Owner of the Policy
All SLA staff	To implement and adhere to the Policy requirements
Governance team	Monitoring of performance against Policy requirements

## 5.0 Policy Requirements

### 5.1 Collecting Information

5.1.1 Under the *Information Privacy Act 2014*, ~~The~~ SLA may collect personal information only if it is reasonably necessary for, or directly related to, one or more of the agency’s functions or activities.

5.1.2 The rules we must follow when collecting and handling your personal information are covered under various legislation as listed in the Appendix of this policy. The main one is the IP Act, including the TPPs.



5.1.3 This document describes:

- what information we may collect and why;
- where we get your information from;
- how we store and protect your information; and
- how we dispose of your personal information when we no longer need it.

5.1.4 It also describes what you should do and who you should contact if you want to:

- know what information we have about you;
- correct any mistakes in that information; and
- make a complaint regarding our handling of your personal information.

5.1.5 This Privacy Policy will be updated from time to time as required, and any updates will be published on the SLA [website](#).

## 5.2 Remaining Anonymous

5.2.1. If possible, when you contact us (for example, when calling to ask for information), you will be given the option of remaining anonymous or of using a made-up name (called a pseudonym).

5.2.2 However, sometimes we will need you to provide your real name and other personal details. This may be because we cannot provide assist you without knowing your name. Sometimes it may be because we are required by law to collect your details or to check your identity.

5.2.3 If it is impractical or unlawful for us to deal with you without knowing some of your personal information, we will tell you why we need the information. We will also tell you what it will mean for you if you do not give us the information we need.

## 5.3 Collecting Personal Information

5.3.1 At all times we try to collect only the information we need for the particular function or activity we are carrying out. We do not collect personal information about you if we do not need it.

## 5.4 How and why we collect personal information

5.4.1 SLA may collect personal information about you when:

- You enquire about sales and other business enquiries or through sales events such as a ballot systems or land auction;
- You participate in community consultations, committees, forums, or make submissions to us, and you give us permission to collect your personal information;
- you contact us to ask for information and we need it to help you or reply to you;
- you subscribe to SLA's online social media channels;
- you subscribe to any of SLA's email distribution list for information purposes;
- you volunteer for a service, program or event managed by SLA;
- you are involved in an accident, incident or near miss related to SLA's activities, resulting in the completion and submission of an incident/accident report;
- you ask for access to information that SLA holds;
- undertaking procurement processes in accordance with the Government Procurement Act 2001;
- undertaking recruitment processes in accordance with the Public Sector Management Act 1994;
- you are employed by SLA;
- you are in public spaces or events covered by the ACT Government Public Safety Closed Circuit Television (CCTV) system; and/or

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- you are in an office, facility or building in which SLA operates, which is covered by a CCTV system.

The ways in which we may collect your personal information may include:

- paper or online forms;
- letters and emails;
- telephone;
- verbally at in-person venues and events; and
- CCTV systems.

5.4.2 We will normally collect information directly from you unless it is unreasonable or impractical to do so.

5.4.3 Sometimes, for example where it is required by law, we may obtain information collected by other Commonwealth, State or Territory government bodies. SLA may also obtain information from other sources where we need the information to fulfil our legal responsibilities (such as registration for sales events).

5.4.4 Where necessary to do our job, we may collect personal information from publicly available sources such as electoral rolls and public records.

## 5.5 Types of information collected

5.5.1 The types of information we may collect includes:

- your name, address and contact details, such as phone number and email address;
- information about your identity (e.g. date of birth, country of birth, passport details, visa details and driver's licence);
- information about your personal circumstances and associations (e.g. age, gender, marital status and occupation);
- information about your financial affairs (e.g. payment details, bank account details, and information about business and financial interests);
- information about your employment (e.g. applications for employment, work history, referee comments and remuneration);
- information about your opinions (e.g. through community consultation processes); and
- photographs, video, CCTV or other footage and audio recordings.

## 5.6 Sensitive Information

5.6.1 Sometimes we may need to collect sensitive information about you. Sensitive personal information can include information relating to racial or ethnic origin, political opinions, religious beliefs, sexual preferences, criminal records and biometric and genetic information.

5.6.2 Normally we will ask your permission to collect any sensitive information about you. However, sometimes we can collect sensitive information about you without your permission, for example, when it is required by a court order, or if it is reasonably necessary to prevent a threat to the life, health or safety of one or more people. Sensitive information that has been collected because of a court order or other legal requirement, will only be used and made available to others, as allowed by law or court order.

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5.6.3 SLA collects and holds sensitive information about the criminal records of its employees and applicants for employment. This is an ACT Public Service requirement, and the information is used to assess an employee’s suitability to hold their position.

5.6.4 SLA may also collect and holds sensitive information about the criminal records of volunteers to ensure they are suitable for volunteer work in/with SLA.

