Wentworth
SHIRE COUNCIL

COUNCIL POLICY

POLICY NUMBER & TITLE:	**GOV007 PRIVACY POLICY**
WORD DOCUMENT ID:	**DOC/25/28997**
VERSION:	1.4
ADOPTED MEETING DATE:	13 May 2026
REVIEW DUE:	Four yearly or following change of legislation or incident
VERSION AMENDMENTS:	This version updated to fit Council's new Policy Template and includes reference to the Mandatory Notification of Data Breach Scheme

RESPONSIBLE DEPARTMENT:	Corporate Services

PRIVACY POLICY

POLICY OBJECTIVE

The objective of this policy is to ensure that Council protects and appropriately manages the personal information and health information that it collects from individuals.

POLICY STATEMENT

The collection of personal and health information from Councillors, employees, volunteers, contractors, ratepayers and members of the public is required for Council to perform its statutory functions and to allow the effective provision of services.

This policy sets out the principles that promote the protection of personal and health information and provides the foundation for Council's Privacy Management Plan.

1. POLICY COVERAGE

This policy applies to all personal or health information collected, maintained and/or used by Council officials including Councillors, contractors and volunteers as well as external contractors who have been granted access to Council's information assets.

2. STRATEGIC PLAN LINK

Objective: Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive matter.

Strategy: Provide a governance framework that is transparent and builds trust in local leadership.

3. DEFINITIONS AND ABBREVIATIONS

Term/Word	Definition
Personal Information	Any information or opinion about a person whose identity is apparent or can be reasonably ascertained from the information or opinion, as defined in the *Privacy and Personal Information Protection Act 1998* (NSW)

Health Information	Information or an opinion about: • the physical or mental health or a disability of a person • a person's express wishes about the future provision of health services to him, her or them • a health service provided, or to be provided, to a person as well as other personal information including personal information: • collected to provide, or in providing, a health service or in connection with body parts, organs donations as defined in the *Health Records and Information Privacy Act 2002* (NSW).
Privacy Management Plan	The Privacy Management Plan as required by Council under section 33 of the *Privacy and Personal Information Protection Act* 1998 (NSW) outlining policies, procedures and practices adopted by Council to ensure compliance with the above Acts and the Privacy Code of Practices for Local Government 2000.
Mandatory Notification of Data Breach Scheme	The NSW Mandatory Notification of Data Breach scheme set out in Part 6A of the *Privacy and Personal Information Protection Act 1998* (NSW) requiring prompt notification in the event of an eligible data breach to the NSW Privacy Commissioner and affected individuals where there is unauthorised access to or unauthorised disclosure of, or a loss of, personal information that is likely to result in serious harm.

4. POLICY CONTENT

When Council collects personal information and health information, Council must comply with legislative requirements which include the following principles:

- Personal information must be collected for a lawful purpose;
- Personal information must be collected directly from the person to whom the information relates or from someone authorised to provide the information;
- The person to whom the information relates must be advised prior to collection or as soon as possible after collection that the information is being collected, the purposes for which it is being collected, the intended recipients of the information and whether the supply of the information is required by law or is voluntary and if there are any consequences to not providing it;
- Council must take reasonable steps to ensure that the personal information collected is relevant to the purpose for which it is collected, accurate, complete, up-to-date and not excessive;

- The information is kept for no longer than is necessary, is disposed of securely and in accordance with legislative requirements and is protected, by taking required security safeguards to prevent unauthorised disclosure or misuse;

- At the request of the individual to whom the information relates and without excessive delay or expense, provide the individual with access to the information;

- The information will only be used and/or disclosed in accordance with applicable legislation.

Personal information and health information collected by Council will be:

- managed according to and in compliance with the *Privacy and Personal Information Protection Act 1998* (PPIP Act), *Health Records and Information Privacy Act 2002* (HRIP Act), the *Government Information (Public Access) Act 2009* (GIPA Act) and the *Local Government Act 1993 (LGA)*;

- managed according to Council's *Privacy Management Plan*;

- managed in accordance with the legal obligations under the Information Protection Principles (IPP) and Health Protection Principles (HPP) in relation to the collection, storage, use and disclosure of personal information and health information; and

- subject to the NSW Mandatory Notification of Data Breach (MNDB) Scheme.

5. RELATED DOCUMENTS AND LEGISLATION

Legislation

- *Local Government Act 1993* (NSW)
- *Privacy and Personal Information Protection Act 1998* (NSW)
- *Health Records and Information Privacy Act 2002* (NSW)
- *Government Information (Public Access) Act 2009* (NSW)
- *State Records Act 1998* (NSW)
- *Public Interest Disclosures Act 2022* (NSW)

Council Policies & Documents

- GOV020 Code of Conduct Policy
- Privacy Management Plan
- GOV027 Data Breach Policy
- Data Breach Response Plan
- GOV008 Access to Information Policy
- GOV022 Compliance Policy
- Compliance Framework
- GOV004 Public Interest Disclosure Policy
- Records and Information Management Policy
- Governance Framework

- GOV028 Artificial Intelligence (AI) Policy

6. ATTACHMENTS

Nil

7. DOCUMENT APPROVAL

This Council Policy is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on Click or tap to enter a date.. All previous versions of this policy are null and void. This policy may be amended or revoked by Council at any time.

Signed: _____ 15 MAY 2026

General Manager Wentworth Shire Council **Date**