



Gippsland Water Privacy Policy

COR / 04 / 3401

Gippsland Water



Privacy Policy

Policy statement

Gippsland Water is committed to:

- Respecting the need for privacy of every individual's personal and health information;
- Taking all reasonable steps to ensure personal and health information held by us is protected and only used in accordance with this policy, or for a purpose authorised by the individual.

Purpose

The objective of this policy is to:

- Outline our commitment regarding privacy of personal and health information;
- Promote an ethical culture within Gippsland Water;
- Assist in understanding what information is collected and how it is handled;
- Ensure all employees and the Board are aware of their responsibilities in relation to managing personal and health information.

Scope

This policy applies to all Board members, employees and third party contractors of Gippsland Water (We).

It applies to personal and health information (personal information) we hold about individual customers, consumers, employees and others (you).

Policy details

Compliance with the *Privacy and Data Protection Act 2014 (Vic)*

- We will use, disclose and hold the personal information we collect in accordance with the *Privacy and Data Protection Act 2014*, in particular, the [Information Privacy Principles](#).
- Where health information is collected by us, we will handle that information in accordance with the *Health Records Act 2001*.
- We actively comply with these and any other applicable law and standard to protect and maintain privacy of your personal information.
- As part of our commitment to privacy, we will actively review and assess our privacy risks for projects and processes that involve the handling of personal information through a [privacy impact assessment](#) process.
- We will not otherwise use or disclose personal or health information unless permitted by law.

Collection

- We collect and handle personal information because of our role in providing:



- Water and wastewater services including access to our assets we own and manage to maintain and complete works in accordance with the *Water Act 1989*
- Our land, reserves, facilities and catchments within our region
- Our commercial services, through Gippsland Regional Organics, and Gippsland Agribusiness
- Employment and engagement of people and organisations to deliver our services.
- We will only collect personal information that is necessary for us to perform our functions and activities, and this includes the information needed to manage or administer those functions and activities.
- We may receive health information for the provision of our services, or in the course of receiving the details of an enquiry or a complaint. Health information of our staff may also be collected from time to time, for example, in the course of approving personal leave.
- Information is collected wherever possible directly from you, however information can also be lawfully provided by government agencies and departments, employees and other third parties, such as a real estate agent or an authorised representative. Where reasonably practicable, we will notify you when information about you has been collected from third parties.
- When collecting personal information from an individual, we will take reasonable steps to advise you of what information is being sought, for what purpose(s), whether any law requires the collection of the information, how you can contact us, and the main consequences, if any, of not providing the information.
- As far as is practicable, we will inform you of how we intend to use your personal or health information and to whom your information may be disclosed.

Use and Disclosure

- Personal information collected in the course of our functions and activities will only be used for the primary purpose of collection, a related secondary use reasonably anticipated by you, where you have consented, or where we are authorised by law, which may include emergency situations and assisting law enforcement agencies, as permitted under the *Privacy and Data Protection Act 2014*.
- We may provide personal information about you to our service providers who assist us in providing our services, such as bill production, research (which includes our annual customer satisfaction survey), as well as water and sewer system maintenance and repair. We will disclose your personal information only to those third party contractors on a confidential basis and that party is bound by contract to ensure the information is treated with the same level of privacy protection as it would be afforded by us.
- We will only access personal information provided to the extent necessary to perform our roles.



- Information collected by us may include but is not limited to hard copy or electronic documents, or voice or video recordings, and the obligation on us to hold in confidence all information of a personal nature is not diminished regardless of the way it is collected.

Data quality

- We will take reasonable steps to ensure the information we hold is accurate, complete and up-to-date. Where possible, we will check the accuracy of personal or health information with you before using it.

Data security and disposal

- We will take reasonable steps to protect the personal information we hold from misuse and loss, and from unauthorised access, modification or disclosure. In protecting personal information we act in accordance with the *Victorian Protective Data Security Framework*.
- We use a combination of people, process, physical security and technology to safeguard and protect personal information from misuse and loss, as well as from unauthorised access, modification and disclosure.
- Information is destroyed or permanently de-identified when it is no longer required in accordance with the *Public Records Act 1973* and the relevant Retention and Disposal Authorities.

