

# PERSONAL INFORMATION MANAGEMENT GUIDELINES

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## 1 Background

The Department of Police and Emergency Management (DPEM) delivers services to the community in four key areas - policing, forensic science, emergencies and fires.

The *Personal Information Protection Act 2004* (the Act) regulates how DPEM collects, uses and discloses personal information.

The Personal Information Management Guidelines outline how DPEM manages personal information which is not contained in a publicly available record or publication.

In the course of carrying out its functions and activities, DPEM collects personal information and is the custodian of this information. Basic personal information includes names, addresses, contact details, dates of birth and gender. DPEM also collects sensitive information such as criminal records, intelligence and forensic profiles.

DPEM collects information by lawful means and, when reasonable and practicable, will do so from the individual to whom the information relates. However, under the Act DPEM will collect information from other sources if it is reasonably necessary for the purpose of performing its functions or activities, or in connection with the conduct of court/tribunal proceedings.

Basic personal information may be disclosed to other public sector bodies for data quality purposes. This information is provided in accordance with legislation and Departmental procedures.

DPEM is permitted to disclose law enforcement information if it is necessary for the purpose of any of its functions or activities, for the enforcement of laws relating to the confiscation of the proceeds of crime, or in connection with any court/tribunal proceedings.

De-identified personal information may be used or provided by DPEM for research, analytical or statistical purposes.

## 2 Objective

To provide clarity on how DPEM manages personal information as required by Schedule 1, Clause 5(1) of the *Personal Information Protection Act 2004*.

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### 3 Values

The Personal Information Management Guidelines promotes the Department's values of:

- **Integrity:** We value integrity because we believe in honest, professional, transparent and ethical behaviour in all aspects of our business.
- **Equity:** We value equity because we believe in fair, consistent and inclusive behaviour when interacting with our people and our community.
- **Accountability:** We value accountability because we believe in being answerable for our decisions and actions, behaving professionally and being responsible for our outcomes.

The State Emergency Service (SES) values and Tasmania Fire Service (TFS) values of Service, Professionalism, Integrity and Consideration are reflected within the intent of the above DPEM values.

### 4 Key Definitions

|                              |  |
|------------------------------|--|
| <b>Members:</b>              | For this purpose of these Guidelines, 'members' refers to DPEM: <ul style="list-style-type: none"><li>○ state service employees</li><li>○ police officers</li><li>○ fire fighters</li><li>○ volunteers</li><li>○ contractors</li><li>○ students and any other person conducting business for DPEM.</li></ul> |
| <b>Must:</b>                 | Indicates a mandatory action.  |
| <b>Personal Information:</b> | Any information or opinion in any recorded format about an individual: <ul style="list-style-type: none"><li>○ whose identity is apparent or is reasonably ascertainable from the information or opinion</li><li>○ who is alive or has not been dead for more than 25 years.</li></ul>                       |
| <b>Should:</b>               | Indicates a recommended action to be followed unless there are sound reasons for taking a different course of action.  |

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## 5 Procedures

### 5.1 Use of personal information

Personal information, including sensitive information, is used by DPEM to enable it to carry out its functions and activities, and is used or disclosed if it is necessary:

- to lessen or prevent a serious threat to an individual's life, health, safety or welfare
- to lessen or prevent a serious threat to public health or public safety
- in the investigation of unlawful activity
- to prevent, detect, investigate, prosecute or punish certain offences
- to enforce laws relating to the confiscation of the proceeds of crime
- to prevent, detect, investigate or remedy serious improper conduct
- in connection with court/tribunal proceedings
- to investigate missing persons and matters under the *Coroners Act 1995*.

DPEM takes steps to ensure that the information which is collected for its functions and activities is accurate, complete and up-to-date.

Unless it is necessary in the performance of DPEM's functions or activities, DPEM will not assign a unique identifier to an individual. A unique identifier is something which distinguishes one individual from another.

### 5.2 Requests relating to personal information

A person may request access to their personal information held by DPEM. Requests are to be made in writing and directed to:

Manager, Operational Information Services  
Tasmania Police  
GPO Box 308  
HOBART TAS 7001.

