

Privacy Policy

1. Objective

The objective is to ensure that the Town of Bassendean ('the Town') is committed to being transparent and responsible in the collection, use, storage, protection, sharing and management of personal information consistent with our core values and obligations under the *Privacy and Responsible Information Sharing Act 2024* (WA) (PRIS Act) and its applicable regulations.

2. Scope

This Policy applies to all

- a) Elected Members;
- b) Employees;
- c) Contractors;
- d) Volunteers;
- e) Third-party vendors

who collect, use, store, share and dispose of personal information, in the course of their duties in relation to the Town of Bassendean's operations.

3. Implications

This policy aligns with the Town of Bassendean's Council Plan 2023-2033.

- i. Outcome 9.1: Continually improve operational performance and financial sustainability.

4. Definitions

- a) **Personal information:** Any information or opinion about an individual whose identity is apparent or can reasonably be determined from the information or opinion; regardless of whether it's:
 - i. true or not, or
 - ii. recorded in a material form or not, or
 - iii. relates to an individual, living or dead, or
 - iv. relates to an individual directly or indirectly.
- b) **Sensitive information:** is a type of personal information. It can include but is not exhaustive to information that relates to an individual's:
 - race or ethnic origin; or
 - gender identity, or
 - sexual orientation or practices; or
 - political opinions, and membership of a political association; or
 - religious and philosophical beliefs or affiliations; or
 - membership of a professional or trade association or trade union; or
 - criminal record; or
 - health, genetic, genomic and biometric information.
- c) **Health information:** is a type of sensitive information collected to provide, or in providing, a health service, or relates to:
 - the illness or health of an individual; or
 - the disability or injury of an individual; or

- an individual's expressed wishes about the future provision of health services

5. Policy Statement

The Town recognises and respects the privacy of individuals and organisations it engages with. It is committed to complying with the Information Privacy Principles (IPPs) and supporting the objectives of the PRIS Act. The IPPs outline the standards, rights and responsibilities governing the collection, use, storage, sharing and disposal of personal information.

6. Implementation

6.1. Collected & Held

- a) The Town limits the collection of personal information to what is reasonably necessary to support one or more functions or activities. This may occur through-
- Forms and interactions*, including online and paper forms, applications, registrations, requests, consultations, correspondence and recruitment processes; or
 - Programs and engagements*, such as subscriptions, mailing lists, community events, programs, services or surveys; or
 - Digital platforms*, including the Town's websites, online portals and social media platforms; or
 - Third parties*, including government agencies where authorised or required by law; or
 - Surveillance and security systems*, such as surveillance procedures; or
 - Public sources*, including publicly available information and databases.
- b) The types of personal information the Town may collect include, but are not limited to:
- name
 - date of birth
 - contact details
 - location information (postal address, home address)
 - unique identifiers (IP addresses)
 - financial information
 - behavioural identity (such as interactions with the Town's social media platforms)
 - CCTV footage
- c) The Town may collect such information without expressed or implied consent when required or authorised by law, including under express statutory provisions, court or tribunal orders, or through the general application of common law.
- d) The Town collects personal information lawfully and fairly and in a way that does not unreasonably intrude into an individual's personal affairs and will take reasonable steps to notify individuals of the collection at the time or as soon as practicable thereafter.
- Collection notices may be provided through forms, online portals, signage, correspondence, or during interactions with Town.
- e) Information can be collected by the Town on a mandatory basis or optional basis in line with the *Local Government Act 1995*. The Town will notify individuals on which basis it will be collected and advise of any consequences if required information is not provided.

- f) The Town may receive personal information that it did not actively request. While reasonable efforts are made to avoid collecting unnecessary information, any such information received will be handled in accordance with the Privacy Policy.
- g) Information can be collected by the Town using cookies on its websites. Cookies are small data files transferred between a user's device and the Town's websites to record preferences and enhance user experience. Some cookies are necessary for the site to function; others are optional which individuals can opt out of.
 - i. The Town collects this information for the purpose of:
 - i. security;
 - ii. customisation;
 - iii. verification;
 - iv. digital marketing and functionality.

6.2. Use & Disclosure

- a) The Town of Bassendean limits the use and disclosure of personal information to what is reasonably necessary to support one or more functions or activities of the Town such as:
 - i. delivering and administering services
 - ii. responding to enquiries, requests and complaints
 - iii. regulatory, compliance and enforcement activities
 - iv. maintaining accurate records
 - v. meeting legal, reporting and governance obligations
- b) The Town may use and disclose an individual's personal information fairly and reasonably for secondary purposes where it would be reasonably expected and is directly related to why it was collected, for research or statistics that don't identify an individual, to help protect people's health or safety, to investigate or report an issue, or where the law or authorities require it.
- c) The Town may enter contracts with third parties and disclose personal information or allow third parties to collect personal information on its behalf. These third parties may include, but are not limited to:
 - i. suppliers and other entities with whom the Town has a commercial relationship, such as those engaged to conduct research or deliver programs related to the Town's functions; and
 - ii. organisations acting for an authorised purpose that directly relates to one of the Town's functions, where the individual has expressed or implied consent.
- d) The Town will take all reasonable steps to ensure that third-party recipients are legally or contractually required to protect the information in line with the PRIS Act, or that reasonable steps have been taken to ensure the information will be held, used or disclosed in a similar way.

