



POLICY STATEMENT: Privacy Policy

PURPOSE: This Policy outlines how the City collects, stores, manages and shares personal information in accordance with the *Privacy and Responsible Information Sharing Act 2024*.

POLICY

1. Policy Statement

The City collects and stores personal information to carry out the functions of local government. This information is managed in accordance with our privacy obligations under the *Privacy and Responsible Information Sharing Act 2024*.

2. Scope

This policy applies, where practical, to:

- City employees
- Elected members
- Council committees
- Contractors, and
- Volunteers.

The City will take all reasonable steps to ensure that all parties are made aware that they must comply with the privacy obligations set out in this policy.

This policy does not apply to:

- Information that is available upon the payment of a fee, including planning, health and building enquiries.
- Requests for documents governed by the *Freedom of Information Act 1992*.

3. Definitions

PRIS	Privacy and Responsible Information Sharing
The Act	<i>Privacy and Responsible Information Sharing Act 2024</i>
Personal Information	<p>Is defined in the Act as information or an opinion, whether true or not, that relates to an individual (living or dead), whose identity is apparent or can reasonably be ascertained from the information or opinion. Information is not required to be a material record in order to meet this definition.</p> <p>Personal information includes specific types of information such as:</p> <ul style="list-style-type: none">• A name, date of birth, or address• A unique identifier, online identifier, or pseudonym• Contact information• Information relating to an individual's location• Technical or behavioural information about an individual's activities, preferences, or identity• Inferred information, including predictions about an individual's behaviour or preferences and profiles generated from aggregated information.



Health Information	Is defined in the Act as: <ul style="list-style-type: none">• Personal information that relates to:<ul style="list-style-type: none">○ The health (at any time) of an individual.○ The disability (at any time) of an individual.
Privacy Officer	A City Officer delegated to ensure compliance with PRIS legislation. They are the first point of contact for staff or external stakeholders seeking advice on privacy management practices at the City.
Internal Review Officer	A City Officer appointed by the CEO who is responsible for handling applications for internal reviews within an agency.
Information Privacy Principles (IPPs)	A set of guidelines established under the PRIS legislation that regulate how public entities handle personal information. These 11 principles form the core privacy framework for managing personal data and are designed to ensure that individuals' privacy rights are protected.

4. Collection of personal information

The City collects personal information to enable it to conduct its functions as a local government. The appropriate level of personal information that is collected is assessed on a case-by-case basis.

In this Policy, a reference to personal information is also a reference to health information.

The City may collect personal information from:

- Members of the public
- Government agencies
- Businesses
- Non-government organisations and not-for-profit organisations
- Employees, and
- Elected Members.

Contractors acting on the City's behalf may also collect personal information to enable them to deliver the requirements of their contract with the City. The City's contracts contain provisions mandating contractor compliance with privacy laws.

The City has a range of functions requiring or involving the collection of personal information including, but not limited to:

- Levying and collecting rates
- Providing services i.e. waste collection, libraries and community facilities
- Consultation with the community, businesses and other stakeholders
- Assessing development and major project applications
- Recording, investigating, and managing complaints and allegations
- Health and compliance matters
- Incident management
- Enforcing regulations and legislation
- Issuing leases, approvals, consents, licences and permits
- Providing grant funding
- Maintaining electoral information
- Employment, and
- Fitness for work.



Personal information may be collected by the City in any of the following ways:

- Over the phone
- In person
- Through online services or forms
- Submissions
- Application forms
- Financial transaction records
- Contracts
- Public registers
- Inspections
- Incident reports
- Medical assessment reports
- CCTV footage.

The types of personal information collected by the City includes:

- Names and addresses
- Telephone numbers
- Email addresses
- Next of kin
- Gender
- Signature
- Date of birth
- Personal images
- Voice recordings
- Drivers licence
- Concession cards
- Credit cards
- Bank account
- Health information
- Police clearance
- Tax file number
- Superannuation

Information is collected by the City in various formats including:

- Hardcopy
- Electronic and web forms
- Recorded meetings
- CCTV

5. Retention and security of personal information

Personal information collected by the City is stored both electronically and in physical files; both record types are securely stored to protect individuals' privacy in compliance with the *State Records Act 2000* and the *Privacy and Responsible Information Sharing Act 2024*.

The following practices apply to all information the City holds:

- Only Authorised personnel can access personal information
- Authorised personnel will make every effort to ensure personal information is accurate before using it



- Authorised personnel will use personal information only for the purpose for which it was collected, or for a purpose you would reasonably expect in carrying out the City's activities and functions, and
- Authorised personnel will not disclose personal information about a person to anyone without the consent of the person it concerns, unless they are required or permitted to by law.

6. Use of personal information

Authorised personnel use the personal information collected to:

- Maintain accurate records
- Process applications and submissions
- Provide services and facilities
- Provide information and advice
- Conduct research, and
- Improve services delivered to the community.

Information collected by the City is not used in any process whereby automated decision making occurs.

The City is required by law to maintain several public registers which are available for public inspection. Where required to by law, the City will display these Registers online on its website. For example, a register of Tenders is published on the City's website as required by the *Local Government (Functions and General) Regulations 1996*.

The City will not disclose personal information kept on a Public Register unless the information is to be used for a purpose relating to the purpose of the Register, or an Act under which the Register is kept.

