

## Council Policy – Privacy

<b>Responsible Directorate</b>	Corporate Services
<b>Responsible Business Unit/s</b>	Corporate Performance
<b>Responsible Officer</b>	Manager Corporate Performance
<b>Affected Business Units</b>	All

### Objective

The objective of this Policy is to define how the Shire of Serpentine Jarrahdale (the Shire) collects, uses, stores, and protects personal information in compliance with relevant legislation and best practices.

### Scope

This Policy applies to all personal information collected by and provided to the Shire and governs its handling by all Shire workers, including employees, contractors, and volunteers, who access, process, or control this information.

### Policy

#### Introduction

The Shire collects information about customers and stakeholders through the performance of services and functions and as required by law. The collection, use and disclosure of personal information is informed by the Information Privacy Principles under the *Privacy and Responsible Information Sharing Act 2024*.

#### Collection of Personal Information

Personal information may be collected by the Shire through the following means:

- Customer requests and communications (e.g. online forms, phone calls, email inquiries).
- Your Say SJ community engagement portal.
- Submissions to planning matters, such as development approvals or comments on applications.
- Subscription to communication lists.
- Owners and occupiers' roll.
- Ratepayer register.
- Registration for events or memberships to Shire services.
- Electoral rolls and voting-related processes.
- Submissions to tender processes.
- Surveys and feedback forms.

- Petitions.
- Information gathered during investigations, including complaints and compliance matters.
- Recruitment processes.
- Animal registration.
- Regulatory processes
- Other means of interaction with the Shire that requires the provision of personal information for identification purposes.

The Shire will only collect the information required to provide the service or fulfil legislative obligations. Customers can contact the Shire anonymously or use pseudonyms for general enquiries only, where no personalised action or information is requested. Identifiable personal information is required for certain functions, such as regulatory and compliance processes, and customers are made aware when this is necessary.

### **Use of Personal Information**

The Shire uses collected information for the following purposes:

- To communicate with customers and stakeholders.
- To respond to enquiries and service requests.
- To promote and manage events and programs.
- To assess applications (e.g. permits, registrations, funding requests).
- To collect and manage rates and other local government charges.
- To maintain electoral rolls and contact eligible voters.
- To fulfil legal obligations under local and state legislation.
- To conduct investigations related to compliance, complaints, and enforcement activities.

Any information collected will only be used by the Shire for the purpose for which it was collected or for a purpose that would be reasonably expected in carrying out Shire activities and functions.

The Shire will not sell personal information to third parties. The Shire will not share personal information with third parties unless:

- The individual has provided written consent;
- Disclosure is required by law;
- The information is being shared with another government agency to perform a lawful function; or
- It is necessary for investigative purposes in accordance with legal obligations and procedural fairness.

The Shire will undertake privacy impact assessments where required by the PRIS Act, or where an activity is assessed as high risk to privacy, including where the Shire proposes to:

- enter an information sharing agreement,
- implement or make significant changes to systems that handle personal information

- commence large projects involving the collection and handling of sensitive or personal information
- use automated decision-making mechanisms to enhance services, or
- use personal information for a new function or initiative to deliver services.

#### Information in Council Reports and Applications

Personal information may be required to be included in items presented to Council. Where this occurs, the information will be either redacted or deidentified to the greatest extent possible prior to the documents being published on the Shire's website.

### **Storage and Protection of Personal Information**

In accordance with the *State Records Act 2000 (WA)*, *Privacy and Responsible Information Sharing Act 2024*, and guidance from the Office of Digital Government and Australian Signals Directorate, the Shire ensures that all personal, sensitive, and official data is stored within Australia under Australian legal jurisdiction. This supports data sovereignty, protects against foreign access, and aligns with government cybersecurity and recordkeeping obligations.

The Shire identifies and assesses privacy and security risks as part of the broader risk management framework, as outlined in the Council Policy – Risk Management.

The Shire takes reasonable measures to protect personal information from loss, misuse, unauthorised access, disclosure, or destruction. This includes:

- Secure electronic storage systems with encryption and controlled access.
- Restricted access to personal data based on job roles and responsibilities.
- Regular security audits and compliance checks.
- Cybersecurity measures, including firewalls and secure password protocols.
- Specific measures to ensure investigation-related data is accessible only to authorised personnel.
- Prohibiting the input of personal information into publicly available AI systems.

