



***PRIVACY AND RESPONSIBLE
INFORMATION SHARING
POLICY***

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SHIRE OF KULIN

PRIVACY AND RESPONSIBLE INFORMATION SHARING

(PRIS) ACT 2024

PRIVACY POLICY

1. Introduction and Legislative Context

1.1 Purpose

The Shire is committed to ensuring all reasonable steps are taken so that the collection, use, disclosure and handling of all Personal Information by the Shire aligns with the relevant Australian Privacy Principles and the obligations and requirements of the legislation regarding the PRIS Act.

The purpose of this policy is to provide guidelines for the responsible management of Personal Information and data as required by the *Privacy and Responsible Information Sharing Act 2024 (WA)* ("PRIS Act") and the Australian Privacy Principles by the Shire of Kulin ("the Shire").

The policy summarises how the Shire:

1. Collects, manages and stores Personal Information in accordance with the requirements of the PRIS Act;
2. Responds to and prevents breaches of the PRIS Act;
3. Provides individuals with information on how their Personal Information is handled and how they can access, update or request correction of their Personal Information;
4. Supports responsible sharing of Personal Information.

1.2 Information Privacy Principles

The PRIS Act includes 11 Information Privacy Principles ("IPP's") that guide how an IPP entity (which includes the Shire) must handle Personal Information.

A summary of the IPP's is set out below:

1. Collection of Personal Information

Must be fair, lawful and necessary for the Shire's work.

2. Source of Personal Information

To be collected directly from the individual unless impractical.

3. Notification of Collection

An individual must be informed what is being collected and the purpose and receive an explanation of their rights.

4. Use and Disclosure

Personal Information must only be used or shared for the purpose for which it was collected (unless an exception applies).

5. Data Quality

Reasonable steps must be taken to keep the Personal Information accurate, complete and current.

6. Data Security

Personal Information must be protected from misuse, loss or unauthorised access.

7. Access to Personal Information

Individuals have the right to see their Personal Information (with some exceptions).

8. Correction of Personal Information

Individuals have the right to request corrections to ensure their Personal Information is accurate.

9. Identifiers

Limits apply to using government-issued identifiers (e.g. Medicare numbers).

10. Anonymity and Pseudonymity

Individuals have the right to stay anonymous or use a pseudonym where possible and legal.

11. Cross-border Disclosure

Personal Information must not be sent outside Australia unless proper protections are in place.

2 Extent of Policy

This policy applies to Personal Information collected, stored and managed by the Shire and extends to all employees, elected members of Council, volunteers and third parties contracted by the Shire who have access to and/or are responsible for handling of the Personal Information on behalf of the Shire.

3 Defined Terms

The table below has been developed to assist in explaining and summarising some key terms used in this policy. *(It is not necessarily a verbatim restatement of the law and reference to the relevant section of the PRIS Act or other relevant legislation should be observed for full definitions).*

Term	Definition or Explanation	Section of PRIS Act
PRIS Act	<i>Privacy and Responsible Information Sharing Act 2024 (WA) and Privacy and Responsible Information Sharing Bill 2024 (as relevant)</i>	
Personal Information	<p>A summary of the meaning of Personal and Sensitive information about a identified individual appears below.</p> <p>The full definition appears in PRIS Act.</p> <p>Personal Information means information or an opinion about an identified individual, regardless of its truth or format.</p> <p>Personal Information includes but is not limited to names, address, telephone numbers, email addresses, date of birth and rates records.</p> <p>Sensitive Information is a subset of Personal Information. It includes details about an individual's racial or ethnic origin, political opinions or associates, religious or philosophical beliefs,</p>	Section 4

