Policy 1.50 Privacy and Responsible Information Sharing

POLICY OBJECTIVE

This policy explains how the Shire of Gingin (the Shire) collects, uses, stores, shares, and protects personal information in accordance with applicable legislation, including the *Privacy and Responsible Information Sharing Act 2024* and the *Privacy Act 1988* (Cth).

The Shire is committed to ensuring personal information is handled lawfully, transparently, securely, and in accordance with responsible information sharing principles.

POLICY SCOPE

This policy applies to all personal information collected by and provided to the Shire and governs its handling by anyone who works with or for the Shire, including:

- Councillors;
- Employees;
- Contractors and service providers;
- Volunteers; and
- External partners.

POLICY DETAIL

The Shire collects information about customers, residents, employees and other stakeholders to deliver services and carry out its functions as required by law. The collection, use and disclosure of personal information is informed by the Information Privacy Principles under the *Privacy and Responsible Information Sharing Act 2024* and the Australian Privacy Principles under the *Privacy Act 1988* (Cth).

Types of information that may be collected include (but may not be limited to):

- Names and addresses;
- Phone numbers and email addresses;
- Next of kin details;
- Gender;
- Signatures;
- Dates of birth;
- Personal images;
- Drivers' licence and passport details;
- Bank account details and payments;
- Health information;
- Police clearance information;
- Tax file numbers; and
- Vehicle registration details.

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Policy 1.50 Privacy and Responsible Information Sharing

Collection of Personal Information

The Shire collects personal information only where it is reasonably necessary to perform its functions.

Information may be collected through:

- Customer enquiries (phone, email, online, in person);
- Applications and approvals (planning, building, health, ranger services);
- Department of Transport licensing processes;
- Rates and property records including lease agreements;
- Event registrations and community programs;
- Surveys, feedback, and petitions;
- Tender and procurement processes;
- Compliance investigations and complaints;
- CCTV, body-worn cameras, and vehicle-mounted systems;
- Electoral and statutory processes; and
- Website interactions and online forms.

Where practical, individuals are informed at or before the time of collection about the purpose and use of their information.

Use of Personal Information

The Shire may use collected information for the following purposes:

- To communicate with customers and stakeholders;
- To respond to enquiries and service requests;
- To promote and manage events and programs;
- To assess applications (e.g. permits, registrations, funding requests);
- To collect and manage rates and other local government charges;
- To maintain electoral rolls and contact eligible electors;
- To fulfil legal obligations under local and state legislation; and
- To conduct investigations related to compliance, complaints, and enforcement activities.

Any information collected will only be used by the Shire for the purpose for which it was collected or for a purpose that would be reasonably expected in carrying out Shire activities and functions.

Unique identifiers created by the Shire are used only within internal systems and are not shared externally.

Information in Council Reports and Applications

Personal information may be required to be included in items presented to Council. Where this occurs, the information will be either redacted or de-identified to the greatest extent possible prior to the documents being published on the Shire's website.

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Storage and Protection of Personal Information

In accordance with the *State Records Act 2000 (WA)*, *Privacy Act 1988* (Cth) and relevant guidelines, the Shire ensures that all personal, sensitive and official data is stored within Australia under Australian legal jurisdiction.

The Shire takes reasonable measures to protect personal information from loss, misuse, unauthorised access, disclosure or destruction. This includes:

- Secure electronic storage systems with encryption and controlled access;
- Multi-factor authentication;
- Restricted access to personal data based on job roles and responsibilities;
- Regular security audits and compliance checks;
- Cybersecurity measures including firewalls and secure password protocols;
- Specific measures to ensure investigation-related data is accessible only to authorised personnel; and
- Prohibiting the input of personal information into publicly available AI systems.

Data Retention and Deletion

Personal information is retained only as long as required for legal, administrative, or operational purposes. When no longer required, information is securely destroyed or de-identified in accordance with recordkeeping obligations.

Third Party Sharing

Personal information may be shared with external service providers or other government agencies where necessary for service delivery.

The Shire will only disclose personal information to authorised external entities, such as law enforcement agencies or regulatory bodies, where legally required or appropriate. The Shire will not sell personal information to third parties.

