

PERSONAL INFORMATION PROTECTION (PRIVACY) POLICY

OBJECTIVE

This policy defines Dulverton Waste Management (DWM)'s commitment, as a personal information custodian, to upholding the right to privacy of all individuals who have dealings with DWM. This policy is in accordance with the Personal Information Protection Principles as outlined in Schedule 1 of the *Personal Information Protection Act 2004* (the "Act").

This policy informs those who have dealings with DWM on how personal information will be managed.

LEGISLATION

- Local Government Act 1993
- Personal Information Protection Act 2004 (Tas)
- Privacy Act 1968
- Public Interest Disclosures Act 2002
- Right to Information Act 2009
- Privacy Act 1988 (Federal)

OTHER RELEVANT POLICIES

- Adverse Developments Policy
- Bring Your Own Device (BYOD) Policy
- Electronic Data Management Policy
- Fraud Prevention & Management Policy
- Information Technology (IT) Usage Policy
- Social Media Policy

DEFINITIONS

Personal Information

Personal information means any information or opinion in any recorded format about an individual –

- (a) whose identity is apparent or is reasonably ascertainable from the information or opinion;
and
- (b) who is alive, or has not been dead more than 25 years

Examples of personal information held by DWM includes:

- information relating to individuals entering the landfill and organic processing sites;
- contact details, addresses (including email), banking and tax file numbers of staff and partners/next of kin, contractors, customers and stakeholders (including those that work with these parties) as well as site neighbours; and
- sensitive information as defined below.

Sensitive Information

Sensitive Information is defined as;

information or opinion about an individual's racial ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record, health information and financial status.

RESPONSIBILITIES

- Board: Under this policy the Board is responsible for ensuring that the business has mechanisms in place that are used to ensure that personal information is protected.
- CEO: the CEO is responsible for the preparation, review, implementation and training of staff in the application of this policy and creating a culture where staff are mindful of the privacy of all people that the business encounters and seek to continuously improve the systems, processes and actions involved in handling private information.
- All staff: all staff are responsible for the integration of the requirements of this policy into their daily work and reporting any issues, or opportunities, to enhance the management of personal information.

POLICY STATEMENT

A. Appointment of Officers

The CEO will appoint a Privacy Officer to oversee the operation of the Privacy Policy and will liaise with customers in respect to requests, enquiries and complaints regarding personal information kept by DWM. Consulting with relevant Managers and/or the CEO where appropriate.

The CEO, as the Principal Officer appointed under the *Right to Information Act 2009*, will receive customer requests for access to personal information and action these requests; respond to requests in writing; amend personal information; and liaise with relevant functions in the business in relation to information requests and amendments.

B. Personal Information Protection Principles (PIPP)

B.1) Collection (Principle 1)

DWM will only collect personal information if it is necessary for one or more of its functions or activities. Personal information shall be obtained from the individual when it is reasonable and practicable to do so, and will be collected by lawful, reasonable and unobtrusive means. Information will only be used for the purposes for which it was collected and for any other use authorised or required by law.

There may be circumstances where DWM is required or obligated by law to collect personal information. Sensitive information will only be obtained where an individual provides consent or where it is permitted under the Act or other legislation.

Whenever DWM collects personal information, the information and the reasons for its collection will be shared with the individual upon request. Any written requests for personal information by an individual are to be forwarded to DWM's CEO. Personal information may be obtained from other government bodies to allow DWM to undertake its functions under various legislation.

Any information collected by a third party will require DWM to take reasonable steps to ensure the individual concerned is informed of the commitment above, unless there is a situation whereby doing so could pose a serious threat to the life, safety, health or welfare of any individual, or where it could be prejudicial to an investigation.

B.2) Use and Disclosure (*Principle 2*)

DWM will utilise information obtained only for the purpose for which it was collected.

DWM will only disclose personal information to a third party or external organisation with the express consent of the individual, or where it is permitted by law.