	membership or associations in trade unions, sexual orientation or practices, criminal record, health or genetic information and some examples of health, generic or biometric information (e.g. biometric templates or data used for verification).	
IPP Entity	A public sector body and certain contracted service providers who must comply with the IPP's.	Section 6(1)(d) of the <i>PRIS Act</i> (<i>the Shire of Kulin is an IPP Entity being a local government authority</i>)
IPP or IPP's	The eleven (11) Information Privacy Principles which outline how IPP entities must handle Personal Information.	Schedule 1 of the <i>PRIS Act</i>
Privacy Officer	A designated senior official within a government or public entity with statutory responsibility for ensuring the organisation complies with State privacy laws, manages data breaches and co-ordinates with the Information Commissioner.	Section 151(1)
Information Sharing Officer	A designated senior official within a government or public entity with statutory responsibility for overseeing and managing the responsible sharing of data of the organisation.	Section 210(1)
Collection Notice	An official statement given to an individual by a government agency or contracted service provider when collecting Personal Information explaining why it is being collected, who is collecting it and how it will be handled.	IPP 1, Schedule 1 of the <i>PRIS Act</i>
Information Breach	Unauthorised access to or unauthorised disclosure of Personal Information or loss of Personal Information.	Part 2, Division 6 of the <i>PRIS Act</i>
Notifiable Information Breach	Unauthorised access, unauthorised disclosure or loss of Personal Information that is likely to result in serious harm to any of the affected individuals.	Part 2, Division 6 (sections 55-69) of the <i>PRIS Act</i>

Information Commissioner	The independent statutory officer appointed under the <i>Information Commissioner Act 2024 (WA)</i> who is responsible for overseeing Freedom of Information and privacy matters, including enforcement of the requirements of the PRIS Act.	Part 2, Division 12 Sections 142 to 145
Chief Data Officer	The independent statutory officer established under the PRIS Act to lead the coordinated approach to responsible government information sharing, improve data capabilities and provide oversight of data governance.	Part 3, Division 8, Sections 198 - 203
Exceptions	There are some exceptions to the IPP's that set out when they do not apply. This includes personal, family or household affairs, publicly available information, law enforcement functions, emergency response functions, child protection functions or family violence.	Sections 21-27

4 Personal Information and Data Collection

4.1 Purpose of Collection

The Shire collects and uses Personal Information from residents, rate payers, customers, staff and stakeholders to enable it to fulfil its functions, meet its statutory obligations, deliver services and support its day-to-day operations.

This includes but may not be limited to:

1. Complying with the law;
2. Managing rates and local government records;
3. Providing information about Shire services;
4. Delivering or providing access to relevant services and facilities;
5. Managing applications, permits and billing;
6. Managing animal ownership;
7. Managing parking.

4.2 Types of Personal Information

Types of Personal Information the Shire may collect and use to fulfil the purposes in 4.1, includes (examples provided) but may not be limited to:

1. Contact details - name, email, phone number, address;
2. Physical details or information - signature, voice, image;
3. Identification details - birth certificates, passports, Medicare or concession information;
4. Vehicle and licensing data – drivers licences or vehicle licence information where the Shire acts as an agent for the Department of Transport;
5. Financial - bank account details and tax file number;

6. Security - police and other clearances;
7. Employment information – resumes, workplace medical information, reports or certificates.

4.3 Collection Methods

The Shire collects and uses Personal Information only when necessary to fulfil the purposes in 4.1.

This includes, but is not limited to, Personal Information collected via methods such as:

1. Email or letters;
2. Online and in person;
3. By applications, forms, submissions, complaints, surveys, feedback and general enquiries;
4. CCTV footage for safety, security and operational purposes in public places;
5. Employment information during recruitment, onboarding and throughout employment;
6. Audio and visual content such as phone calls, voicemails and via Teams meetings (including where consent to record has been given).

Collection Notices will be issued in accordance with the requirements of the law and IPP 3. Collection methods will be fair, lawful and necessary for the Shire's work (or related purposes) as provided by IPP 1.

4.4 System-generated information collection and storage

The Shire website uses Google Analytics and cookies to help analyse how users use the Shire website. The Shire may collect non-personal information such as a user's IP address, browser type and pages associated to improve website functionality.

