

PRIVACY POLICY

Purpose

This policy outlines how the City of Karratha (the City) collects, manages and protects Personal Information in the course of delivering its services.

Definitions

The City means the Council, Elected Members and Administration and for the purposes of this policy includes its contracted service providers when they are carrying out City functions.

Personal Information is defined under the *Privacy and Responsible Information Sharing Act 2024* as

- a) information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual, whether living or deceased, whose identity is apparent, or can reasonably be ascertained, from the information or opinion; and
- b) Includes:
 - a name, date of birth or address;
 - a unique identifier, online identifier or pseudonym;
 - contact information
 - information that relates to an individual's location;
 - technical or behavioural information in relation to an individual's activities, preferences or identity;
 - inferred information that relates to an individual including predictions to (v) above and profiles generated from aggregated information; and
 - information that relates to features such as physical, psychological, genetic, mental, economic, cultural or social identity of an individual.

Sensitive Personal Information is defined under the *Privacy and Responsible Information Sharing Act 2024* and means information or an opinion about an individual's —

- a) racial or ethnic origin; or
- b) gender identity; or
- c) sexual orientation or practices; or
- d) political opinions; or
- e) membership of a political association; or
- f) religious beliefs or affiliations; or
- g) philosophical beliefs; or
- h) membership of a professional or trade association; or
- i) membership of a trade union; or
- j) criminal record; or
- k) health information.

Record means any record of information, however recorded, and includes:

- a) anything on which there is writing or braille;
- b) a map, plan, diagram or graph;
- c) a drawing, pictorial or graphic work, or photograph;
- d) anything on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them;
- e) anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and
- f) anything on which information has been stored or recorded, either mechanically, magnetically, or electronically.

Policy Statement

The City is committed to protecting Personal Information and complying with privacy legislation. We ensure all personal data is managed responsibly and securely.

The City has adopted the Information Privacy Principles (IPPs) contained in the *Privacy and Responsible Information Sharing Act 2024* (PRIS Act) to govern the way we collect, use, disclose, store, secure and dispose of Personal Information.

Policy Principles

1. Scope

This policy operates in conjunction with the privacy-related provisions of the City's Codes of Conduct, Record Keeping Policy and Information Classification Operational Policy. Collectively, these policies govern the creation, management, and handling of all corporate records generated or received in the course of the City's business activities. This includes records held by staff, contractors and external organisations engaged to deliver outsourced services on behalf of the City, including information relating to staff and outsourced service providers.

2. Personal Information Collected

The City obtains Personal Information when people contact us to make a complaint, submission, report or enquiry etc. This includes all types of correspondence, contact by telephone, email, via our website and from third parties.

Personal Information the City may collect depends on the circumstances of collection and is limited to what is necessary to perform a function or provide a service. Examples of Personal Information that may be collected includes, but is not limited to: names, dates of birth, addresses, email addresses and phone numbers. It can also include information that relates to the physical, mental, behavioural, economic, cultural or social identity of an individual.

We collect Personal Information to provide information and services to members of the community. We may also use Personal Information in circumstances where a person would reasonably expect such use or disclosure.

If we directly solicit Personal Information we will explain why we are collecting the information and how we plan to use it.

Personal information may only be gained for a lawful purpose that is reasonably necessary for, or directly related to, a City function or activity. Unless compelled by law, a person is not obligated to provide Personal Information to the City if they do not wish to.

3. Use of Personal Information

Where the City has possession or control of a record containing Personal Information that was obtained for a particular purpose, that information must not be used for any other purpose unless:

- a) the individual concerned has consented to use of the information for that other purpose;
- b) the individual would reasonably expect the City to use the information for a secondary purpose which is related to the primary purpose; or
- c) the use of the information for that other purpose is:
 - necessary to prevent or lessen a serious threat to the life, health or safety of any individual, or to public health or safety;
 - required or authorised by or under law or to enforce any law, including protection of public revenue;
 - required to take appropriate action in relation to suspected unlawful activity or serious misconduct or a reported security incident;
 - required to assert or defend a legal or equitable claim or to conduct an alternative dispute resolution process;
 - required to locate a person reported as missing; or
 - directly related to the purpose for which the information was obtained.

Where Personal Information is used for enforcement of a law or protection of public revenue, the person responsible for that information must record the details of that use.

Information about use of City internet sites shall only be analysed on a bulk basis for broad demographic content and individual use will not be analysed.

In addition to the circumstances set out above, the City may use Personal Information to administer its services to its customers, manage customer relationships, market its services, improve its services, respond to customer questions or feedback, respond to an incident, process transactions, assist in planning and research, and send newsletters, updates, notifications or other City related information to customers.

Email addresses shall only be used for the purpose for which the person has provided them and they shall not be added to a mailing list or used for any other purpose without the consent of that person, except in circumstances set out above.

Personal Information held by the City is not currently used for any automated decision-making process.

