

# POLICY

## 4.11 PRIVACY



Supporting Procedure:		
Other Related Documents:	Policy 1.6 Grievance Resolution Policy 4.1 Code of Ethics Privacy Act 1988 (Cth)	
Category:	Organisation	
Type:	Strategic	Dates:
1 <sup>st</sup> Review By:	Jane O'Malley and Patricia Sutton	11/09/2018
2 <sup>nd</sup> Review By:	Jane O'Malley and Patricia Sutton	04/06/2020
Approved By:	Board of Management	18/06/2020
Issued By:	Chief Executive Officer	16/06/2020

### Introduction

The Peel-Harvey Catchment Council (PHCC) is committed to protecting the privacy of personal information which the organisation collects, holds and administers. The purpose of this document is to provide a framework for PHCC in dealing with privacy considerations.

This Policy relates to the management and administrative practices of collection and use of Personal Data about Representatives, Members, suppliers or clients and information that would be considered Confidential Information. PHCC is committed to ensuring restricted access, privacy and security of Personal Data and the protection and use of Confidential Information.

All Representatives are required to comply with this Policy.

For clarification purposes, the Freedom of Information Act 1992 (Western Australia) only applies to Government entities, and therefore it is not applicable to PHCC.

Representatives who breach this Policy may be subject to disciplinary action.

### Definitions

**'Confidential Information'** means PHCC information that is not approved for public disclosure, that may include, but is not restricted to, propriety data, reports, plans, results, research, trade secrets, policies, procedures, processes, intellectual and industrial property, documented expertise, market information, financial information, and staff and client details, whether stored in hard copy or electronically

**'Board of Management'** or **'Board'** means the Association Members of PHCC and has the same meaning as the word 'Council' in the Constitution

**'Board Member'** means a member of the PHCC Board of Management

**'Personal data'** is information which directly or indirectly identifies a person

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**'Representative'** means any Board Member, Employee, Volunteer, Contractor or any other person working for or representing PHCC.

### Policy Statement

In the case of reporting a suspected inappropriate privacy or confidentiality disclosure matter, the Grievance Resolution Policy (Policy No. 1.6) will be followed.

#### 1 Personal Data

Only Personal Data that can be shown to be directly relevant to PHCC's effective service delivery and appropriate for retention will be collected.

- 1.1 Personal Data that is collected will be lawful and reasonable
- 1.2 Permission for the collection and storage of Personal Data will be given by the individual prior to obtaining Personal Data from any other source
- 1.3 The purpose for the use of Personal Data will be explained when it is collected
- 1.4 Written consent of individuals will be sought prior to releasing any Personal Data to a third party
- 1.5 Personal Data will be stored securely and protected from misuse, interference and loss as well as from unauthorised access and disclosure
- 1.6 Only Representatives that require access to Personal Data will be granted access, and that right is only granted for appropriate use as required for business purposes
- 1.7 Individuals have the right to view their Personal Data on file
- 1.8 All contracts where Confidential Information or Personal Data is being used or created will state the obligations on all parties regarding this information.

#### 2 Confidential Information

- 2.1 Confidential Information will be kept confidential to PHCC at all times.
- 2.2 During employment and after the termination of employment, an employee will hold all Confidential Information in trust and confidence, and will only use, access, store, or disclose Confidential Information, directly or indirectly, as appropriate in the performance of the employee's duties or as required by law
- 2.3 An employee will not remove materials or property containing Confidential Information from the organisation unless it is necessary in the performance of the person's job duties
- 2.4 Confidential Information will not be used for any purpose other than for the use and benefit of PHCC
- 2.5 Written consent of PHCC will be sought before Confidential Information is disclosed to any third party, or otherwise in accordance with the authority of the role of the individual.

#### 3 Responsible Officers

- 3.1 The Board, as part of its governance authority, is responsible for the approval and publication of this Policy, including the approval of any subsequent changes.

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- 3.2 The Chief Executive Officer is responsible for reviewing this Policy prior to Board approval, and ensuring the scheduled review of this Policy
- 3.3 The Chief Executive Officer is responsible for the operational compliance of the organisation to this Policy
- 3.4 Representatives will ensure they take all responsible actions to protect Confidential Information from inappropriate access or disclosure. This includes their personal view of the appropriateness of Personal Data being collected.