



1.2.20 PRIVACY AND RESPONSIBLE INFORMATION SHARING POLICY

Administration

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Title:	1.2.20 PRIVACY AND RESPONSIBLE INFORMATION SHARING
Adopted:	30 April 2025 (NEW)
Reviewed:	Biennially
Associated Legislation:	Local Government Act 1995 Privacy and Responsible Information Sharing Act 2024
Associated Documentation:	Freedom of Information Statement
Review Responsibility:	Manager Governance and Community
Delegation:	Chief Executive Officer

Previous Policy Number/s N/A

Objectives:

To provide clear guidelines for the responsible management of data, ensuring the Shire of Mingenew (Shire) handles personal information lawfully and ethically. It aligns with privacy laws and supports public administration while protecting individual privacy.

The policy also outlines how information is collected, stored, and managed, as well as providing guidance for responding to and preventing breaches, supporting responsible information sharing to enhance services and community outcomes.

Scope

This policy applies to all Council members, employees, external partners, contracted service providers, and volunteers who have access to, and are responsible, for the management of information on behalf of the Shire.

Definitions

Personal Information - refers to both Personal Information and Sensitive Information as defined below;

Personal Information: Any information or opinion about an identifiable individual, regardless of its truth or format.

Sensitive Information: A subset of Personal Information, including details about an individual's:

- Racial or ethnic origin
- Political opinions or affiliations
- Religious or philosophical beliefs
- Membership in associations or unions
- Sexual orientation or practices
- Criminal record
- Health, genetic, or biometric information (e.g., biometric templates or data used for verification).

Cookies - A small data file stored on a device's browser. Its purpose is to help a website keep track of the user's visits and activity.

Unique Identifiers - Numbers, codes, or data used to identify and track an individual, entity, or object within a system, such as:

- Personal Identifiers (Tax File Number, Driver's Licence Number, Passport Number);
- Digital Identifiers (IP Address, MAC Address)
- Organisational Identifiers (Employee ID, Customer ID)

- Object and Asset Identifiers (Barcode, QR Code, VIN (Vehicle Identification Number))
- Health Identifiers (Medicare Number, Health Record Number)

Automated Decision-Making - The process where systems or algorithms make decisions based on data and predefined criteria, without human involvement, often used to improve efficiency and service delivery.

De-identification - The process of removing personal details or replacing them with alpha-numerical codes, allowing data to be used for analysis while protecting privacy.

Policy Statement:

1. Information and Data Collection

The Shire collects information to deliver services and meet operational needs, including:

- Contact details (name, email, phone, addresses)
- Physical details (signature, image, voice)
- Identification details (birth certificates, driver's licence, passports, Medicare and concession information)
- Electronic details (bank information, TFNs, police clearance and workplace medicals)
- Vehicle and licensing data (as an agent of Department of Transport)

Information is gathered in different formats when engaging with the Shire for business purposes, including:

- Information provided in forms, applications, surveys and feedback channels
- Data on customer interactions with the Shire's website and online services
- Audio and visual content including phone calls, voicemails, CCTV, recorded meetings and transcripts

Information is only collected when necessary, with legal justification. The Shire notifies individuals when providing information is voluntary, and withholding non-essential data does not affect service access.

2. System-generated Information

The Shire's website uses cookies to collect anonymous traffic data to improve user experience. By using the website, individuals consent to receiving electronic messages at their provided contact address.

The Shire may review collected data and statistics to assess server activity, access to individual pages, and applications, with the aim of improving the delivery of information to its visitors. No effort is made to identify users or trace their online behaviour, except in the rare case of an investigation or to address issues related to a security breach or inappropriate activity.

The Shire's website may also include links to external sites that may be owned and controlled by third parties. Links to these sites do not indicate affiliation or endorsement by the Shire. Accessing third-party sites may be subject to terms and conditions that differ from those of the Shire, and using these links is at each individual user's own risk.

Information collected when interacting with the Shire-managed social media accounts, may be used to compile statistics that help focus communications. Users should be aware that these platforms handle personal information according to their own privacy policies, and users are encouraged to familiarise themselves with these policies.