If any such information is incorrect, incomplete, out-of-date or misleading, the person to whom the information relates may request that it be amended. Requests for changes to any personal information are to be made in writing and forwarded to the Manager, Operational Information Services.

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If a decision is made not to amend the information in the way requested, DPEM will provide the applicant with a notice of that decision, together with the reasons for the decision and advice regarding the applicant's right to complain to the Ombudsman.

## 6 Roles and Responsibilities

All DPEM staff are responsible for ensuring personal information is collected, stored, used and disclosed in accordance with the Act and other statutory provisions.

DPEM has implemented a number of procedural, physical and technical safeguards to protect the personal information it holds from unauthorised access, misuse, loss, modification or disclosure.

Members are only provided with, or have access to, information that is necessary for them to carry out their functions. All personnel are bound by confidentiality requirements.

DPEM records are kept in accordance with the *Archives Act 1983*.

Operational Information Services, Records Information Services and Right to Information Services are the primary areas that collect, hold and deal with personal information within the Department.

## 7 Risk Implications

There is a risk of breaching the *Personal Information Protection Act 2004* if personal information is not collected, stored, used and disclosed as governed by the Act.

## 8 Communication Strategy

The Personal Information Management Guidelines will be communicated to the public via the DPEM internet.

The Guidelines will be communicated to Members through intranet sites.

## 9 Legislation

- [\*Annulled Convictions Act 2003\*](#)
  - [\*Archives Act 1983\*](#)
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- [\*Australian Crime Commission \(Tasmania\) Act 2004\*](#)
  - [\*Community Protection \(Offender Reporting\) Act 2005\*](#)
  - [\*Emergency Management Act 2006\*](#)
  - [\*Firearms Act 1996\*](#)
  - [\*Fire Service Act 1979\*](#)
  - [\*Forensic Procedures Act 2000\*](#)
  - [\*Marine Safety \(Misuse of Alcohol\) Act 2006\*](#)
  - [\*Personal Information Protection Act 2004\*](#)
  - [\*Police Offences Act 1935\*](#)
  - [\*Police Powers \(Vehicle Interception\) Act 2000\*](#)
  - [\*Police Powers \(Public Safety\) Act 2005\*](#)
  - [\*Police Service Act 2003\*](#)
  - [\*Record of Offences Act 1981\*](#)
  - [\*Road Safety \(Alcohol and Drugs\) Act 1970\*](#)
  - [\*State Service Act 2000\*](#)
  - [\*Telecommunication \(Interception\) Act 1999\*](#)
  - [\*Witness Protection Act 2000\*](#)
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## Document Information

### General Information

|  |  |                          |              |
|--|--|--------------------------|--------------|
| <b>HP Records Manager No.</b>              | A15/166459                                       | <b>Replaces document</b> | N/A          |
| <b>Effective from</b>                      | 20 August 2015                                   | <b>Review date</b>       | 20 June 2018 |
| <b>Business Owner</b>                      | Right to Information Services, Executive Support |                          |              |
| <b>Applies to</b>                          | Whole-of-DPEM                                    |                          |              |
| <b>Information Security Classification</b> | PUBLIC   |                          |              |

### Approval

|              | <b>Position</b>   | <b>Division/Area</b>   | <b>Date</b>         |
|--------------|---|--|---------------------|
| Prepared by  | Sergeant  | Right to Information Services,<br>Executive Support                | 20 August 2015      |
| Through      | Inspector   | Legislative Development &<br>Review Services,<br>Executive Support |                     |
| Through      | Commander   | Executive Support  |                     |
| Supported by | Assistant<br>Commissioner,<br>Planning and<br>Development | DPEM   |                     |
| Supported by | Deputy<br>Commissioner                                    | DPEM   | 4 September<br>2015 |
| Approved by  | Secretary   | DPEM   | 4 September<br>2015 |

### Revision History

| <b>Version</b> | <b>Approved By</b> | <b>Approved By</b> | <b>Amendment Notes</b>                  |
|----------------|--------------------|--------------------|---|
| 14/09/15       | Commander          | Executive Support  | Formatting and minor content amendments |