Personal information may be accessible via the Shire's rate records. The *Local Government Act 1995* requires rate records to be available for public inspection. Copies of any rate records will only be provided upon receipt of a statutory declaration identifying the person requesting the information and the reasons for the request.

External Links

The Shire's website may contain links to external sites not controlled by the Shire. The Shire accepts no responsibility for the security, content accuracy or privacy practices of external sites. Users are encouraged to review the privacy policies of these sites before providing personal information.

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Automated Decision Making

The Shire does not use automated decision-making systems that make decisions with legal or similarly significant effects on individuals.

Some digital systems may be used to support administrative functions (such as workflow routing or document processing), however:

- All decisions are made or approved by authorised Shire staff; and
- Human oversight is maintained at all times.

This position will be reviewed if automated decision-making systems are introduced in the future.

Automatically Collected Information

Interaction with the Shire through social media (e.g. Facebook, Instagram etc) may result in information being collected to assist in improving communication. Social media platforms have their own privacy policies which are not controlled by the Shire.

The Shire uses cookies to improve website functionality for the user. These cookies do not collect personally identifiable information, but collect anonymous data such as browser type, IP address and pages visited. This assists in building an understanding of website traffic and improving services. Clickstream data (your path through the website) may also be recorded for statistical purposes. Users can manage cookie preferences through their own browser settings.

The Shire will never (and will not allow any third party to) use the statistical analytics tool to track or to collect any Personal Information of visitors to its website. It will not link, or seek to link, any IP address with the identity of a computer user.

The Shire will not associate any data collection from the website with any personal information from any source unless that information is explicitly submitted via a fill-in form on its website.

Accessing and Correcting Personal Information

Individuals may request access and/or corrections to their personal information by contacting the Shire in writing. Proof of identity may be required before processing any requests of this nature. Requests for information that is not publicly available may be submitted under the *Freedom of Information Act 1992*.

Requests for access to investigation-related records will be assessed under legal and procedural fairness principles to ensure compliance with privacy and public interest considerations.

DRAFT

Privacy Complaints and Breaches

If a data breach occurs the Shire will act swiftly to minimise harm. Affected individuals will be notified immediately. The cause of the breach will be investigated and necessary measures taken to prevent future breaches.

Complaints regarding the handling of personal information can be directed to the Shire's Privacy Officer as follows:

Executive Manager Corporate Services
Email: mail@gingin.wa.gov.au

If a complaint is not resolved satisfactorily, individuals may escalate it to the Office of the Information Commissioner.

DEFINITIONS

Cookies means small data files stored on a user's computer that help improve website usability and analytics.

De-identified means personal information being redacted, removed or replaced with broad descriptors or codes so that data can be used without revealing identities.

Personal Information means information that is identifiable as being about a particular person.

Sensitive Information means a special category of Personal Information that includes details about an individual:

- Personal identity and beliefs;
- Race or ethnic background;
- Gender identity;
- Sexual orientation or practices;
- Political views or membership of a political group.
- Religious beliefs or affiliations;
- Philosophical beliefs;
- Membership of a professional or trade association;
- Membership of a trade union;
- Criminal history; and
- Health, genetic or biometric information (e.g. biometric templates or data used for verification purposes).

Unique Identifiers means numbers or codes used to identify and/or track people or things, such as:

- Tax file numbers, driver's licence number and passport number;

DRAFT

- IP addresses and MAC addresses;
- Employee ID and customer ID numbers;
- Barcodes, QR codes and Vehicle Identification Numbers; and
- Medicare numbers and Health Record numbers.

RELATED LEGISLATION

Freedom of Information Act 1992 (Cth)
Local Government Act 1995
Privacy Act 1988 (Cth)
Privacy and Responsible Information Sharing Act 2024
State Records Act 2000

RELATED POLICIES/KEY DOCUMENTS

Shire of Gingin Record Keeping Plan
Shire of Gingin Freedom of Information Statement
Shire of Gingin CEO Directive Use of Artificial Intelligence

DELEGATED AUTHORITY

Not applicable.

POLICY ADMINISTRATION

Review Cycle	4 years	**Next Review**	2030
Department	Corporate and Community Services		

Version	Decision Reference	Synopsis
1.	OCM 16/06/2026 – Item 13.2	Policy adopted.

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