

## Privacy Management

### Objective

This Policy has been prepared in accordance with Information Privacy Principle 5: Openness and transparency of the *Privacy and Responsible Information Sharing Act 2024* (PRIS Act). It provides clear direction on how the City of Rockingham (City) collects, stores, uses and discloses personal information including sensitive information.

### Scope

This policy applies to all City of Rockingham Council Members, employees, volunteers and contractors.

### Statement

The City respects the privacy of its customers and stakeholders and is committed to protecting the personal information it collects, stores, uses and discloses.

Personal information will be used for:

- the purpose for which it was collected
- providing local government functions and services
- supporting the development of and improvement to local government functions and services
- as authorised by law.

The City's main functions include, but are not limited to:

- Asset and facility management
- Building and planning
- Community services
- Health services
- Ranger services
- Infrastructure and property management
- Rates collection
- Recreation and cultural facilities and services
- Waste management.

More information about the City and its functions is available from the *About Us* page on the City's website.

### Personal information collected and used by the City

The City collects, stores, uses and discloses personal information to perform its functions and services. The City aims to minimise the personal information it collects and manages to that which is required.

The City collects and accesses personal information concerning customers, Council Members, employees, volunteers, contractors and other stakeholders. The personal information includes names, addresses, contact details, bank account details, government identifiers and other personal information as defined in the PRIS Act, to perform its functions and services.

The City may also collect personal sensitive information such as biometric data, health information, union membership, professional and trade associations membership, and criminal history.

The collection of personal information occurs when customers and stakeholders interact with the City via:

- Online forms, emails, telephone calls and recordings
- Written correspondence and forms
- In-person interactions
- Community consultation
- CCTV, security surveillance, video footage and images
- Website, mobile applications and other digital services
- Information provided by other government agencies that work with the City to deliver its functions and services.

Where practical, personal information will be collected from the individual concerned or authorised parties. Sensitive personal information will only be collected where consent has been given or if legally required.

Individuals have the option of remaining anonymous when interacting with the City wherever it is lawful and practicable. In many situations, the collection of personal information will be necessary for the City to perform its functions and services.

The City may collect or assign a unique identifier to personal information where it is required by law or necessary to efficiently conduct its functions and services. The City does not adopt government-related identifiers as its own unless required or authorised by law.

A range of legislative requirements govern the personal information held by the City. Key legislation includes, but is not limited to:

- *Local Government Act 1995*
- *Building Act 2011*
- *Bush Fires Act 1954*
- *Cat Act 2011*
- *Dog Act 1976*
- *Freedom of Information Act 1992*
- *Health Act 1911*
- *Planning and Development Act 2005*
- *State Records Act 2000*
- *Work Health and Safety Act 2020*

## Visiting website and online services

The City uses cookies to enhance its website and online services.

The following data is collected from the City's website and online services:

- Browser information – including IP address, browser type and operating system
- Navigation data – information about pages visited and time spent on those pages

- User feedback – voluntary feedback that assists in improving online services
- Digital marketing and functionality – to record how users navigate the City’s website and online services, including page views and usage data, and to customise content and deliver relevant digital communications. The City may use this data in conjunction with data received from other channels to share relevant information.
- Subscriptions and requests – to verify users, recognise returning users and tailor content for users who have an account or have logged into the online services.

The City’s website and online services contain a separate privacy statement. Users should be aware that the City’s website and online services may contain links to external sites. The City is not responsible for the content or privacy practices of these external sites.

## Disclosure and sharing of personal information

### Primary use and disclosure

The City may use and disclose personal information for the primary purposes for which it was collected, and in other circumstances when permitted to do so by law. The City will take reasonable steps to provide the individual information about the reason for collection of their personal information at the time of capture or as soon as practicable thereafter.

### Secondary use and disclosure

The City uses and discloses personal information for purposes other than the purpose for which it was collected in some circumstances. This includes:

- where consent has been provided for the secondary use or disclosure
- where a secondary use or disclosure is authorised or permitted by law
- where the purpose of a secondary use or disclosure is related to the primary purpose (or, in the case of sensitive information, directly related to the primary purpose) and it would be reasonably expected to be used for that purpose
- where it is necessary to lessen or prevent serious threats to health or safety.

The City may disclose personal information to third parties including:

- Organisations or consultants that are undertaking community engagement and market research on behalf of the City
- Contractors that deliver goods, works and services on behalf of the City
- Other public entities, under an information sharing agreement or information sharing request
- Other local, state and federal government agencies and government trading enterprises that help the City to deliver its functions and services
- Western Australian Local Government Association (WALGA).

The City may also disclose personal information to interstate or overseas third parties where it is necessary to perform its functions and services. The City will only disclose to overseas third parties if it is consistent with this policy or the disclosure is required or authorised by law.

The City does not employ automated decision-making processes involving the use of personal information to make significant decisions about an individual.

The City may also use third party providers to deliver or otherwise communicate content. These third parties may collect and store personal information on servers outside of Australia. They include Google, Facebook, LinkedIn, Vimeo, Instagram, YouTube, Social Pinpoint, Mailchimp, SurveyMonkey and others.

Such third party sites have their own privacy policies and may send their own cookies to an individual's device. The City does not control third party privacy policies or the setting of third party cookies and suggests individuals check the third party websites for more information about their cookies and how to manage them.

The City will not disclose personal information to a third party for the purpose of direct marketing.

## Storing and protecting information

The City is committed to storing and protecting the personal information it holds from misuse, loss, unauthorised access, modification or disclosure.