The Shire will not associate any data gathered from the Shire website with any Personal Information from any source unless the individual explicitly submits that information via a fill-in form on the Shire website.

Cookies may also be used to enhance browsing experience. Users can choose to modify their browser settings to reject cookies if preferred. The Shire website may contain links to external sites. The Shire is not responsible for the privacy practices of third-party websites.

The Shire will not (and will not allow any third party to) use the statistical analytics tool to track or collect Personal Information of visitors to the Shire's website site.

4.5 Use and Disclosure of Personal Information

The Shire will use, collect and disclose Personal Information when:

1. It is necessary or reasonably necessary for, or directly related to, its obligations or performing one or more of the Shire's functions or activities as a Local Government including those set out in clause 4.1 and which may include disclosure to third parties who are engaged to assist in delivering the Shire's functions or services (primary purpose); or
2. It relates to other functions of the Shire that the individual would reasonably expect or could be lawfully anticipated (secondary purpose);
3. It is required by law including where Exceptions apply;
4. An individual has consented, including collecting Personal Information from a third party on behalf of an individual if they have provided that consent or required by law;
5. Notify the individual of the collection of Personal Information at, before or as soon as practicable after the collection of the information. Collection Notices will be issued in accordance with the requirements of the law.

The Shire will not use Personal Information for purposes other than those permitted by law or set out in this Policy unless with the consent of the individual.

5 Remaining Anonymous

An individual can remain anonymous when dealing with the Shire unless:

1. The law requires collection of Personal Information regarding the individual; or
2. It is impractical in line with clause 4.1 (or not in compliance with Shire policy) to proceed without it.

6 Data Storage and Protection

The Shire will store Personal Information securely in accordance with the requirements of the *State Records Act 2000 (WA)*. Storage may be via a range of methods including electronic systems (onsite or in the cloud) or paper files.

Where Personal Information is stored by a contracted third party, the Shire will require compliance with the obligations in this Policy.

The Shire will ensure that Personal Information is not kept for any longer than necessary and will take appropriate steps to securely destroy or de-identify it in accordance with legal requirements (which may include a requirement for the Shire to retain it) or in accordance with the Shire's recordkeeping plan.

7 Unique Identifier Numbers

In accordance with IPP 7, the Shire will only collect unique identifiers such as drivers licence or Medicare numbers if necessary or reasonably necessary to carry out the Shire's functions as summarised in clause 4.1 or required by law.

When unique identifiers are collected by the Shire, the Shire will ensure that they are handled securely and only used for their intended purpose.

If the Shire creates unique identifiers, it will use them only for internal purposes and not share or apply them beyond the systems where they are created.

8 Accessing or Correcting Personal Information

IPP 6 provides that individuals have the right to request access to their Personal Information held by the Shire and to seek correction if the information is inaccurate, incomplete or out of date. Individuals may be required to lodge a Freedom of Information (FOI) request.

Requests to access or correct Personal Information held by the Shire must be made in writing and sent to the Chief Executive Officer:

Chief Executive Officer

Shire of Kulin

38 Johnston Street

Kulin WA 6365

Or by email - ceo@kulin.wa.gov.au

9 Complaints and Breaches

A complaint of alleged interference by unauthorised access, loss or disclosure of Personal Information may be made in writing to the Chief Executive Officer via the details contained in clause 8, or as may be updated on the Shire website from time to time. Complaints will be investigated and responded to in a timely manner. Complaints may be escalated to the office of the Information Commissioner where relevant.

10 Updates to this Policy

The Shire may update this Policy from time to time to reflect changes in legislation, technology or the Shire’s practices. Any updates will be published on the Shire’s website.

Internal Use Only - Document Control

Dated adopted by Council	Content	Resolution No.	Next Review Date (or earlier)		Res
	Initial Policy		June 2027		Chi

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