



Australian Government
National Capital Authority

Privacy Policy

National Capital Authority

November 2017

Approved

Chief Executive, NCA
10 November 2017

Introduction

The NCA's privacy obligations

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

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 PALM Act). The PALM 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 PALM Act.

In addition to its functions and powers under the PALM 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.nca.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 staff with a clear 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 Australian Privacy Principles found in that Act. The NCA will update this privacy policy if 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 require 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 Governance, Performance and Accountability Act 2013*, 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 methods, 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 by a court or tribunal.

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.nca.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:

- only allowing authorised users through the use of appropriate passwords to access NCA electronic information and communication systems and databases
- 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 of 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 periodic internal and external audits to assess whether we have adequately complied with or implemented these measures.

Our staff 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/or destroyed in accordance with the requirements of 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 to or correction of 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 or audit 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

Almost all personal information collected and held by the NCA will not be disclosed to overseas recipients. A very limited amount of personal information may be disclosed to overseas recipients as provided for in APP8.

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	OAIC Privacy Complaint Form
Email	enquiries@oaic.gov.au
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: nca@nca.gov.au (including 'Privacy Matter' the title line of the e-mail)

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	Purpose of Collection	Kinds of personal information the NCA collects and holds	To whom disclosures may be made outside the NCA
Compliance and Governance	To facilitate effective and efficient management of personnel and payroll functions.	May include name and personal details (contact details, home address, date of birth, occupation, AGS number, gender, qualifications, equal opportunity data), contents of APS personnel files, attendance and overtime records, leave balances, applications and approvals, medical records, payroll and pay related records (including pay, allowances and bank details), tax file number, declaration of interests, superannuation information, performance appraisals, records relating to learning and development, records relating to personal welfare matters, contracts and conditions of employment, and next of kin and emergency contact details. May also include sensitive personal information such as records of physical and mental health, racial or ethnic origin, security clearance details, disciplinary investigations and actions, adverse performance and security assessments, relationship details, personal financial information and employment history.	Appropriate disclosures are or may be made to the NCA's payroll and other HR service providers (EAP, salary packaging), the Australian Taxation Office, the Australian Public Service Commission and other APS agencies when relevant HR records are transferred.
Compliance and Governance	To facilitate effective and efficient management of recruitment processes.	May include records relating to curricula vitae, interview details, referee reports, details of ratings and shortlisting, records relating to relocation of staff and removals of personal effects and records relating to character checks and security clearances.	Appropriate disclosures are or may be made to recruitment service providers, other APS agencies and Australian Government Security Vetting Agency.
Compliance and Governance	To facilitate effective and efficient management of personnel security functions.	May include name, date of birth, contact details, employment and education history, and other personal information relevant for obtaining or maintaining a security clearance, copies of birth certificate, Deed Poll or change of name certificate, naturalisation/citizenship certificate, marriage certificate, divorce documentation, passport details, armed services discharge certificate, education certificates, driver's licence, personal particulars, employee photograph, police record checks and supervisor/referee reports. May also include sensitive personal information such as financial information, racial or ethnic origin, membership of a political groups, professional or trade associations, or trade unions, religious beliefs or affiliations, sexual orientation or practices, alcohol and/or drug use, and criminal records.	Appropriate disclosures are or may be made to the Australian Federal Police and the Australian Government Security Vetting Agency.

Compliance and Governance	To facilitate effective and efficient personnel management processes and functions.	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, and records of criminal convictions).	Appropriate disclosures may be made to Comcare, the Australian Federal Police, external providers and other APS agencies.
Compliance and Governance	A record of gifts received by employees of the NCA.	Would normally include name of the recipient of gift, presenter of gift, details of gift.	N/A
Compliance and Governance	To process Freedom of Information requests made to the NCA or consultation on Freedom of Information requests to the NCA.	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.	Appropriate disclosures may be made to the Office of the Australian Information Commissioner.
Compliance and Governance	To facilitate the effective and efficient processing of Ministerial and NCA correspondence .	May include name, gender, email and/or postal address, occupation, and other personal information provided by the author.	Appropriate disclosures are or may be made to the relevant Minister offices, the Department of Infrastructure and Regional Development, or other relevant APS agencies.
Inform and Educate	To administer and manage our Volunteer Programs .	May include details of each volunteer or potential volunteers such as name, gender, email, postal address and telephone numbers.	N/A
Estate	To administer and manage: <ul style="list-style-type: none"> • boat permits for Lake Burley Griffin • applications to conduct an event on National Land • the patrons program for the Old Parliament House Rose Gardens 	May include name, gender, occupation, email, postal address, telephone numbers, and on occasion credit card and bank details.	N/A
Estate	To administer and manage parking on National Land including any action relating to the payment or non-payment of parking infringement notices (PINs).	May include personal and financial details relating to the operator or owner of a vehicle, including when a PIN has been issued where: <ul style="list-style-type: none"> • the PIN is in dispute • the PIN payment has not been paid by the due date • a refund is being sought. Details may include name, gender, email, home address, postal address, telephone numbers, motor vehicle registration details, driver's licence details, relevant medical or financial details, and credit card and bank details.	Appropriate disclosures are or may be made to: <ul style="list-style-type: none"> • the ACT Government Justice and Community Safety Directorate • relevant NCA contracted service providers in relation to operations, debt collection or court action • a court of law
Estate and Plan	To administer and manage applications for works approval under	May include applicant, lessee or third party provider names, gender, email, postal address, telephone numbers,	The applicant's name and basic details of the proposed works

	section 12 of the <i>Australian Capital Territory (Planning and Land Management) Act 1988</i> .	occupation, detail of works, and credit card and bank details; for comments on works proposals, details may include names, profession/organisation, comments and email address	are listed on the NCA's website; for applications requiring public consultation, more detailed information on the proposal is provided.
Finance	To effect payroll and superannuation related payments.	May include employee names, bank and superannuation account details and payment amounts.	Appropriate disclosures are or may be made to relevant financial service providers.
Finance	To manage financial operations and functions, and to maintain required financial information.	May include names and contact details of individuals and organisations for contracts. Supplier contact and bank account details for accounts payable and receivable processing, and credit card details.	Appropriate disclosures are or may be made to relevant financial service providers.
Information and Communication Technology	To provide information and communication technology services.	Includes all electronic data, including relevant elements set out in this table.	Appropriate disclosures are or may be made to the NCA's ICT service providers.
All Business Units	To manage the NCA's procurement and contracting processes.	May include 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.	Appropriate disclosures are or may be made to other APS agencies with subject matter responsibility, or where required to meet reporting or audit requirements.
All Business Units	To facilitate NCA staff and related party travel processes.	May include name, date of birth, contact details, bank account details, driver's licence details, and any other relevant information that may be required to book travel.	Appropriate disclosures may be made to relevant travel and related service providers.