### Security

The City maintains the security of personal information by applying the following controls:

- Encryption, passwords and multi-factor authentication
- Monitoring and logging programs
- Network security management programs
- Physical and logical security
- Backup and disaster recovery programs.

### Retention period

The City retains and disposes of its records, including personal information in accordance with the General Disposal Authority for Local Government Records (GDA).

### Personal information stored outside of Australia

When the City is required to store personal information outside of Australia, it will ensure appropriate security controls are in place.

Where the City discloses personal information to third parties overseas, it will take reasonable steps to ensure that data security and appropriate privacy practices are maintained.

### Controls and access to personal information

The City provides access to personal information based on the following principles:

- Need to know – users or resources will be granted access to information and systems that are necessary to fulfil their roles and responsibilities
- Least privilege – users or resources will be provided with the minimum privileges necessary to fulfil their roles and responsibilities.

### De-identification and suppression of personal information

The City will take reasonable steps to ensure the de-identification of personal information when information is permitted to be used for statistical, research and reporting purposes.

An individual may request the City to not publish their personal information where the individual believes that disclosure of that information on a public register or through release may affect their safety or wellbeing. To make such a request, the individual must be registered as a silent elector. In accordance with Section 20(2) of the *Local Government (Elections) Regulations 1997*, a local government resident elector must reflect the elector's status under Section 51B of the *Electoral Act 1907*.

Any information that is suppressed from a public register may still be retained and used by the City for lawful purposes necessary to perform its functions and services.

## Access to and correction of personal information

The City will take reasonable steps to ensure the accuracy of personal information. Requests to correct personal information must be made in writing and lodged via one of the following methods:

- Submit: an online request through the City's website
- Email: [privacy@rockingham.wa.gov.au](mailto:privacy@rockingham.wa.gov.au)
- Post: City of Rockingham, PO Box 2142, ROCKINGHAM DC WA 6967
- In-Person: City of Rockingham Administration Building, Civic Boulevard, Rockingham

The City will respond to requests in line with its Customer Service Commitment.

Individuals have a right to request access to personal information the City holds about them under the *Freedom of Information Act 1992* (FOI Act).

Information on submitting a Freedom of Information application can be obtained via the City's website.

## Lodging a privacy complaint

A privacy complaint may be lodged where an individual is not satisfied with the way the City has collected, stored, used, disclosed or destroyed their personal information.

Privacy complaints must be lodged on the specified Privacy Complaint Form and include sufficient information for the City to be able to investigate the complaint.

The form can be lodged via:

- Email: [privacy@rockingham.wa.gov.au](mailto:privacy@rockingham.wa.gov.au)
- Post: Privacy Officer, City of Rockingham, PO Box 2142, ROCKINGHAM DC WA 6967
- In-Person: City of Rockingham Administration Building, Civic Boulevard, Rockingham

The City will acknowledge the complaint in writing within 10 business days. Privacy complaints will be investigated, and the individual will be notified of the complaint outcome in writing within 28 working days. If the complaint is complex and requires further investigation, the City may need to extend the completion date.

Where an individual is not satisfied with the City's response, they may choose to escalate the matter to the Office of the Information Commissioner (OIC) by:

- Telephone: (08) 6551 7888
- Email: [info@oic.wa.gov.au](mailto:info@oic.wa.gov.au)

## Definitions

**Cookies** are small pieces of text sent to your browser by a website you visit. They help a website remember information about a user's visit, which can both make it easier to visit the site again and make the site more useful.

**General Disposal Authority** is an authorised document, managed by the State Records Office which covers records of common activities, ensuring consistent legal destruction or archiving of local governments records.

## Personal information –

- a) means information or an opinion, whether true or not, and whether recorded in a material form or not, that relates to an individual, whether living or dead, whose identity is apparent or can reasonably be ascertained from the information or opinion; and
- b) includes information of the following kinds to which paragraph (a) applies
  - i. a name, date of birth or address;
  - ii. a unique identifier, online identifier or pseudonym;
  - iii. contact information;
  - iv. information that relates to an individual's location;
  - v. technical or behavioural information in relation to an individual's activities, preferences or identity;
  - vi. inferred information that relates to an individual, including predictions in relation to an individual's behaviour or preferences and profiles generated from aggregated information;
  - vii. information that relates to 1 or more features specific to the physical, physiological, genetic, mental, behavioural, economic, cultural or social identity of an individual.

## Sensitive personal information – means personal information

- a) that relates to an individual's —
  - i. racial or ethnic origin; or
  - ii. gender identity, in a case where the individual's gender identity does not correspond with their designated sex at birth; or
  - iii. sexual orientation or practices; or
  - iv. political opinions; or
  - v. membership of a political association; or
  - vi. religious beliefs or affiliations; or
  - vii. philosophical beliefs; or
  - viii. membership of a professional or trade association; or
  - ix. membership of a trade union; or
  - x. criminal record; or
- b) that is health information; or
- c) that is genetic or genomic information (other than health information); or
- d) that is biometric information; or
- e) from which information of a kind referred to in any of paragraphs (a) to (d) can reasonably be inferred.

## Legislation

*Freedom of Information Act 1992*

*Privacy and Responsible Information Sharing Act 2024*

*State Records Act 2000*

## Other Relevant Procedures / Key Documents

Freedom of Information Statement

Privacy Complaint Form

General Disposal Authority for Local Government Records (GDA)

## Responsible Division

Corporate Services

## Review Date

July 2029

Council Adoption	26 May 2026	Version	1
Amendment Dates		Document Number	D26/108110