

POLICY GC17 - PRIVACY AND INFORMATION SHARING

Responsible Officer: Chief Executive Officer

Approved By: Council

Adoption Date: 23 April 2026

Last Reviewed:

Version: 1

Next Review Date: April 2029

1. Purpose

To protect personal information handled by the Shire of Bridgetown-Greenbushes and to enable responsible information sharing that delivers public benefit, in accordance with the *Privacy and Responsible Information Sharing Act 2024 (WA)* (PRIS Act).

This Policy establishes clear and transparent practices for the collection, use, storage, security, disclosure and disposal of personal information, and sets out the Shire's approach to responsible information sharing and management of information breaches.

2. Scope

This Policy applies to:

- Council Members
- Employees
- Contractors
- Volunteers
- Committee members
- Contracted service providers where Shire contracts require compliance with the PRIS Act and/or this Policy

It applies to all information handled by the Shire, including customer, community and workforce information, in any format (electronic, paper, audio, visual or other recorded form).

3. Definitions

| Term | Definition |
|---------------------------|---|
| 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 material form or not. |
| Sensitive Information | Personal information including racial or ethnic origin, political opinions or associations, religious or philosophical beliefs, trade union membership, sexual orientation or practices, criminal record, health, genetic or certain biometric information. |
| Information Breach | Unauthorised access to, unauthorised disclosure of, or loss of information. |
| Interference with Privacy | A contravention of the PRIS Act relating to personal or de-identified information, including failure to comply with obligations relating to suspected or assessed notifiable information breaches. |

| Term | Definition |
|---------------------------------------|--|
| IPP Entity | An entity required to comply with the Information Privacy Principles under the PRIS Act, including local governments and certain contracted service providers. |
| Notifiable Information Breach | A breach involving personal information likely to result in serious harm, triggering notification obligations under the PRIS Act (from 1 January 2027). |
| Privacy Impact Assessment (PIA) | A systematic assessment of a project to identify privacy risks and recommend mitigation measures. |
| Information Privacy Principles (IPPs) | Principles established under the PRIS Act to guide lawful and appropriate information sharing. |

4. Policy Statement

The Shire of Bridgetown-Greenbushes is committed to:

- Protecting personal information from misuse, interference, loss, unauthorised access, modification or disclosure.
- Managing personal information in accordance with the Information Privacy Principles (IPPs).
- Maintaining transparency in how personal information is handled.
- Responding promptly and effectively to privacy complaints and information breaches.
- Removing unnecessary barriers to lawful information sharing while maintaining community trust.

The Shire will comply with all obligations under the PRIS Act and associated guidance issued by the Office of the Information Commissioner (WA) and the WA Chief Data Officer.

5. Roles and Responsibilities

| Role | Responsibility |
|---------------------------------------|--|
| Council | Adopt and review this Policy; provide governance oversight. |
| CEO | Ensure organisational compliance with the PRIS Act; allocate appropriate resources; report significant privacy risks or breaches to Council. |
| All Employees and Council Members | Comply with this Policy and the IPPs; report suspected breaches immediately; use approved channels for information sharing. |
| Privacy Officer | Monitor privacy governance; coordinate breach responses; liaise with the Office of the Information Commissioner (WA); manage privacy complaints; oversee privacy training and records; support PIAs. |
| Information Sharing Officer | Coordinate dealings with the WA Chief Data Officer; manage information sharing requests and agreements; oversee compliance with the IPPs; support privacy and Aboriginal information assessments where applicable. |
| Audit, Risk and Improvement Committee | Oversee privacy and information sharing risks and significant incidents. |

Note: The CEO may designate these roles within existing positions.

6. Procedures / Implementation

6.1 Collection, Use and Disclosure of Personal Information

- Personal information will only be collected where necessary for, or directly related to, the Shire's functions or activities.
- Information will be collected by lawful and fair means and, where practicable, directly from the individual concerned.
- Sensitive information will only be collected with consent or where authorised or required by law.
- Personal information will only be used or disclosed for:
 - the primary purpose of collection;
 - a directly related secondary purpose reasonably expected by the individual; or
 - as permitted or required by law.
- Contracts with third parties must include privacy and information security obligations consistent with this Policy and the PRIS Act.

6.2 Information Security and Retention

- Reasonable administrative, physical and technical safeguards will be implemented to protect personal information from misuse, interference, loss and unauthorised access or disclosure.
- Reasonable steps will be taken to ensure personal information is accurate, up to date, complete and relevant prior to use or disclosure.
- Information will be retained and disposed of in accordance with the *State Records Act 2000*, approved retention and disposal schedules, and the Shire's Recordkeeping Plan.
- Personal information will not be disclosed outside Australia unless appropriate safeguards are in place and the disclosure is lawful.
- Unique identifiers will only be used where necessary and lawful.
- Options for anonymity or the use of pseudonyms will be provided where practicable.

6.3 Information Sharing

- Information sharing must comply with the PRIS Act, Information Privacy Principles, Responsible Sharing Practices, Information Sharing Directions and any approved agreements.
- Information sharing decisions must be lawful, necessary, proportionate and in the public interest.
- Where information sharing relates to Aboriginal people or communities, appropriate consultation, cultural authority and governance arrangements will be applied in accordance with relevant guidance and principles.

6.4 Information Breaches and Complaints

- All suspected information breaches must be reported immediately to the Privacy Officer.
- The Shire will maintain an Information Breach Register to record and manage privacy incidents.
- From 1 January 2027, where a notifiable information breach occurs, the Shire will notify the WA Information Commissioner and affected individuals as required by the PRIS Act.
- Individuals may request access to, or correction of, their personal information, subject to applicable exemptions under the *Freedom of Information Act 1992*.

Contact for privacy matters:
Manager Executive Services
Email: governance@bridgetown.wa.gov.au
Phone: (08) 9761 0800

7. Legislative and Other References

Local Government Act 1995

Local Government Amendment Act 2023

Local Government (Model Code of Conduct) Regulations 2021

Privacy and Responsible Information Sharing Act 2024 (WA)

Freedom of Information Act 1992

State Records Act 2000

8. Review and Monitoring

This Policy will be reviewed every three years, or earlier if:

- Legislative changes occur
- Governance requirements change
- Significant privacy reforms or directions are issued

Compliance monitoring will be undertaken by the Chief Executive Officer, with significant privacy risks or incidents reported to the Audit, Risk and Improvement Committee and Council as appropriate.

9. Related Documents / Forms

| Document / Form | Description / Purpose |
|------------------------------------|--|
| Member Code of Conduct | Establishes behavioural standards including confidentiality obligations. |
| Recordkeeping Plan | Sets requirements for records retention and disposal. |
| Information Breach Register | Records and tracks privacy incidents and responses. |
| Privacy Impact Assessment Template | Used to assess high privacy impact projects. |