6.3. Storage, Protection & Retention

- a) The Town of Bassendean limits the storage of personal information to what is reasonably necessary to support one or more functions or activities of the Town.
- b) The Town will take all reasonable steps to protect personal information from loss, unauthorised access, use, modification, disclosure, or any other misuse by ensuring records are:
 - i. securely stored in hard copy or electronic record keeping systems with controlled access, encryption of electronic files, and regular review of access permissions.

- ii. destroyed or de-identified when no longer needed and in accordance with the *State Records Act 2000* and the approved records retention and disposal authorities.
 - iii. access to personal information is restricted to authorised parties who require the information to perform a lawful function or service on behalf of the Town of Bassendean.
- c) The Town may enter contracts with service providers located outside Australia. If personal information is required to be disclosed to those service providers, the Town will take all reasonable steps to ensure that the information is stored, processed, and protected consistent with obligations under this Privacy Policy and the PRIS Act.

6.4. Anonymity & Identifiers

- a) Individuals may choose to remain anonymous when dealing with the Town, except where identification is required or authorised by law. In such circumstances, the Town's ability to provide certain services, information, or assistance may be limited.
- b) The Town may erase certain personal information on request, provided the request complies with the requirements of the PRIS Act and there is no compelling reason for its continued processing. This right is not absolute and applies only in specific circumstances.
- c) The Town only uses identification numbers when needed to provide services or when the law requires it. Identification numbers from other agencies are generally not used unless it's necessary, legally allowed, or consensual.

6.5. De-identification

- a) The Town will take reasonable steps to protect personal information, where lawful and practical, in a way that prevents the individual's identity from being apparent or reasonably ascertained and de-identified information from misuse, loss, unauthorised access, modification, disclosure, or re-identification.
- b) De-identification may involve:
- i. removing or obscuring direct identifiers such as names, addresses, or contact details;
 - ii. aggregating data to reduce risk of re-identification;
 - iii. applying statistical or technical methods to mask or generalise personal attributes; and
 - iv. ensuring any remaining data cannot be reasonably linked to an individual.
- c) Once personal information has been de-identified, it is treated as non-identifiable data and may be used for activities such as research, planning, service improvement, or reporting. The Town manages all de-identified information securely and in compliance with the PRIS Act.
- d) The Town will not re-identify de-identified information unless required or authorised by law, or with the individual's express or implied consent.

6.6. Automated Decision-making Processes

- a) The Town does not presently use Artificial Intelligence (AI) or other automated systems to make significant decisions about individuals. All decisions involving personal information are made by authorised officers following established procedures and governance frameworks.
- b) The Town is committed to responsible innovation and will update this Policy to reflect any future use of AI or automated decision-making technologies.

6.7. Information Quality

- a) The Town of Bassendean will take reasonable steps to ensure that personal information collected, used, and stored is accurate, complete and up to date. If an individual believes that their personal information either inaccurate, incomplete, or out of date, they may contact the Town of Bassendean.

6.8. Access & Corrections

- a) The Town of Bassendean is open and accountable and wherever possible will make appropriate documents available for inspection outside of the PRIS Act. The Town publications can be viewed at the Town Offices or on the Town's website.
- b) Individuals may request access to personal information the Town holds about them subject to the PRIS Act, subject to certain exceptions. An individual can make a formal application by completing the Request to Access or Change Documents form available on the Town's website, or at the Customer Service Desk and returned via the Town's contact details.
- c) The Town takes all reasonable steps to ensure personal information held about an individual is accurate, complete and up to date. However, if a person believes that their personal information held by the Town is incorrect, they may apply to have their personal information amended, subject to certain exceptions.
- d) Amendment applications should contain:
 - i. details of the information an individual wants to amend,
 - ii. why an individual believes the information is inaccurate, misleading, out of date, or incomplete,
 - iii. the amendments the individual wants to be made, and
 - iv. certified evidence of identity.
- e) Applications will be acknowledged in writing and a notice and reason of decision will be provided within 30 days of the application being received. If an application for amendment is successful, the change will be made within 30 days of the decision being acknowledged.
- f) A scale of fees and charges is set under the Freedom of Information Act Regulations. If physical copies are requested of any documents, charges will apply for printing/photocopying, plus costs for binding, postage and delivery, if applicable.

6.9. Complaints

- a) If an individual believes that the Town has not dealt with their personal information in accordance with the PRIS Act, they may make a privacy complaint firstly to the Town of Bassendean. An individual can complete the Privacy Complaint form available on the Town's website, or at the Customer Service Desk and returned via the Town's contact details.

- b) Upon receipt of the complaint, the Town will formally acknowledge the individual within 30 days.
- c) Applicants who are dissatisfied with the decision of the release or amendment of their personal information can firstly seek an internal review from the Town of Bassendean's CEO.
- d) Applicants who are dissatisfied with the decision from the Town's CEO, can secondly seek further guidance regarding privacy from the Office of the Information Commissioner.

6.10. Policy Changes

The Town of Bassendean may make changes to this policy from time to time by giving notice on the Town's website. It is recommended that individuals review the policy regularly and refer to the latest version date listed below.

6.11. Contact Details

Street address: 35 Old Perth Road, Bassendean, WA 6054

Postal Address: PO Box 87, Bassendean, WA 6934

Phone: (08) 9377 8000

Email: mail@bassendean.wa.gov.au

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Legislation	<i>Privacy and Responsible Information Sharing Act 2024 (WA) (PRIS Act)</i> <i>State Records Act 2000 (WA)</i> <i>Local Government Act 1995 (WA)</i> <i>Freedom of Information Act 1992 (WA)</i>		