

1. Objective

The City of Mandurah (City) values and respects the privacy of the people it deals with. The City is committed to protecting individual privacy and complying with the *Privacy and Responsible Information Sharing Act 2024* (PRIS Act) and other applicable privacy laws and regulations.

This Council Privacy Policy (Policy) describes how the City will collect, hold, use and disclose personal information, and how the City will maintain the quality and security of personal information.

2. Applicability

- This Policy applies to all Elected Members, employees, contractors and volunteers undertaking duties on behalf of the City.
- This Policy applies to all Personal Information handled by the City, including information relating to customers and stakeholders of the City, employees, contractors, volunteers, Elected Members and Committee Members.

3. Policy Statement

The City is committed to upholding the right to privacy of all individuals who have dealings with the City and will take reasonable steps to ensure that personal information is protected in accordance with the PRIS Act.

4. Definitions

As defined in the *Privacy and Responsible Information Sharing Act 2024* (the Act):

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 about an individual's behaviour or preferences and profiles generated from aggregated information
 - vii. information that relates to one 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 that relates to an individual's:

- a. racial or ethnic origin, membership of a professional or trade association, or criminal record;
- b. that is health information; or
- c. that is biometric information; or
- d. from which information of a kind referred to in any of paragraphs (a) to (c) can reasonably be inferred.

Information Privacy Principles

The City collects, holds, manages, uses and discloses personal information to enable it to exercise powers and perform functions under a range of legislative and policy requirements and to carry out certain business functions. This includes information collected about customers and stakeholders through the delivery of City services and functions and where required by law.

The City handles a broad range of information about individuals including, but not limited to, customers, ratepayers, residents, volunteers, employees and prospective employees, and Elected Members. A significant part of that information is Personal Information.

When handling personal information in its role as a local government, the City is bound by the PRIS Act and must comply with the Information Privacy Principles (IPPs) set out in Schedule 1 of the Act. These principles are:

- Collection IPP 1
- Use and disclosure IPP 2
- Information quality IPP 3
- Information security IPP 4
- Openness and transparency IPP 5
- Access and correction IPP 6
- Unique identifiers IPP 7
- Anonymity IPP 8
- Disclosures outside of Australia IPP 9
- Automated decision-making IPP 10
- De-identified information IPP 11.

A guide explaining how the City handles personal information is available on the City of Mandurah website and provides further detail about how the City meets its obligations to protect personal information.

5. Collection of personal information

The City will take all reasonable steps to safeguard personal information from unauthorised access or misuse.

Personal Information will only be collected for purposes related to the City carrying out its local government functions, which may include public consultation through the City's "Mandurah Matters" platform.

The City collects Personal Information through the performance of our services and functions; as required by law; through correspondence, communication and service requests; and through online data and metadata collection.

The City will only collect Sensitive Personal Information in limited circumstances, such as where required by law or where an individual consents to the collection.

5.1 City of Mandurah Website and platforms

The City collects limited information about individuals who interact with its digital platforms to improve service delivery, enhance user experience and inform relevant communications. This information may include data captured through cookies, web analytics tools, direct communications, social media interactions and targeted digital advertising. In general, this data is used to understand how people engage with the City's online services, respond to enquiries and promote relevant initiatives and events.

The City uses website tools to collect and view website traffic information including:

- browser and device used;
- dates and times of visit; and
- pages and documents viewed; and
- time spent, scroll time and buttons clicked.

This information forms part of the City's use of cookies and website analytics from third parties, which may have their own privacy policies. The City also uses cookies and session tools to improve user experience when accessing the City's websites.

5.2 Links to third party sites

The City of Mandurah website(s) may contain links to websites operated by third parties. If an individual accesses a third-party website through the City website(s), personal information may be collected by that third-party website. Where these links are accessed by City stakeholders, via the City's website, the City is not able to control what information may be collected by the third-party website.

The City makes no representations or warranties in relation to the privacy practices of any third-party provider or website and is not responsible for the privacy policies or content of any third-party provider or website. Third-party providers and websites are responsible for informing individuals about their own privacy practices, and the City encourages individuals to read their privacy policies.

6. Sharing Personal Information

The City has controls in place to ensure Personal Information is only used in the performance of its functions and services.