5.6.5 SLA does not routinely collect or hold other types of sensitive information, including:

- philosophical beliefs;
- membership of a political association;
- membership of a professional or trade association;
- membership of a trade union (except for union representatives); and
- genetic information.

## 5.7 Notice of collection

5.7.1 When SLA needs to collect personal information from you, we will take reasonable steps to notify you about:

- who we are and how you can contact us;
- why we are allowed to collect your personal information;
- the laws that require us to collect this information (if any);
- how you may be affected if we cannot collect the information we need;
- the details of any organisation with which we normally share personal information, including whether they are overseas, and if so, in which countries;
- the existence of this policy and that it describes how we handle your information, how you can access or request changes to your personal information, and how we deal with complaints about how we handle your information; and
- how you can access this policy.

5.7.2 We will try to tell you about these things either before we collect your information or when we collect your information. If that is not possible, we will tell you as soon as we can after we have collected your information. To find out more about the information we collect from you in person refer to **Attachment A** – Suburban Land Agency Privacy Statement – Event and Venue attendance.

## 5.8 Collecting Information through our websites

5.8.1 When you go onto one of our websites, some non-personal information is automatically collected. This includes information about how you have accessed the internet, what you have looked at on our websites and what you have downloaded.

5.8.2 No personal information about you is collected automatically from our websites. We only collect personal information about you from a website when you give it to us, for example when you respond to a stakeholder survey.

5.8.3 To find out more about the information we collect from our websites refer to **Attachment B** SLA Privacy Statement – Web

## 5.9 Collecting information from closed circuit television systems

5.9.1 SLA collects CCTV footage to assist in the protection of its people, assets and infrastructure.

5.9.2 SLA also collects CCTV footage to support safety in public spaces and events.

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5.9.3 For additional information relating to the collection, management and use of CCTV footage, please refer to:

- *Suburban Land Agency Closed Circuit Television Statement*, available at **Attachment C**
- *Suburban Land Agency Closed Circuit Television Register*, available at **Attachment D**.

## 6.0 Social networking services

6.0.1 SLA has no control over social networking services such as Facebook and Twitter. If you contact us using a social networking service, they may collect and use your personal information. Social networking services will have their own privacy policy that will outline what information they collect about you and how they use it.

## 6.1 Use and disclosure of personal information

6.1.1 We may need to use and share your personal information in order to do our job properly.

6.1.2 Some of the situations when we will do this are described below.

6.1.3 We will only disclose or share your sensitive information for the purposes for which you gave it to us, for directly related purposes where you would reasonably expect us to do so, or if you give us your permission.

## 6.2 Referring information to another ACT Government directorate or agency

6.2.1 We will share your personal information with other ACT Government agencies in situations where we believe you will think it is reasonable for us to share your information. This includes:

- **When we cannot help you or answer your question**, we will pass your name, contact details and your request or question to the ACT Directorate or Agency that we think is best able to help you.
- **When you take part in a cross-agency program**, such as the Land Rent Scheme, we may pass your name, contact details and details of your involvement in the program to the other ACT, Commonwealth or state government agencies involved.
- **When we need the help of other agencies to give you everything you need**, we will pass your name and contact details to the other agencies involved. (This is known as “integrated service delivery”).
- **When you take part in surveys or consultations**, we may share information such as your name, your occupation and your views on the issue(s) in question with other ACT agencies.
- **If you work for SLA**, as a permanent, contracted or temporary employee (including volunteers & appointed memberships), personnel files are kept containing records about all aspects of your employment. Personal information may be shared on a “need to know” basis with Shared Services and travel providers.
- **If you make a complaint to SLA**, about an aspect of our performance or service delivery, your name, contact details and information about your complaint may be shared with an external body such as the ACT Ombudsman or ACT Integrity Commission. This is to allow independent investigation of your complaint.
- **If a Freedom of Information (FOI) request is made**, personal information contained in our files and information about the person making the request may be released to ACT agencies and to other third parties.
- **When we need to invoice you for goods and services that you have received, or recover any outstanding monies owed by you** to the Territory in relation to the provision of

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these goods and services, we may provide your personal information to Shared Services Finance or ACT Revenue.

### **6.3 Disclosure to the media**

6.3.1 We will only provide the media with your personal information when you have given us permission to do so, where such information is already publicly available, or where a specific exception under the IP Act applies (see the next section for more information about exceptions).

### **6.4 Exceptions**

6.4.1 Normally we will only use your personal information for the reason we originally collected it, unless you give us permission to use it for another, secondary purpose. Likewise, we will generally not share your personal information with private sector organisations or anyone else without your permission.

6.4.2 However, there are exceptions to these rules where the law says that we may use or share your personal information without your permission. Some of the exceptions to the rules are described below.