### **Data Retention and Deletion**

The Shire retains personal information only for as long as necessary to fulfil its obligations. Retention periods vary based on legal requirements and operational needs. Personal information is securely deleted when it is no longer required.

### **Third Party Sharing**

To support its operations and service delivery, the Shire may share personal information with contracted service providers or other government agencies where necessary for the purposes of:

- conducting community consultation or research,
- delivering goods, infrastructure, or services, or
- collaborating with other government entities, including local, state, or federal agencies, where required to deliver services or where an Information Sharing Agreement is in place.

When sharing or accessing data with third parties, the Shire must comply with the conditions in any agreements, licences, or memoranda of understanding. These agreements govern how State and Federal agencies, including WA Police, use and access specific data resources. Where a contracted service provider stores personal information, the Shire requires that party to comply with this policy.

Personal information may be accessible via the Shire's rate record. The *Local Government Act 1995* requires rate records to be available for public inspection. Copies of any rate records will only be provided upon receipt of a statutory declaration identifying the person requesting the information and the reasons for the request.

### **AI Systems**

Any public facing AI tools will be identified to external users, if utilised by the Shire. The Shire will take all reasonable steps to protect users' privacy; however all data that is entered into AI tools is stored externally, beyond the Shire's ability to control access or privacy. The Shire will conduct a privacy impact assessment prior to the implementation of any AI tools.

### **External Links**

The Shire's website may contain links to external sites not controlled by the Shire. Users are encouraged to review the privacy policies of these sites before providing personal information.

### **Cookies**

The Shire uses cookies to improve website functionality for the user. These cookies do not collect personally identifiable information but may track browsing behaviour. Users can manage cookie preferences through their own browser settings.

### **Accessing and Correcting Personal Information**

Individuals may request access to their personal information or request corrections by contacting the Shire. Proof of identity is required before processing requests. Requests for information not publicly available may be submitted under the *Freedom of Information Act 1992*.

Requests for access to investigation-related records will be assessed under legal and procedural fairness principles to ensure compliance with privacy and public interest considerations.

### **Privacy Complaints and Enquiries**

Complaints regarding the handling of personal information can be directed to the Shire's Privacy Officer at:

Chief Executive Officer

Shire of Serpentine Jarrahdale

6 Paterson Street,

Mundijong WA 6123

Or via email to: [info@sjshire.wa.gov.au](mailto:info@sjshire.wa.gov.au)

If a complaint is not resolved satisfactorily, individuals may escalate it to the Office of the Information Commissioner.

## Definitions

**Contracted service provider** refers to a party to a services contract who provides services to or on behalf of an outsourcing entity under the contract, or a person who is a direct or indirect subcontractor of the party for the purposes of the services contract.

**Cookies** means small data files stored on a user's computer that help improve website usability and analytics.

**De-identified information** means personal data that has been modified or processed in such a way that the identity of an individual is no longer apparent and cannot reasonably be determined from the information.

**Information breach** means unauthorised access to information, or unauthorised disclosure of information, or loss of information.

**Investigative information** means personal data gathered in relation to compliance, complaints, enforcement, or regulatory activities.

**Information sharing agreement** refers to the agreement or mechanism between entities to share information under the PRIS Act.

**Personal information** means personal information as defined in section 4 of the PRIS Act.

**Sensitive personal information** means sensitive personal information as defined in section 4 of the PRIS Act.

**Privacy impact assessment** means a privacy impact assessment as defined in section 4 of the PRIS Act.

**Shire workers** means all employees, contractors, and volunteers engaged by the Shire.

## Related Documents

- Australian Privacy Principles
- Information Privacy Principles
- Council Policy – Serpentine Jarrahdale Communication Protocol
- Council Policy – Customer Service
- Council Policy – Risk Management
- Council Policy – Information Breach
- Office of the Australian Information Commissioner – Guidance on privacy and the use of commercially available AI products

## Legislation / Local Law Requirements

- *Freedom of Information Act 1992*
- *Privacy Act 1988*
- *Privacy and Responsible Information Sharing Act 2024*

**Amendment Record**

<b>Relevant Delegations</b>		Nil.	
		<b>Date</b>	<b>Resolution Number</b>
<b>Council Adoption</b>		<b>15 June 2026</b>	<b>OCM-170-2026</b>
<b>Version</b>	<b>Date</b>	<b>Resolution Number</b>	<b>Amendment Details</b>