



POLICY NO:-
<h1>CP2-006 PRIVACY AND RESPONSIBLE INFORMATION SHARING POLICY</h1>

GOVERNANCE INFORMATION			
Procedure Link:	N/A	Administrative Policy Link:	

ADMINISTRATION INFORMATION						
History	1	CP2-006	OCM	12/05/26	Res: 9781	Synopsis: New Policy created.
Version:	2					

1. RESPONSIBLE DIRECTORATE

Corporate Services Directorate

2. PURPOSE OR 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 of Collie (the Shire) aligns with the *Privacy and Responsible Information Sharing (PRIS) Act (WA) 2024*.

The purpose of this policy is to facilitate the lawful and appropriate handling of personal information collected by the Shire. The Policy also outlines the requirements to manage and respond to an information breach and to mitigate future breaches.

Definitions

Information - knowledge communicated or received as. It is the result of processing, gathering, manipulating and organising data in a way that adds to the knowledge of the receiver.

IPP – An entity required to comply with the Information Privacy Principles under the PRIS Act, including governments and certain contracted service providers.

Personal Information - information or an opinion, whether true or not, and whether recorded in a material form or not, that relates to an individual, whether living or dead whose identity is apparent or can reasonably be ascertained from the information or opinion and includes: a) a name, date of birth or address; b) a unique identifier, online identifier or pseudonym; c) contact information; d) information that relates to an individual’s location; e) technical or behavioural information in relation to an individual’s activities, preferences or identity; f) inferred information that relates to an individual, including predictions in relation to an individual’s behaviour or preferences and profiles generated from aggregated information; g) information that relates to one or more features specific to the physical, physiological, genetic, mental, behavioural, economic, cultural or social identity of an individual.

Sensitive Information - a subset of personal information meaning information or an opinion about an individual's race or ethnic origin, political opinions, membership of a political association, religious beliefs, philosophical beliefs, membership of a professional or trade association, membership of a trade union, gender identity, sexual practices, criminal record and health information.

Eligible Information Breach - means an information breach which has satisfied the following two tests: 1. There is an unauthorised access to, or unauthorised disclosure of, personal information held by a public sector agency or there is a loss of personal information held by a public sector agency in circumstances that are likely to result in unauthorised access to, or unauthorised disclosure of, the information; and 2. A reasonable person would conclude that the access or disclosure of the information would be likely to result in serious harm to an individual to whom the information relates.

Notifiable Information Breach – means an information breach involving personal information likely to result in serious harm, triggering obligations under the PRIS Act (from 01 Jan 2027).

Information Privacy - the right of a person to be able to control who can see or use information about them.

3. SCOPE

This policy applies to all Shire Elected Members, Employees, Contractors, Volunteers and Contracted service providers. It equally applies to all information handled by the Shire and all information assets (records, information and data) in any format, created or received in support of the Shire's business activities. This includes all business applications used to create, manage and store information assets, including dedicated information management systems, business systems, databases, email, voice and instant messaging, websites and social media applications.

4. POLICY

The Shire of Collie considers that the responsible handling of personal information is a key aspect of governance and is committed to protecting an individual's right to privacy

All Managers within the Shire are responsible for the implementation of the policy within their business unit protecting personal information from misuse, loss, unauthorised access, modification or disclosure.

4.1. Information Management, Collection, Use and Disclosure

Information is critical to the Shire, government and the community. Information is valued and governed as an asset. It is maintained as authentic evidence of business activity used in decision making and delivery of services.

Information is created and managed digitally. Digital information and end to end digital processes are preferred with hardcopy records supplementing this, only if necessary. Information is used for intended purposes only and is maintained to be easy to find, access and use. It is managed considering operational and strategic importance, risk profile, and the needs of all its users.

Information management is considered when business systems are built and includes key aspects that include training, sharing, release, discovery, data quality, de-identification and security of information. Information management ensures protection from unauthorised use and loss, takes due account of accepted classification risk methods for identifying and mitigating risks.

4.2 Privacy, Use and Disclosure of Personal Information

The Shire will collect and manage personal information such as contact details, rates data, CCTV for business purposes only and will consider the risks involved in maintaining details, or copies of personal information. The Shire will ensure personal information is up-to-date, clear and concise.

Personal information will only be collected for the primary purpose of providing services to the Shire of Collie community. It may also be used for secondary purposes closely related to the primary purpose, in circumstances where it is reasonable to do so. The Shire will not collect personal information, including sensitive personal information, unless it is necessary for Shire business functions and activities and legal purposes.

When the Shire of Collie collects such information, we will disclose to the owner the reason for collecting their information and how it will be used. When personal information is collected it will be used only with the owner's consent; where required or authorised by law; where there is a serious threat to the life, health, safety or welfare of an individual; or where illegal activity may have occurred.

4.3 Quality of Personal Information

The Shire will take reasonable steps to ensure that personal information is accurate, complete and up to date. When contacted by the owner of the information, the Shire will update its records. Personal information will be stored in a manner that protects it from misuse and loss and from unauthorized access, modification, or disclosure.

When personal information is no longer needed for the purpose for which it was obtained, the Shire will dispose of that information in accordance with the *State Records Act 2000*.

This policy will be publicly available to ensure the community is aware of how personal information is collected and managed by the Shire of Collie.

4.4 Security of Personal Information

The Shire's Privacy Management Administration Policy will outline key roles and responsibilities for privacy management. Internal access to personal information will be limited to only those roles and individuals who need access for business purposes.

A person may access the personal information the Shire holds about them to update and/or correct it, subject to IPP 6.1 of the PRIS Act.

4.5 Unique Identifiers

Individuals engaging with the Shire will not be assigned unique identifiers unless they are required to perform business activities efficiently. Any identifiers assigned will not be disclosed to any other organisation.

Some of the unique identifiers that the Shire may collect include Medicare numbers, Tax File Numbers, Drivers Licence numbers and Australian Passport numbers.

De-identification involves removing or altering information that identifies an individual or is reasonably likely to do so e.g. removing personal and unique identifiers (name, address, date of birth or other recognisable characteristics). The Shire will protect any de-identified information received and held from re-identification, access, modification, or disclosure.

4.6 Privacy and Information Breach

All Staff have a responsibility to notify the CEO and ICT Manager of any information breach immediately on becoming aware that any information breach has or may have occurred and provide details about the breach in accordance with the Shire's Information Breach Reporting and Notification Procedure.

The Shire will activate the Notifiable Breach Response Plan, notifying the Information Commissioner and affected individuals as soon as practicable after assessing that a notifiable breach has occurred. The notification will include the nature of the breach, types of information involved, and steps taken to mitigate harm. The Shire will also maintain an Information Breach Policy, keep a register of breaches, and include breach details in annual reports.

5. PRIVACY COMPLAINTS

The mechanism for receiving complaints about any privacy concerns or complaints is outlined in the Shire's PRIS Administrative Policy.

6. REFERENCE DOCUMENTS

Evidence Act 1906

Local Government Act 1995

State Records Act 2000

General Disposal Authority for Local Government

Freedom of Information Act 1992

Privacy and Responsible Information Sharing Act 2024

Records Management processes and systems

AS/ISO 15489 Records management - State Records Office of Western Australia

State Records Commission Standards and Advice

SA/SNZ TR 18128 Risk Assessment for records processes and systems