6.4.3 We can use or share your personal information when:

- the secondary purpose for using or sharing your personal information is closely connected to the original purpose and we believe you would reasonably expect us to use the information for that secondary purpose;
- we reasonably believe that the use or sharing of your personal information is necessary to reduce or prevent a serious threat to the life, health or safety of any individual, or to public health or safety;
- we have reason to suspect unlawful activity, or misconduct of a serious nature, that relates to our work, and we reasonably believe the use or sharing of your personal information is necessary for us to take appropriate action; and/or
- we reasonably believe that use or sharing of your personal information is necessary to help locate a person who has been reported as missing.

6.4.4 If we hold biometric information about you (such as photographs) or your biometric templates (digital representations of your distinct characteristics), we may provide this information to an enforcement body (such as the Australian Federal Police or other Commonwealth law enforcement bodies) provided that we comply with any guidelines provided by the Information Privacy Commissioner.

6.4.5 We may also share your personal information with Commonwealth intelligence agencies where it has been authorised and that agency certifies that the collection of the personal information from SLA is necessary for it to perform its functions.

### **6.5 Sharing information with external service providers**

6.5.1 Sometimes SLA contracts private service providers to help deliver its functions.

6.5.2 In some circumstances, it may be necessary for us to share personal information with these service providers to allow them to do their work efficiently and effectively. This includes:

- Financial, legal, administrative and other service providers;
- Marketing agencies (for demographic research purposes) and sales agents which SLA engages; and

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- Companies and their agents in relation to the development and marketing of SLA projects.

6.5.3 In such situations, we protect personal information by only entering into contracts with private companies that agree to comply with the Territory requirements for the protection of personal information.

## **6.6 Sharing Information with overseas recipients**

6.6.1 In some circumstances, we may need to share or store information with overseas recipients.

6.6.2 We currently have arrangements in place for the routine disclosure of information overseas with Google, who are contracted to monitor and report on web traffic on each of our websites. Google collects information about your use of the website (including your IP address) and stores the information across multiple countries. Reports provided by Google are aggregated and do not include personal data of individual users. For more information on the use of Google Analytics on our websites, please refer to our website [SLA Privacy Statement – Website and Online](#).

6.6.3 We will take reasonable steps before disclosing any personal information to an overseas recipient to ensure that they will treat the personal information with the standard of care defined in the IP Act.

6.6.3 In some cases, the information will already be sufficiently protected under the law governing privacy in the country where the company is based, and you can apply to the country concerned to enforce these protections if required.

6.6.4 If it is practical and reasonable to do so, we will obtain your permission to share information with overseas organisations. However, there may be situations where we are unable to do so. In this situation, we will take reasonable steps to ensure the overseas recipient complies with the requirements of the IP Act.

6.6.5 We will update this policy to describe any new arrangements we make that result in regular sharing of personal information with an overseas organisation.

## **6.7 Quality of personal information**

6.7.1 We are required to take reasonable steps to make sure that the personal information we collect, use and store is accurate, up to date and complete. To help us do this, we record information in a consistent format and where necessary, we check that the information we collect is correct. To check that the information is correct, we will talk to you, use a publicly available source or, if allowed to by law, we will talk to another organisation such as another ACT government directorate.

## **6.8 Storage and security of personal information**

6.8.1 We are required by law to take reasonable steps to ensure that the personal information we hold is safe and secure.

6.8.2 The measures we have in place to protect your personal information include:

- making sure your information can only be seen or used by a member of staff if they need the information to do their job (this is called the “need-to-know” principle);
- internet firewalls;
- secure logins with password protection;

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- control of entry to SLA buildings and rooms (only staff who need to enter the building or room to do their job are allowed in);
- logging of activity on the computer network and other ICT equipment; and
- secure storage of paper files.

6.8.3 The Territory Records Act 2002 contains rules that we must follow for the storage, management and protection of the information, records and data that we hold.

6.8.4 We securely destroy records once they are no longer required for business purposes in accordance with the Territory Records Act 2002 and the appropriate Record Disposal Schedule.

## **6.9 Accessing your personal information**

6.9.1 You have the right to ask for access to any personal information we hold about you.

6.9.2 Requests to access your personal information should be submitted to the Executive Branch Manager, Governance and Corporate Services, whose contact details are listed in section 7.1.

6.9.3 If you contact us to request access to your personal information, we must, if it is reasonable and practical to do so, provide you with access in the way you request. Under certain circumstances defined by law, we may refuse your request for access to your information. We may also refuse your request if it is not reasonable or practicable to give you access in the way you have asked for.

6.9.4 We must respond in writing to your request within 20 working days. If we refuse your request, we must tell you why we have refused to provide you with access to your information.

