

## 2.33 Privacy Policy

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## Objective

This policy explains how the City of Albany (the City) manages personal information. It sets out clear rules to make sure data is handled legally, ethically, and respectfully. It follows privacy laws and supports good public service while protecting people's privacy.

## Scope

This policy applies to everyone who works with or for the City, including:

- Elected members.
- Employees.
- Contractors and service providers.
- Volunteers.
- External partners.

It covers anyone who handles information on behalf of the City.

## Policy Statements

The City of Albany values the privacy of our residents, customers, and stakeholders. We are committed to handling personal information with care, honesty, and transparency. Protecting privacy is a key part of how we deliver services and maintain trust in everything we do.

## Implementing the City of Albany Privacy Policy

The following outlines how the City of Albany puts its commitment to privacy into practice. These statements reflect the City's approach to managing personal information responsibly, in line with legal obligations and community expectations.

## Roles and Responsibilities

### All Employees, Contractors, Volunteers, and Elected Members

- Must understand the City's privacy and confidentiality rules and how they apply to their work.
- Must report any data breaches or privacy risks as soon as they are identified.

### Data Breach Response Team

- Activated according to the City's Data Breach Response Policy & Procedure.
- Responsible for containing the breach, fixing the issue, and restoring services.

## Information Collection

The City of Albany collects personal information from staff, residents, customers, and stakeholders to deliver services and carry out its functions.

Types of information collected include:

- Name and address
- Phone number and email
- Next of kin
- Gender
- Signature
- Date of birth
- Personal image
- Driver's licence
- Bank account details
- Health information
- Police clearance
- Tax File Number

Information may be collected through:

- Paper forms
- Online forms
- Recorded meetings
- CCTV footage
- Body-worn cameras

This information is only used for the reason it was collected. If another agency is involved, such as a State Government department, you will be informed.

### **Automatically Collected Information**

When you interact with the City through social media (e.g. Facebook, LinkedIn, Instagram), your information may be used to help improve communication. These platforms have their privacy policies.

The City's website may use cookies and collect anonymous data such as browser type, IP address, and pages visited. This helps us understand website traffic and improve services.

Clickstream data (your path through the website) may also be recorded for statistical purposes. No attempt is made to identify users unless the data is required for investigation or security.

Cookies used by the City are session-based and deleted when you close your browser. You can block cookies in your browser settings.

Links to external websites are provided for convenience. The City is not responsible for the privacy practices of these third-party sites.

### **Use and Disclosure**

The City only uses personal information for the purpose it was collected or for related purposes you would reasonably expect. This includes:

- Managing rates and local government records
- Providing information about City services
- Delivering appropriate services and facilities
- Managing permits, billing, animal ownership, parking, and development applications

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

Information is stored securely in line with the [State Records Act 2000](#) (WA).

### **Sharing**

The City does not share personal information outside Australia unless required by law. Information may be shared if:

- Required under the [Freedom of Information Act 1992](#) (WA)
- Ordered by a court
- Required or authorised by law
- Needed to complete the purpose for which it was collected
- Needed to recover money owed to the City
- You have given consent

Information is protected under laws such as the Crime Act 1914 (Cth) and the Public Service Act 1999 (Cth).

### **Public Registers**

The City only shares information from public registers for purposes related to the register. Anyone requesting this information must complete a statutory declaration explaining how it will be used.

## Anonymity

You can remain anonymous when dealing with the City unless the law requires your identity or it is impractical to proceed without it.

## Access and Complaints

You can ask to update or access your personal information. In most cases, this is handled informally. If needed, you can make a formal request under the Freedom of Information Act 1992 (WA).

To request access or updates, complete the form at:

- [https://www.albany.wa.gov.au/documents/316/access-to-documents-\(freedom-of-information-act-1992\)-form](https://www.albany.wa.gov.au/documents/316/access-to-documents-(freedom-of-information-act-1992)-form) and email it to [staff@albany.wa.gov.au](mailto:staff@albany.wa.gov.au).

You will need to provide ID.

To make a complaint, use the form on the City's Customer Service & Complaints page:

- <https://www.albany.wa.gov.au/council/have-your-say/complaints.aspx>

## Legislative and Strategic Context

### Informing Legislation

- **Crime Act 1914 (Commonwealth)**  
<https://www.legislation.gov.au/C1914A00012/2021-02-17/text>
- **Privacy Act 1988 (Commonwealth)**  
<https://www.legislation.gov.au/C2004A03712/latest/text>
- **Freedom of Information Act 1982 (Commonwealth)**  
<https://www.legislation.gov.au/C2004A02562/latest/text>
- **Public Service Act 1999 (Commonwealth)**  
<https://www.legislation.gov.au/C2004A00538/latest/text>
- **State Records Act 2000 (Western Australia)**  
[https://www.legislation.wa.gov.au/legislation/statutes.nsf/law\\_a2037.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a2037.html)
- **Privacy Amendment (Notifiable Data Breaches) Act 2017 (Commonwealth)**  
<https://www.legislation.gov.au/C2017A00012/asmade/text>
- **Public Service Regulations 2023 (Commonwealth)**  
<https://www.legislation.gov.au/F2023L00368/latest/text>
- **Privacy and Responsible Information Sharing Act 2024 (Western Australia)**  
[https://www.legislation.wa.gov.au/legislation/statutes.nsf/law\\_a147470.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a147470.html)