6.1 Personal Information

Personal Information collected by the City will not be disclosed to a third party (other than the individual concerned) unless:

- The disclosure is a public interest disclosure, or it is information which the public has a right to access under relevant legislation;
- The disclosure is required or authorised by or under any other law;
- The disclosure is necessary to prevent or lessen a serious and imminent threat to the individual concerned or another person;
- The individual concerned has consented to the disclosure; or
- The information is being used by a third party engaged by the City for business purposes.

The City will use processes to de-identify information by redacting personal or confidential information as part of the Freedom of Information process.

6.2 Safeguarding Information

The City is committed to safeguarding personal information against misuse, loss, unauthorised access or disclosure. Personal information is stored in on-premises and cloud-based systems. Where cloud services are used, they are hosted in Australia and must comply with Australian privacy laws and contractual security requirements.

Any documents held by the City that contain personal information will be handled in a secure, responsible, and compliant manner. This includes the collection, storage, retention, and destruction of records.

7. Automated Decision Making

If automated decision making is introduced, the City will undertake an impact assessment to assess:

- how to eliminate or minimise the risk of harm, bias, and discrimination;
- whether there is a process for individuals to request human intervention in decisions made about them; and
- whether the handling of personal information complies with the PRIS Act.

The City will ensure transparency in its use of automated decision making by:

- notifying an individual that automated decision making was used to make a decision about them; and
- on request, provide the individual with sufficient information about how the ADM works in a form they could be reasonably expected to understand.

8. Security controls

The City will implement multiple controls, where practical, to protect personal information from unauthorised access, misuse, loss, modification and disclosure.

This includes but is not limited to:

- encryption of data at rest and in transit;
- multi-factor authentication (MFA);
- endpoint detection and response;
- security patching and vulnerability management; and
- access control and audit logs.

Annual compliance activities, such as simulated phishing exercises, will be undertaken to provide practical learning opportunities and improve cyber security awareness across the organisation. Employees will also receive regular training to strengthen cyber security awareness and compliance.

The City will regularly review and update its cyber security practices to align with industry standards, legislative requirements and emerging risks.

9. Information Breaches and Compliance

The City undertakes regular security assessments to identify vulnerabilities and help prevent data misuse, unauthorised access or loss.

If an information breach occurs, the City will investigate the nature and extent of the incident and apply appropriate containment, remediation and mitigation measures.

Affected individuals and relevant regulatory or reporting bodies will be notified where required. This may include the Australian Cyber Security Centre, ReportCyber, the WA Office of Digital Government, the Office of the Australian Information Commissioner, the WA Information Commissioner and WA Police where theft, cybercrime or another criminal matter is suspected.

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The City requires any actual or suspected privacy breach, cyber incident, unauthorised access, disclosure or loss of personal information to the City of Mandurah Privacy Officer.

If a breach occurs, the City will:

- contain the breach;
- assess the impact;
- notify affected parties, where required; and
- take steps to prevent future occurrences.

The City's Privacy Officer is responsible for determining whether notification is required and identifying who needs to be notified.

Information breaches will be recorded in the City's Information Breach Register.

10. Access and Correction

If an individual wishes to make a request to access and /or correct personal information held by the City the individual should make a request by contacting the City of Mandurah.

11. Complaints

The City is committed to ensuring that any complaint received regarding an individual's personal information is dealt with professionally, investigated promptly and acted on appropriately.

This may include complaints about unauthorised access, loss or disclosure of Personal or Sensitive Personal Information.

Complaints may be made in accordance with the City of Mandurah Complaints Management Policy.

Where a complainant remains dissatisfied with the outcome of their complaint, they may refer the matter to the WA Information Commissioner in relation to the handling of their personal information.

Legislative Context

- *Privacy and Responsible Information Sharing Act 2024*
- *Information Commissioner Act 2024*
- *Freedom of Information Act 1992*
- *State Records Act 2000*

Related Documents

POL-IMT-01 Records Management Policy
POL- CPM 05 Complaints Management Policy
Privacy Council Policy Guide –How the City of Mandurah handles your personal information
City of Mandurah Privacy Statement
Freedom of Information Statement
City of Mandurah Record Keeping Plan
City of Mandurah Customer Services Charter

Privacy Policy

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Responsible Directorate: Business Services

Responsible Department: Information Management

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