6.9.5 SLA will not charge you any fees for making the request or for providing you with access to your information.

6.9.6 You also have the right under the Freedom of Information Act 2016 to request access to any of the documents that we might hold. Further information on our freedom of information arrangements, including how you can apply for access, can be found on the [Environment, Planning and Sustainable Development Directorate website](#).

## **7.0 Correcting your personal information**

7.0.1 You have the right to request that we correct any of your personal information that we hold, if you believe it is incomplete, incorrect, out of date, or misleading.

7.0.2 Applications to correct your personal information can be made by emailing [SuburbanLand@act.gov.au](mailto:SuburbanLand@act.gov.au)

7.0.3 Some records, such as executed contracts, cannot be changed. If we refuse to change your personal information in any record we hold, we will write to you within 30 days explaining why we have refused to change your information.

7.0.4 If we cannot correct your personal information, you may request that we attach a statement to the record indicating that you believe the information held is incorrect, inaccurate, incomplete, irrelevant, out of date or misleading. You will be told if this is not possible.

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## 7.1 How to make a complaint

7.1.1 Our Complaint management policy is available on the [SLA website](#).

7.1.2 Complaints about our handling of your personal information should be made in writing to the Executive Branch Manager, Governance and Corporate Services, whose contact details can be found in the section below 7.1.

7.1.3 We can help you lodge your complaint if required.

7.1.4 Please also contact us if you would like to request a hardcopy of this policy or our Complaint Management Policy.

7.1.5 We will consider your complaint and work out how we can resolve your issue satisfactorily. We may contact you for further information. We will try to acknowledge receipt of your complaint within five working days, and we will aim to respond to the complaint within 20 days.

7.1.6 If you are not satisfied with our response, you may ask for a review by a more senior officer or you can make a formal privacy complaint to the Office of the Australian Information Commissioner (OAIC).

7.1.7 The OAIC is an independent body that can assess your complaint and decide whether our actions intruded on your privacy. If your complaint is upheld by the OAIC, you may be able to seek a remedy in the ACT Magistrates Court. Information on how to make a complaint to the OAIC is available at [www.oaic.gov.au](http://www.oaic.gov.au) or by contacting 1300 363 992.

## 7.2 How to contact us

7.2.1 Please address your enquiry or complaint to the Executive Branch Manager, Governance and Corporate Services via:

- **Email:** [suburbanland@act.gov.au](mailto:suburbanland@act.gov.au)
- **Telephone:** (02) 6205 0600
- **Postal Address:** GPO Box 158, Canberra ACT 2601

7.2.2 **Assisted Contact, National Relay Service:**

- TTY users phone – 13 36 77, then ask for 13 22 81
- Speak and listen users – 1300 555 727, then ask for 13 22 81
- Internet relay users – connect to the National Relay Service and ask for 13 22 81

For further information, please refer to the [National Relay Service website](#).

7.2.3 **Translating and Interpreting Service:**

- Telephone: 13 14 50 then ask for 13 22 81

For more information, please refer to the national [Translating and Interpreting Service website](#).

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## 8.0 Evaluation

Outcome Measures	Method	Responsibility
SLA's information privacy practices are consistent with the Chief Executive Officer's directions	Regular review of SLA's information privacy practices to ensure that they are consistent with the practices as approved by the Chief Executive Officer	Governance team
Information Privacy Policy is relevant and current	Policy reviewed biennially or as required to ensure continued relevance and recency	Governance team

## 9.0 Review

9.1.1 This policy will be reviewed as required to ensure relevance and recency. At a minimum it will be reviewed every two years.

## 10.0 Related Legislation, Policies and Standards

- *City Renewal Authority and Suburban Land Agency Act 2017*
- *Financial Management Act 1996*
- *Freedom of Information Act 2016*
- *Health Records (Privacy and Access) Act 1997*
- *Information Privacy Act 2014*
- *Land Rent Act 2008*
- *Planning and Development Act 2007*
- *Public Sector Management Act 1994*
- *Territory Records Act 2002*
- *Privacy Act 1988*
- Suburban Land Agency Privacy Statements

## 11.0 Document Governance

Position/Business Area/Committee	Role	Responsibility
Chief Executive Officer	Document approver	Approving authority
Executive Branch Manager, Governance and Corporate Services	Document sponsor	Responsible for authorising policy position and intent
Governance team	Document Custodian	Responsible for drafting, amending and implementing the policy



## 12.0 Version History

The following table details the published date and amendment details for this document.

Version	Date	Amendment details
2.0	24/03/2023	Updated publication of this policy to incorporate CCTV use
1.0	24/09/2021	First publication of this policy

## 13.0 Attachments

**Attachment A** – Suburban Land Agency (SLA) Privacy Statement – Event and Venue attendance

**Attachment B** – Suburban Land Agency (SLA) Privacy Statement – Web

**Attachment C** – Closed Circuit Television Privacy Statement

**Attachment D** – Closed Circuit Television (CCTV) Register