### State Government Frameworks:

- **Privacy and Responsible Information (PRIS):** The PRIS framework includes 11 Information Privacy Principles (IPPs) that guide how organisations in Western Australia must handle personal information. Summary of the 11 IPPs:
  - **Collection of Personal Information:** Must be lawful, fair, and necessary for the organisation's work.
  - **Source of Personal Information:** Should be collected directly from the person unless that's not practical.
  - **Notification of Collection:** People must be told what's being collected, why, and what their rights are.
  - **Use and Disclosure:** Information must only be used or shared for the reason it was collected, unless an exception applies.

- **Data Quality:** Reasonable steps must be taken to keep information accurate, complete, and current.
- **Data Security:** Information must be protected from misuse, loss, or unauthorised access.
- **Access to Personal Information:** People have the right to see their personal information, with some exceptions.
- **Correction of Personal Information:** People can ask for corrections to make sure their information is accurate.
- **Identifiers:** Limits apply to using government-issued identifiers (like Medicare numbers).
- **Anonymity and Pseudonymity:** People should be able to stay anonymous or use a pseudonym where possible and legal.
- **Cross-border Disclosure:** Information must not be sent outside WA unless proper protections are in place.

### Informing Government Websites

- **What is a privacy policy?** *A privacy policy is a clear statement that explains how an organisation or government agency handles your personal information. It must be written in simple language and made easily available—on a website, in print, or on a mobile device screen.*
- **Source:** <https://www.oaic.gov.au/privacy/your-privacy-rights/your-personal-information/what-is-a-privacy-policy>

### Informing City of Albany Policies

- **Record Keeping Plan (as amended):**
  - **What is the Recordkeeping Plan?** *The Recordkeeping Plan outlines how the City of Albany creates, manages, stores, and disposes of its records. It ensures that all records are handled properly and meet legal and operational standards.*
  - **Purpose and Legal Context:** *The plan is required under Section 28 of the State Records Act 2000 (WA). It must be reviewed at least every five years and approved by the State Records Commission. The plan helps the City meet its obligations for transparency, accountability, and service delivery.*
  - **Link:** <https://www.albany.wa.gov.au/documents/560/recordkeeping-plan>
- **Data Breach Response Policy & Procedure:**
  - **What Is the Data Breach Response Policy?** *This policy outlines how the City of Albany responds to actual or suspected data breaches. It ensures that personal information is protected and that any serious risks to individuals are managed quickly and responsibly.*
  - **Legal Framework:** *The policy follows the Privacy Act 1988 and the Privacy Amendment (Notifiable Data Breaches) Act 2017, which require organisations to notify individuals if a data breach is likely to cause serious harm.*
  - **Link:** <https://www.albany.wa.gov.au/documents/2103/data-breach-response-policy-and-procedure>
- **Code of Conduct for Recorded Material Acquired on City of Albany Property (Audio, CCTV and Camera Footage) Policy (2.11).** *This Code outlines how authorised personnel must ethically and legally manage recorded audio and visual material collected on City property.*

## Review Position and Date

This document is to be reviewed annually.

## Definitions

- **Personal Information:** Personal information is any detail or opinion, true or not, written down or not, that relates to a person who can be identified, either directly or indirectly. This includes both living and deceased individuals. Examples of personal information include:
  - A person's name, date of birth, or address.
  - A unique identifier, online username, or pseudonym.
  - Contact details like phone number or email.
  - Location data showing where someone is or has been.
  - Technical or behavioural data about someone's activities, preferences, or identity.
  - Inferred information, such as predictions about someone's behaviour or preferences, or profiles created from combined data.
  - Details about a person's physical, mental, genetic, economic, cultural, or social identity.
- **Sensitive Personal Information:** Sensitive personal information is a special category of personal data that needs extra protection. It includes:
  - Personal Identity and Beliefs.
  - Race or ethnic background.
  - Gender identity (especially if it differs from sex assigned at birth).
  - Sexual orientation or practices.
  - Political views or membership in a political group.
  - Religious beliefs or affiliations.
  - Philosophical beliefs.
  - Membership in a professional or trade association.
  - Membership in a trade union.
  - Criminal history.
- **Health and Biological Data**
  - Health information.
  - Genetic or genomic data (not related to health).
  - Biometric data (like fingerprints or facial recognition).
- **Inferred Sensitive Information**
  - Any other information that could reasonably reveal one of the above categories.
- **Cookies:** Small files stored on your device to help websites remember your visits and activity.
- **Unique Identifiers:** Numbers or codes used to identify and track people or things, such as:
  - Tax File Number, Driver's Licence, Passport Number
  - IP Address, MAC Address
  - Employee ID, Customer ID
  - Barcodes, QR Codes, Vehicle Identification Numbers
  - Medicare Number, Health Record Number
- **Automated Decision-Making:** When systems make decisions using data and rules without human input, often used to improve services.
- **De-identification / Obfuscation:** Removing or replacing personal details with codes so data can be used without revealing identities.