3. Use and Disclosure

The Shire uses personal information exclusively for the purpose it was collected, or for purposes that can be lawfully anticipated, including:

- Managing assessment records (rates) and other local government documentation
- Providing and sharing information about the Shire's current and future services and facilities

- Overseeing processes such as approval submissions, animal registration, financial administration, land use evaluations, and compliance with local laws and regulations

The Shire may disclose customer and stakeholder information to third parties under specific circumstances including legal requirements, consent, or public interest. Disclosure may occur for law enforcement, research, service improvement, or to fulfil the intended purpose of the information.

Information may also be shared to prevent serious threats to individuals or public safety, address family violence, or comply with child protection obligations.

The Shire takes reasonable steps to ensure that any third party receiving personal information adheres to privacy and confidentiality requirements.

The Shire uses personal information in automated decision-making to improve services, operations, or provide targeted content within the community, ensuring these processes are transparent, fair, and compliant with legal requirements.

4. Unique Identifiers

The Shire manages unique identifiers securely and only collects them when necessary to perform its functions or meet legal requirements with access limited to authorised personnel.

When the Shire generates unique identifiers, it uses them exclusively for internal purposes and ensures they are neither shared nor applied beyond the systems where they are created.

When identifiers are no longer required, the Shire de-identifies personal information by removing or replacing details with codes or general data. This ensures privacy while allowing the data to be used for analysis or other purposes.

5. Data Storage and Protection

The Shire is committed to securely storing and protecting personal information, ensuring it is accessed only for approved purposes. The Shire actively works to safeguard against misuse, loss, unauthorised access, and disclosure, with storage and protection methods complying with the *State Records Act 2000* and relevant standards.

When personal information is no longer needed, the Shire takes appropriate steps to securely destroy or de-identify it, unless required by law to retain it. Personal information is kept only as long as necessary to fulfil its purpose and legal requirements, after which it is securely destroyed or anonymised.

If personal information is transferred or stored outside Australia, the Shire ensures it is protected using secure methods such as encryption and compliance with relevant data protection laws. Any third parties involved are also required to adhere to strict privacy standards to safeguard the information and prevent unauthorised access.

6. Safeguarding Transactions

Security measures employed by the Shire include encryption, multi-factor authentication, and risk assessments, put in place to protect information.

The Shire website may contain links to third-party websites which are outside of the Shire's control and are therefore not covered by these conditions. The Shire accepts no responsibility for the security, content accuracy, or privacy practices of external sites.

Whilst the Shire takes all reasonable steps to protect details held, as with all information transmitted over the internet, complete security is not guaranteed.

7. Accessing Personal Information

To manage access to personal information, the Shire implements strict controls, ensuring only authorised personnel can view or handle the data. Access is granted based on roles and responsibilities, with regular reviews to ensure compliance with privacy policies. Security measures such as encryption and secure login protocols are also in place to protect personal information.

The Shire, in line with Australian privacy law, allows individuals to request amendments to their personal information if it is deemed inaccurate, outdated, incomplete, irrelevant, or misleading. This includes updating superseded details or rectifying inaccuracies, deficiencies, or false information.

Individuals can also request annotations to clarify or challenge their records.

All requests are to be submitted in writing and may require formal identification before changes are made. Requests and applications can be directed to the Freedom of Information Officer (FOI):

- By email: enquiries@mingenew.wa.gov.au
- By post: PO Box 120 Mingenew WA 6525, or
- In person: 21 Victoria Road, Mingenew WA 6525

Further information can be obtained from the Shire's Freedom of Information Statement.

8. Complaints and Breaches

The Shire addresses complaints promptly, following established procedures to resolve them, and ensures privacy law compliance if personal information is involved. The designated FOI Officer manages and records complaints, committed to responding promptly once all necessary information is received. Any unavoidable delays should be communicated to the complainant.

The Chief Executive Officer oversees compliance with privacy obligations and ensures the Shire meets statutory requirements, reinforcing the commitment to privacy protection and transparent responses.

The Shire acts swiftly to minimise harm and protect affected individuals during a data breach, notifying them immediately and investigating the cause. The Shire strengthens data protection measures and ensures compliance with relevant laws to prevent future breaches.

A privacy interference may lead to a notifiable breach, including unauthorised access, disclosure, or loss of information. Individuals can escalate concerns to the Information Commissioner of Western Australia, who assists in submitting privacy complaints.