Sensitive information will be used by the City only:

- a) for the primary purpose for which it was obtained;
- b) for a secondary purpose that is directly related to the primary purpose;
- c) with consent; or
- d) where required or authorised by law.

4. Third Parties

In some circumstances the City may be provided with information by third parties such as a member of the public, the police or another government agency. In such a case we will take reasonable steps to ensure that the person is made aware of the information provided to us by the third party.

5. Disclosure of Personal Information

Where the City has possession or control of a Record containing Personal Information, that information must not be disclosed to a person, body or agency (other than the individual concerned) unless:

The individual concerned:

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- a) would reasonably expect that information of that kind is usually passed to that person, body or agency;
 - b) has consented to the disclosure; or
 - c) would reasonably expect the City to disclose the information for a secondary purpose which is related to the primary purpose; or

The disclosure is:

- a) necessary to prevent or lessen a serious threat to the life, health or safety of any individual, or to public health or safety;
- b) required or authorised by or under law or to enforce any law, including protection of public revenue;
- c) required to take appropriate action in relation to suspected unlawful activity or serious misconduct or a reported security incident; or
- d) required to assert or defend a legal or equitable claim or to conduct an alternative dispute resolution process.

Where Personal Information is disclosed for the purposes of enforcement of a law or protection of public revenue, the person responsible for that information shall make a note of the disclosure.

The City may disclose Personal Information to third parties including contractors to provide certain services on behalf of the City.

Services that involve the use of Personal Information for which the City may use contractors include, but are not limited to:

- a) Supply and maintenance of computer systems;
- b) electronic funds transfer services, credit card account processing, ticket refunds and related services.
- c) The City may also disclose Personal Information to the following entities:
- d) Ministers and other government departments, agencies or entities;
- e) Internal and external auditors;
- f) Law enforcement agencies or regulators;
- g) Emergency services providers;
- h) Investigators and entities engaged to help identify and investigate improper activities or prevent fraud.

Where the City discloses Personal Information to a third party, the City must endeavour to ensure that the third party uses the Personal Information only for the specific purpose for which it is supplied.

6. Security of Personal Information

Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorised access, modification or disclosure.

Personal Information is subject to internal access restrictions such as secure storage of physical files, password protections, firewalls and restricted staff access.

When Personal Information is no longer needed for the purpose for which it was obtained, reasonable steps will be taken to securely destroy or permanently de-identify the Personal Information; in alignment with the requirements of IPP 11 in the *Privacy and Responsible Information Sharing Act 2024*.

All Records containing Cardholder Data must be protected in compliance with PCI DSS requirements and the Payment Card Industry Data Security Standard Policy.

Disposal of records will be managed in accordance with the *State Records Act 2000* and current General Retention and Disposal Authority for Local Government Information.

7. Access to Personal Information

Where the City has possession or control of a Record containing Personal Information, the individual concerned shall be entitled to have access to that Record, unless the City is required or authorised to refuse access to that Record under the applicable provisions of any law.

If access is refused, the City will give the individual notice in writing and include the reasons for the decision to refuse access.

8. Quality and Amendment of Personal Information

Where the City has possession or control of a Record containing Personal Information, the person responsible for that information must ensure corrections, deletions and additions are made to ensure the Record is:

- a) accurate; and
- b) having regard to the purpose for which the information was collected or is to be used and to any purpose that is directly related to that purpose, relevant, up to date, complete, and not misleading.

Requests for correction or amendment of personal information are subject to any applicable limitations in law. Where the City is not willing to amend a Record containing Personal Information the City must take steps to notify the individual as to why if reasonable in the circumstances.

9. Handling of Privacy Complaints

The City is committed to addressing any concerns or complaints regarding Personal Information in a timely and respectful manner. We will respond to all written complaints in accordance with the City's Feedback Policy and ensure that issues are resolved as quickly as practicable. Complaints should be addressed to:

City of Karratha – Privacy Officer

By hand: Welcome Road, Karratha

Postal address: PO Box 219 Karratha WA 6714

By email: enquiries@karratha.wa.gov.au

Related Documents

Legislation & Local Laws	<i>Local Government Act 1995</i> <i>Privacy and Responsible Information Sharing Act 2024</i> <i>Freedom of Information Act 1992</i> <i>State Records Act 2000</i>
Relevant Delegations	Nil
Strategies & Plans	Council Plan 2025-2035
Related Council Policies	CI02 Record Keeping CG13 Confidential Information Policy Information Breach Policy CS26 Feedback Policy
Procedures, Documents & Forms	Freedom of Information Statement Freedom of Information Application Form Employee Code of Conduct

Code of Conduct for Council Members, Committee Members and Candidates

Policy Owner

Directorate	Corporate Services
Department	Governance

Review Management

Next review due:	2031
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Version Management

Version	Date	Council Resolution #	Description
1.0	25.05.2026	OCM260525-06	<i>Original Policy Adopted</i>