Information may be shared between government agencies to improve service delivery, reduce duplication, and support public policy initiatives while ensuring appropriate privacy safeguards.

7. Accessing and amending personal information

Information Privacy Principle 6 (IPP 6) gives individuals the right to access their personal and health information. It also provides the right for a person to request an amendment to personal information that is inaccurate, incomplete or outdated.

Members of the public who wish to access and/or amend their personal information can do so by submitting a request in writing. Formal identification will be required prior to any information being given or amended.

There is no fee to access and/or amend personal or health information.

8. Limitations on accessing or amending personal information

8.1. An individual has the right to access their personal information unless:

- Access would impact others' privacy unreasonably
- The information is involved in legal proceedings or confidential negotiations
- Access is unlawful or restricted under other laws



8.2. The City cannot provide access to an individual's personal or health information to another person unless:

- The person requesting the information has been given consent by the other person to collect their personal information or disclose their personal information to the City.
- The disclosure of personal information is permitted or required by law.
- That person is an "authorised person" who can act on behalf of someone else regarding their personal or health information i.e. the person is appointed power of attorney.
- The City is authorised to provide information at the request of the person to whom it concerns, or to lessen or prevent a serious and imminent threat to the life, health and safety of the individual.

9. Suppression of information

Any individual whose personal information is recorded in a public register has the right to request that their personal details be suppressed. The City will comply with the request if it is satisfied the individual's safety or welfare would be adversely affected by not suppressing the information. Applications to suppress personal details from a public register should be made in writing to the CEO and should include supporting documentation.

10. Review Rights and Complaints

10.1. Complaints

Individuals have the right to lodge a complaint if they think that the City has breached its obligations relating to their personal and/or health information.

Complaints are to be submitted in writing and must include all the following detail:

- The complainant's details to which the complaint relates.
- The details of the specific act or practice the complaint is about, as well as any prior complaint made to the City, and the response to that complaint.
- An Australian address and any other relevant contact information to which notices can be sent.
- Any other information prescribed by regulations.

All applications must be submitted to the City within 12 months of becoming aware of the privacy breach.

Applications are to be submitted in writing to the City's Privacy Officer by:

- Email: info@gosnells.wa.gov.au
- Post: PO Box 662, Gosnells, WA 6990
- In person: 2120 Albany Highway, Gosnells

Complaints cannot be made on behalf of another person, unless the person making the complaint is an authorised representative of the other person and can provide supporting evidence of this (refer sub clause 8.2).

Complaints received by the City will be reviewed and actioned within the time specified in legislation and a decision notice will be issued to the Complainant.



If the Complainant is unsatisfied with the City's initial response to their complaint, they may seek an internal review (as outlined below in subclause 10.2).

10.2. Internal review process

Applications for an internal review must be submitted within 30 days of receiving the decision notice. Applications must be made in writing and addressed to the CEO or the CEO's delegate.

The City's Privacy Officer will be responsible for conducting the initial internal review, unless the application for internal review concerns the conduct of the Privacy Officer. In this case the CEO will appoint another Internal Review Officer to conduct the review.

The internal review process will utilise the guidance materials provided by the Information Commissioner's Office (OIC) throughout the review process.

As part of the internal review process the City will:

- Acknowledge receipt of an application for internal review within five working days; and
- Complete an internal review within 15 working days; and
- Inform the applicant in writing within 10 working days of determining the outcome of the internal review.

There are no fees associated with applying for an internal review.

If the Complainant is unsatisfied with the City's internal review of their complaint, they may seek an external review (as outlined below in subclause 10.3).

10.3. External review process

If a Complainant is unsatisfied with the outcome of an internal review, they may seek an external review by lodging an application with the Information Commissioner within 60 days of receiving the decision notice resulting from internal review, or 30 days for third parties.

Information about the process for making submissions to the Information Commissioner is available on the [OIC website](#).

Office of the Information Commissioner

Phone: (08) 6551 7888

Freecall (WA country): 1800 621 244

Fax: (08) 6551 7889

Email: info@foi.wa.gov.au

Web: www.oic.wa.gov.au

Address: Albert Facey House, 469 Wellington Street, Perth WA 6000

11. Contact Details

The City's Privacy Officer can be contacted by:

- Email: info@gosnells.wa.gov.au
- Post: PO Box 662, Gosnells, WA 6990
- In person: 2120 Albany Highway, Gosnells

**GOVERNANCE REFERENCES**

Statutory Compliance	<i>Privacy and Responsible Information Sharing Act 2024</i> <i>Local Government Act 1995</i> <i>State Records Act 2000</i> <i>Freedom of Information Act 1992</i> General Retention and Disposal Authority for Local Government Information (DA 2023-05)
Industry Compliance	Compliance progress must be reported through self-assessment checkpoints and updates to the PRIS Implementation Steering Committee (ISC)
Organisational Compliance	AP 4.2.2 Information and Record Management AP 4.2.3 Release of Information Administration Policy 4.3.29 Customer Complaints Corporate Procedure A.010 Customer Feedback - Compliments, Suggestions and Complaints
Process Links	Information Sharing Request Form

POLICY ADMINISTRATION

Directorate		Officer Title		Contact:	
Business Services		Chief Information Officer		9397 3000	
Risk Rating	Low	Review Cycle	Triennial	Next Due:	2028
Version	Decision Reference	Synopsis			
1.	OCM 247 09/09/2025	New Policy			
2.					
3.					