

Policy Number:	ADM20
Policy Type:	Administration
Policy Name:	Privacy and Responsible Information Sharing
Policy Owner:	Chief Executive Officer
Date of Approval	
Council Resolution #	

POLICY STATEMENT

The Shire of Nannup (Shire) is committed to protecting personal information and complying with the *Privacy and Responsible Information Sharing Act 2024*.

OBJECTIVE AND PURPOSE

The Shire 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.

The Shire 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 Shire aligns with relevant Australian Privacy Principles.

Purpose

The Shire of Nannup is committed to providing quality services to the local community and this policy outlines the Shire’s ongoing commitment to the protection of individuals Personal Information.

DEFINITIONS

Term	Description
Council	Shire of Nannup and its Council, and for the purposes of this policy includes its contracted service providers when they are carrying out Council functions.
Personal Information	Information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual, whether living or deceased, whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
Sensitive Information	Defined under the <i>Privacy Act 1988</i> and means information or an opinion about an individual person of: <ul style="list-style-type: none"> • racial or ethnic origin • political opinions • membership of a political association • religious beliefs or affiliations

	<ul style="list-style-type: none"> • philosophical beliefs • membership of a professional or trade association • membership of a trade union • sexual preferences or practices • criminal record • health information
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SCOPE

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

IMPLICATIONS

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

IMPLEMENTATION

All Executive Managers within the Shire are responsible for the implementation of the policy within their respective units. The Privacy and Responsible Information Sharing Officer will monitor data governance to ensure that Personal Information held by the Shire 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 Shire will only collect Personal Information that is reasonably necessary for, or directly related to, its obligations or performing one or more of the Shire’s functions or activities. This includes through correspondence, telephone contact, email, through the Shire’s website and from third parties.
- The Shire may also use Personal Information for secondary purposes closely related to the primary purpose, in circumstances where a person would reasonably expect such use or disclosure.
- The Shire will only collect Personal Information by lawful and fair means. Unless compelled by law, an individual is not obligated to provide Personal Information to the Shire.
- The Shire may collect Personal Information from third parties and will take reasonable steps to 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 Shire may store Personal Information in a range of mediums including electronic systems or paper files.

- All information is stored securely and in a manner that reasonably protects the information from misuse and loss and from unauthorised access, modification or disclosure.
- Where Personal Information is stored by a contracted third party, the Shire requires them to comply with this policy.
- When Personal Information is no longer needed for the purpose for which it was obtained, the Shire will take reasonable steps to destroy or permanently de-identify the Personal Information subject to the requirements of the State Records Act and the Shire's Record Keeping Plan.

Disclosure of Personal Information

- The Shire 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 Shire, the Shire will require them to comply with this policy.

Quality of Personal Information

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

Security of Personal Information

- The Shire will take steps to protect Personal Information held by the Shire from misuse, interference, loss, unauthorised access, modification, or disclosure.
- The Shire has security measures including administrative, physical and technical access restrictions to Personal Information to ensure access by only authorised personnel.
- The Shire 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 Shire's Recordkeeping Plan.

Complaints

Where a person believes that the Shire has breached the PRIS legislation or has otherwise misused their Personal Information, a complaint may be made in accordance with the Shire's Complaints Policy.

AUTHORITIES AND ACCOUNTABILITIES

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

ROLES AND RESPONSIBILITIES

The Privacy and Responsible Information Sharing Officer will be responsible for the publication of and compliance with this policy, for development of supporting documentation and providing interpretations in the event of the need for clarification.

DISPUTE RESOLUTION (if applicable)

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

EVALUATION AND REVIEW

The impact of the policy will be evaluated by:

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

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

RELATED DOCUMENTS

Shire of Nannup Complaints Policy

REFERENCES

Privacy and Responsible Information Sharing Act 2024

RESPONSIBILITY FOR IMPLEMENTATION

Privacy and Responsible Information Sharing Officer

Version OCM Ref. #	Date:	Next Review	ECM Reference #
1.			
2.			
3.			