Where DWM outsources functions that involve the collection, utilisation and/or holding of personal information, contractual measures shall be taken to ensure that the contractors and subcontractors do not act in a way that would amount to a breach of personal information standards. DWM will require these vendors and service companies to maintain the confidentiality of this information and abide by all applicable laws. DWM will not permit third parties to sell or use information for their own purposes.

Contracts with third parties will include clear provisions about the purposes for which the contractor is to use the information and other provisions necessary to ensure the contractor does not make unauthorised disclosures. They will also contain provisions about how the contractor is to keep the information secure and what it must do with the information when it has completed the contracted-out activity.

B.3) Data Quality (*Principle 3*)

DWM will take reasonable steps to ensure that personal information held is accurate, complete and current and has been provided by the individual or other reliable source.

B.4) Data Security (*Principle 4*)

Personal information will be handled with care and only used for authorised purposes. DWM will take steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.

DWM ensures the maintenance of privacy and confidentiality through the provisions of physical or building security; computer and network security; communications security; and personnel security; in addition to policies and procedures that are compatible with principles of confidentiality and privacy.

Any personal information in the possession of DWM that is no longer required will be disposed of by secure means, generally via confidential shredding of documents or permanent deletion of electronic records.

B.5) Openness (*Principle 5*)

DWM will make this Policy available upon request. Upon request DWM will take all reasonable steps to provide the individual with the personal information it holds and collects (and for what purpose/s the information is collected, held, used and disclosed).

DWM welcomes feedback at any time on how it can improve its handling of personal and/or sensitive information.

B.6) Access & Correction (*Principle 6*)

An individual has a right of access to and right to correct information that DWM holds about them. An individual can request access to or amendment of personal information held about them by DWM. DWM will respond to any requests to correct inaccurate information in a timely manner.

Verification of the individual's identity must be ascertained prior to the provision to them of the information sought. A request must be in writing and sent to the CEO.

B.7) Unique Identifiers (*Principle 7*)

Unique identifiers are used by DWM to ensure information passed between systems is correct and to enable DWM to carry out its functions efficiently. DWM's unique identifier will not be disclosed unless required to by law.

B.8) Anonymity (*Principle 8*)

Wherever it is lawful and practicable to do so, stakeholders will be given the option of not identifying themselves when dealing with DWM. However, if DWM does not receive all of the personal information requested, DWM may not be able to adequately respond to correspondence, process requests or provide services that have been requested.

B.9) Disclosure of Information outside of Tasmania (*Principle 9*)

Information requested by an individual or organisation outside of Tasmania will only be transferred with the individual's consent or if it is authorised under legislation.

B.10) Sensitive Information (*Principle 10*)

Sensitive information shall not be collected without express consent and unless the collection is required by law. Generally this information is not likely to be necessary in the day-to-day operations of the business and thus will not be sought or retained without good reason.

C. Use of Basic Information

Basic personal information includes an individual's name, address, published phone number or date of birth. Employees need to be aware that some phone numbers are private and are not to be released without the permission of the person unless authorised by legislation.

DWM may use or disclose personal information about an individual for a purpose other than the primary purpose of collection without the individual's consent if:

1. It is requested by a public authority; and
2. The information is basic personal information; and
3. The use or disclosure is reasonably efficient; and

- The information is only used by, or disclosed to, another public sector body with a valid reason for the request.

D. Complaints

Complaints relating to privacy and the provision of personal information must be made in writing and addressed to the CEO by emailing veronica@dulverton.com.au.

Complaints relating to the behaviour or conduct of the CEO are to be made in writing to the Board Chair by emailing paul@dulverton.com.au.

Complaints must be received within 6 months from the time the complainant first became aware of the issue. Complaint details will remain confidential and a written response will be provided to the complainant.

REVIEW

This policy will be reviewed every 4 years unless directed otherwise by the Board, or earlier if a legislative change occurs.

REFERENCE			
APPROVED BY:	DWM Board of Directors	MINUTE NO.:	MFID 1601531
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