



Privacy Management Policy

1. POLICY STATEMENT

Shire of Derby West / Kimberley (the Shire) values the privacy of its residents and stakeholders and is committed to protecting the personal information it gathers, stores and discloses as required by the *Privacy and Responsible Information Sharing Act 2024 (PRIS Act 2024)*.

2. POLICY OBJECTIVE

The purpose of this policy is to facilitate lawful and appropriate information handling by the Shire. The policy defines how personal information is categorised, stored and disclosed. In addition to this, the policy also outlines the Shire's responsibility to manage and respond to information breaches.

3. POLICY SCOPE

This policy applies to all Shire employees and Elected Members and clearly outlines what personal information the Shire collects. Included is how the Shire uses this information and how it is kept safe. For the purpose of this policy, the term workers includes employees, contractors, on hand temporary labour services (agency staff), volunteers and third party service providers who handle personal or sensitive information on behalf of the Shire of Derby West Kimberley.

Any personal information collected will be used for the sole purpose it was collected, the general provision of local government functions and services, as otherwise authorised by law, and for supporting the ongoing research and development of the Shire of Derby / West Kimberley's functions and services.

4. DEFINITIONS

Terminology used in this document is defined as follows:

- **Data:** Images, sound recordings, text and numbers captured about someone or some matter (at times random and bare), which have not been analysed or processed in any matter.
- **Information:** data (or facts), about someone or some matter which have been analysed, and can be communication to provide a clear understanding, knowledge or insight about someone or some matter and which generate value in some form.
- **Information Sharing Agreement:** agreement or mechanism between entities to share information under the PRIS act.
- **'Personal information'** and **'sensitive personal information'** are defined and compared in the table below.



Personal Information	Sensitive personal information
Source: <i>Privacy and Responsible Information Sharing Act 2024, section 4.</i>	
(a) Information or an opinion, whether true or not, and whether recorded in a material from or not, that relates to an individual, whether living or dead, whose identity is apparent or can be reasonably be ascertained from the information or opinion, and (b) Includes of the following kinds to which paragraph (a) above applies - (i) a name, date of birth or address (ii) a unique identifier, online identifier, or pseudonym (iii) contact information (iv) information that relates to an individual's location (v) technical or behavioural information in relation to an individual's activities, preferences, or identity (vi) inferred information that relates to an individual's behaviour, including predictions in relation to an individual's behaviour generated from aggregated information (vii) information that relates to 1 or more features specific to the physical, physiological, genetic, mental, behavioural, economic, cultural, or social identity of an individual.	(a) Information that relates to an individual's - (i) racial or ethnic origin; or (ii) gender identity, in a case where the individual's gender identity does not correspond with their designated sex at birth; or (iii) sexual orientation or practices; or (iv) political opinions; or (v) membership of a political association; or (vi) religious beliefs or affiliations; or (vii) philosophical beliefs; or (viii) membership of a professional or trade association; or (ix) membership of a trade union; or (x) Criminal record; or (b) that is health information; or (c) that is genetic or genomic information (other than health information; or (d) that is biometric information; or (e) from which information of a kind referred to in any of paragraphs (a) to (d) above can be reasonably be inferred.

5. COLLECTION OF INFORMATION

The Shire collects personal information through various methods, these include but may not limited to:

- Personal information of the Shire's residents / stakeholders collected to carry out the Shire's functions and to provide services
- Workers personal information collected through the processes and conditions of employment
- Recordings of telephone conversations for the purpose of customer service training including monitoring employees' responses to customer enquiries
- Collection of data via third party services, software providers and cloud-service providers
- CCTV Surveillance cameras and automated analytics software installed for recording and monitoring various activities throughout the shire to improve safety



- Social media monitoring which may include personal information from users that interact with the Shire through these channels
- Smart devices which may collect location data (for marketing purposes) and hardware identifiers (for installation of Shire approved applications)
- Community surveys involving the collections of personal data
- Data collected via Shire websites to personalise presented information
- Collection of data through Shire procurement processes and systems
- Information provided by other government agencies that work with the Shire to deliver services and/or programs.

6. DISCLOSURE AND SHARING INFORMATION – PERMITTED DISCLOSURE

6.1 Information may be disclosed;

- With the individual's consent
- Where required or authorised by law
- Where necessary to prevent a serious threat to life, health, or safety
- Under a formal Information Sharing Agreement.

6.2 The Shire may disclose Personal information to third parties such as;

- Organisations or consultants who undertake community engagement and market research on behalf of the Shire
- Contractors that deliver goods, works and services on behalf of the Shire
- Other Local governments, and state and federal agencies that help the Shire to deliver its services or under an information sharing agreement
- Western Australian Local Government Association (WALGA).

7. SECURE STORAGE OF PERSONAL INFORMATION

The Shire has a duty to protect the personal information that it holds from misuse or loss and from unauthorised access, modification or disclosure. To ensure this, the Shire:

- manages its data and information within a number of business systems, with the Synergy suite being the Shire's system; a cloud-based application with servers based within Australia.
Access to these systems requires multi-factor authentication and user access is consistently reviewed.
- stores and retains the data and information it holds in compliance with the requirements of the *State Records Act 2000*.



- has implemented controls that protect the information that it holds including multi-factor authentication, access controls, firewalls, endpoint detection and response (EDR), encryption of data at the rest and in transit, regular security patching and vulnerability management, a managed Security Information and Event Management (SIEM) service, and ongoing cybersecurity awareness training for employees.

8. ACCESS AND CORRECTION

The Shire will take reasonable steps to ensure the accuracy of personal information prior to use, having regard for the purpose it was collected, its proposed use, its relevance, whether it is up-to-date, complete, and not misleading.

You may request access to your personal information held by the Shire if you are not satisfied with the accuracy of that personal information.

9. COMPLAINTS AND BREACHES

9.1 Submitting a Complaint

You may make a complaint to the Shire about an alleged interference with your personal information.

To request access to, or request correction of personal information held by the Shire about you, or to make a make a complaint about an alleged interference with your personal information, you need to make a written submission to:

Chief Executive Officer

Shire of Derby / West Kimberley
PO Box 94
Derby WA 6728

Or by emailing sdwk@sdwk.wa.gov.au

Requests for access to or correction of personal information, and any complaints about that information will be responded to in line with the Shire's Customer Service Charter.

9.2 Contacting the Information Commissioner

If you believe there has been an interference with the privacy of your personal information held by the Shire, complaints can also be made to the Information Commissioner and Privacy Deputy Commissioner by calling 08 6551 7888 or 1800 621 244 (WA Country Callers)



Shire of Derby / West Kimberley

Policy details			
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Policy Implementing Officer or Team:	Aaron Gloor, Manager Corporate Services	Policy Reviewer:	Tamara Clarkson, Chief Executive Officer
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