

PERSONAL INFORMATION PRIVACY POLICY

Responsible Directorate:	<i>Corporate Strategy & Performance</i>
Responsible Service Unit:	<i>Customer & Information Services</i>
Contact Person:	<i>Manager Customer & Information Services</i>
Date of Approval:	<i>21 November 2023</i>
Council Resolution No:	<i>CS05-11/23</i>

1. POLICY STATEMENT

The City of Wanneroo (the City) considers that the responsible handling of **Personal Information** is a key aspect of democratic governance and is committed to protecting an individual's right to privacy.

2. OBJECTIVE AND PURPOSE

The City collects, stores and uses a broad range of information about individuals including but not limited to customers, ratepayers, residents, volunteers, employees and prospective employees. A significant part of that information is Personal Information.

Objective

The objective of this policy is to ensure all reasonable steps are taken so that the collection, use, disclosure and handling of all Personal Information by the City aligns with relevant Australian Privacy Principles.

Purpose

The purpose of this policy is to outline the principles for the responsible handling of personal information collected by the City.

3. KEY DEFINITIONS

Personal Information means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- a) Whether the information or opinion is true or not; and
- b) Whether the information or opinion is recorded in a material form or not.

This includes information the City has collected in any format including correspondence, in person, over the phone or over the Internet, or sourced from third parties.

Personal Information includes but is not limited to names, address, telephone numbers, email addresses, date of birth and rates records.

Personal Information does not include information about an individual that is contained in a publicly available publication as set out in the Local Government Act 1995. Personal Information, once it is contained in a publicly available publication, ceases to be covered by the Personal Information Privacy Policy.

Sensitive Information means personal information that includes information or an opinion about an individual's:

- racial or ethnic origin
- political opinions or associations
- religious or philosophical beliefs
- trade union membership or associations
- sexual orientation or practices
- criminal record
- health or genetic information
- some aspects of biometric information.

4. SCOPE

This policy applies to all Council Members and Employees of the City of Wanneroo as well as to contracted third parties responsible for handling Personal and/or Sensitive Information held and managed by the City.

5. IMPLICATIONS

The policy aligns with the following Strategic Community Plan Goal and Priorities:

Strategic Community Plan 2021-31

Goal 7: A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services

Priority 7.2 - Responsibly and ethically managed. The City of Wanneroo will be managed responsibly to ensure a long-term, sustainable future. The City will have effective governance arrangements and ethical leadership that is open and transparent, ensuring a clear understanding of roles and accountabilities.

The policy provides principles for the responsible handling of personal information collected by the City ensuring that effective governance arrangements, roles and accountabilities can be implemented to meet these requirements.

6. IMPLEMENTATION

All Managers within the City are responsible for the implementation of the policy within their Service Unit.

The Corporate Data Specialist will monitor data governance in accordance with the Data and Information Governance Policy to ensure that Personal Information held by the City is protected from misuse, interference, loss, unauthorised access, modification or disclosure.

Reflecting the Australian Privacy Principles, specific policy commitments are made in respect of the different activities involved in the management of Personal Information.

Collection of Personal Information

- The City will only collect Personal Information that is reasonably necessary for, or directly related to, its obligations or performing one or more of the City's functions or activities.
- The City will only collect Personal Information by lawful and fair means.
- The City will not collect Sensitive Information about an individual without their consent.
- The City usually collects Personal Information directly from the individual concerned.
- The City will collect Personal Information from other parties if consent is given in writing by the individual or required by law.
- The City will notify the individual of the collection of Personal Information at, before or as soon as practicable after the collection of the information.

Storage of Personal Information

- The City may store Personal Information in a range of mediums including electronic systems or paper files.
- All information is stored securely, meets the requirements of legislation and best practice guidance and access is restricted to authorised personnel only in accordance with the City's Records Management Policy.
- Where Personal Information is stored by a contracted third party, the City requires them to comply with this policy.

