

COUNCIL POLICY LG517**PRIVACY AND INFORMATION BREACH**

Responsible Business Unit/s	All
Responsible Officer	Chief Executive Officer
Strategic Outcomes	Leadership and Governance

Purpose

The purpose of this Policy is to establish the Towns commitment to protecting the privacy of individuals and ensuring the responsible collection, use, storage, disclosure and disposal of personal information.

The Town recognises that the responsible handling of personal information is fundamental to maintaining public trust, transparency and accountability in the delivery of local government services.

Policy Objectives

This Policy aims to:

- a) ensure personal information is managed lawfully, fairly and securely;
- b) protect the privacy of residents, ratepayers, customers, contractors, employees, volunteers and other stakeholders;
- c) provide clear guidance regarding the collection, use, disclosure, storage and disposal of personal information;
- d) promote a culture of privacy awareness and accountability throughout the Town; and
- e) establish processes for responding to privacy complaints and data breaches.

Policy Scope

This Policy applies to:

- Elected Members;
- employees;
- contractors and consultants;
- volunteers;
- Committee Members; and
- any person or organisation handling information on behalf of the Town.

This Policy applies to all personal information collected, held, used or disclosed by the Town in any format, including electronic, paper-based, verbal and audiovisual records.

Policy Definitions

Personal Information: Information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not and whether recorded in a material form or not.

Examples include:

- name;
- residential, postal or email address;
- telephone number;
- date of birth;
- vehicle registration details;
- financial information;
- photographs or CCTV footage; and
- any other information that identifies or could reasonably identify an individual.

Sensitive Information: Personal information that requires a higher level of protection due to its nature, including information relating to health, biometric information, racial or ethnic origin, religious beliefs, criminal history or other information prescribed by law.

Data Breach Unauthorised access to, disclosure of, loss of, alteration of or destruction of personal information.

Policy Statement

The Town is committed to protecting privacy and managing personal information in a responsible, transparent and secure manner.

The Town will only collect, use, store and disclose personal information where it is necessary for the performance of its functions, the delivery of services, compliance with legal obligations, or where otherwise authorised by law.

The Town will take reasonable steps to safeguard personal information against misuse, interference, loss, unauthorised access, modification or disclosure.

1. Collection of Personal Information

The Town may collect personal information when:

- providing local government services;
- administering rates and property records;
- processing applications, permits and approvals;
- responding to enquiries, complaints and requests;
- managing employment and recruitment processes;
- conducting community engagement activities;
- operating Town facilities and programs; or
- fulfilling legislative and regulatory obligations.

Where practical, personal information will be collected directly from the individual concerned. The Town will only collect information that is reasonably necessary for the purpose for which it is collected.

Individuals will be informed of:

- the purpose of collection;
- any legal authority requiring the collection;
- the consequences of not providing the information; and
- any expected disclosures to third parties.

2. Use of Personal Information

Personal information will only be used for:

- the purpose for which it was collected;
- a directly related purpose that an individual would reasonably expect;
- a purpose authorised by law; or
- a purpose for which the individual has provided consent.

The Town will not use personal information for unrelated purposes unless authorised by law or with the individual's consent.

3. Disclosure of Personal Information

The Town may disclose personal information:

- with the individual's consent;
- where required or authorised by legislation;
- to contractors or service providers engaged by the Town to perform services on its behalf;
- to law enforcement or regulatory authorities where legally required;
- in response to lawful requests or court orders; or
- where disclosure is otherwise permitted by law.

Where personal information is provided to contractors or service providers, the Town will require those parties to maintain appropriate privacy and security standards. The Town will not sell personal information or disclose personal information for commercial marketing purposes.

4. Storage and Security

The Town will take reasonable steps to protect personal information through:

- secure physical and electronic storage systems;
- access controls and user permissions;
- staff training and awareness programs;
- information security measures;
- secure destruction processes; and
- regular reviews of information management practices.

Access to personal information will be limited to persons who require access to perform their duties.

5. Access and Correction

Individuals may request access to personal information held by the Town, subject to any legislative restrictions. Individuals may also request correction of personal information that is inaccurate, incomplete, misleading or out of date. Requests for access to documents may be dealt with under *the Freedom of Information Act 1992* (WA) where applicable.

6. Data Breaches

The Town will maintain procedures for managing actual or suspected data breaches. Where a data breach occurs, the Town will:

- assess the nature and extent of the breach;
- take reasonable steps to contain the breach;
- investigate the cause and impacts;
- notify affected individuals where appropriate;
- comply with any applicable legislative requirements; and
- implement corrective actions to reduce the risk of recurrence.

All persons covered by this policy must promptly report any actual or suspected privacy breaches.

7. Responsibilities

Chief Executive Officer

The Chief Executive Officer is responsible for ensuring appropriate systems, resources and procedures are in place to support compliance with this Policy.

Others

All persons covered by this Policy must:

- comply with privacy obligations;
- protect confidential and personal information;
- access information only where authorised;
- report privacy incidents or breaches; and
- complete any privacy training required by the Town.

8. Complaints

Individuals who believe the Town has mishandled their personal information may lodge a complaint with the Chief Executive Officer.

Complaints will be investigated and responded to in accordance with the Town's complaints management processes.

Document Control Box			
Legislation:	<i>Local Government Act 1995 (WA)</i> <i>Freedom of Information Act 1992 (WA)</i> <i>State Records Act 2000 (WA)</i> <i>Public Interest Disclosure Act 2003 (WA)</i>		
Organisational:	Town of Claremont Record Keeping Plan Policy LG518 Records Management		
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	30 June 2026	91/26
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