Use or Disclosure of Personal Information

- The City will only use or disclose Personal Information for the primary purposes for which it was collected or for directly related secondary purposes which would be reasonably expected by the individual, or as permitted or required by law. If there is any doubt about this expectation then consent will be sought from the individual prior to disclosure of Personal Information for a secondary purpose.
- Where Personal Information is shared with a third party who is under contract with the City we require them to comply with this policy.

Quality of Personal Information

- The City will take reasonable steps to ensure that the Personal Information is relevant, accurate and up-to-date before using it.

- The City will take steps, as reasonable in the circumstances to ensure that Personal Information it collects is relevant and not excessive.
- The City will update Personal Information held when necessary or when the individual concerned advises the City that their Personal Information has changed.

Security of Personal Information

- The City will take steps to protect Personal Information held by the City from misuse, interference, loss, unauthorised access, modification, or disclosure.
- The City has data protection and security measures including administrative, physical and technical access restrictions to Personal Information to ensure access by only authorised personnel.
- The City will ensure that Personal Information is not kept any longer than necessary or destroyed or de-identified in line with accepted document disposal schedules and the City's Recordkeeping Plan.

Other Agreements Relating to Data Privacy

The policy recognises that separate agreements, licences and memoranda of understanding between the City and third parties including State and Federal agencies and WA Police govern access to and usage of specific data resources, and incorporates the conditions of these agreements as required.

7. AUTHORITIES AND ACCOUNTABILITIES

There is no requirement for the CEO to delegate or authorise a decision making function to an employee for efficiencies in regard to this policy.

8. ROLES AND RESPONSIBILITIES

The Corporate Data Specialist will be responsible for the publication of and compliance with this policy.

The Integration & Data Specialist is responsible for development of supporting documentation and providing interpretations in the event of the need for clarification.

9. DISPUTE RESOLUTION (if applicable)

All disputes in regard to this policy will be referred to the Director Corporate Strategy & Performance in the first instance. In the event that an agreement cannot be reached, the matter will be submitted to the CEO for a ruling.

10. EVALUATION AND REVIEW

The impact of the policy will be evaluated by:

- Review of complaints of unauthorised collection, storage or sharing of Personal Information

- Increased data maturity assessment measured by a data maturity survey against the baseline set out in the Data Management Framework.

The policy to be reviewed every three (3) years from its approval date, or more frequently if appropriate in line with legislative changes.

11. RELATED DOCUMENTS

[Compliments, Feedback & Complaints Policy](#)

[Freedom of Information Statement](#)

[Our Customer Service Commitment](#)

[Council Member, Committee Member and Candidate Code of Conduct](#)

Records Management Policy

12. REFERENCES

Local Government Act 1995

The *Local Government Act 1995* section 5.94 provides a list of information held by the local government that can be inspected by any person if they attend the local government's offices during office hours. Section 5.95 limits these rights in certain circumstances.

Local Government (Administration) Regulations 1996

The *Local Government (Administration) Regulations 1996* part 7 – Access to information provides further details of the information to be available for public inspection.

Freedom of Information Act 1992

The *Freedom of Information Act 1992* gives members of the public the right to access documents held by the City and provides the means to amend Personal Information which is inaccurate, incomplete, out of date or misleading.

More information on freedom of information and how to make an application can be found on the website of the Office of the Information Commissioner, oic.wa.gov.au, or on the City's own website.

Privacy Act 1988 (Cth)

The Australian Government *Privacy Act 1988* was introduced to promote and protect the privacy of individuals and to regulate the ways in which Australian Government agencies and organisations with an annual turnover of more than \$3 million, and some other organisations, handle personal information.

13. RESPONSIBILITY FOR IMPLEMENTATION

Director Corporate Strategy & Performance

REVISION HISTORY

Version	Next Review	Record No.
4 June 2019 (CS05-06/19)	In accordance with legislative changes	17/209419
July 2023	July 2026	17/209419v2