Openness

- This policy sets out our requirements for the management of personal information.
- We will make available to you information relating to our privacy policy and related processes including:
 - Electronic copies of this policy on our website (www.gippswater.com.au) or in hard copy by contacting the Privacy Officer;
 - An online Privacy Statement (Attachment one), available on our web site, that relates specifically to the collection and use of your personal information by electronic means;
 - Recorded messages on our telephone answering system; and
 - Printed privacy-related information on our various publications such as our Customer Charter and forms (Attachment two).

Access and correction

- We will provide you with reasonable access to your personal information held by us and we will take reasonable steps to correct such information when requested by you, in order to ensure that our records are accurate.
- We will endeavour to maintain accurate records. When an error is identified (either internally or by an external party) we will correct the information promptly.
- We will take steps to verify the identity of any individual who requests access, or a correction, to their information held by us before considering the request.



Requests for access to and/or correction of documents containing personal information held by us will be handled in accordance with the *Freedom of Information Act 1982* and should be addressed in writing to:

By email at privacy@gippswater.com.au

By post to The Privacy Officer, Gippsland Water, 55 Hazelwood Road, Traralgon, VIC, 3844

Unique identifiers

- We will not assign unique identifiers to individuals unless it is necessary to enable us to carry out our functions efficiently.
- We will not request a unique identifier created by another organisation unless required by law, nor will we use or disclose a unique identifier created by another organisation unless there is a lawful basis for doing so.

Anonymity

- When seeking general information from us, you do not have to identify yourself. If you wish to make a general enquiry, no personal information will be collected or recorded unless we need this information to get back to you with an answer to your enquiry.
- However, to provide you a service such as our water or waste water services, you will be required to provide your personal information including your name, contact details and applicable health information necessary to provide that service.

Transfer of information outside Victoria

- Generally, we will not send your personal information outside Victoria. We may transfer personal information about you to someone who is outside Victoria only if we reasonably believe that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the Information Privacy Principles, or you provide your consent. In some cases, this consent may be implied.
- Any other transfers of information outside Victoria will be made in accordance with the provisions of the *Privacy and Data Protection Act 2014*.

Complaints about privacy

If you wish to make a privacy complaint against us you can do so by contacting the Privacy Officer:

By phone on 1800 050 500

By email at privacy@gippswater.com.au

By post to The Privacy Officer, Gippsland Water, 55 Hazelwood Road, Traralgon, VIC, 3844



We treat complaints seriously and will try to resolve them fairly and quickly. If you make a complaint, we will work with you to resolve your complaint and keep you informed of its progress.

Alternatively, you may make a complaint to the Victorian Information Commissioner or the Health Complaints Commissioner (although the Commissioner may decline to hear the complaint if you have not first made a complaint to us).

Victorian Information Commissioner

By phone on 1300 006 842

By email at enquiries@ovic.vic.gov.au

Health Complaints Commissioner

By phone on 1300 582 113

By email at hcc@hcc.vic.gov.au

Notifiable Data Breaches Scheme

- We will comply with the requirements of the Notifiable Data Breaches Scheme (Scheme), which requires us and other Victorian public sector organisations to notify the Office of the Australian Information Commissioner (OAIC) and affected individuals if an eligible data breach has occurred.
- Under the NDB, an eligible data breach occurs if each of the following applies:
 - There is unauthorised access to or unauthorised disclosure of personal information or loss of personal information (where this is likely to result in unauthorised access or unauthorised disclosure). For us and other Victorian public sector organisations, the personal information compromised must be Tax File Number (TFN) information to qualify as an eligible data breach under the scheme;
 - A reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any of the affected individuals; and
 - We have not been able to prevent the likely risk of serious harm occurring with remedial action.
- A failure to notify the OAIC of an eligible data breach is deemed an interference with privacy and will trigger the Australian Information Commissioner's existing enforcement powers under the *Privacy Act 1988* (Cth).

Roles and Responsibilities

Board

The Board is responsible for:

- Demonstrating their leadership and promoting an organisation wide 'privacy culture'.
- Ensuring that this policy is consistent with our strategic direction and any other policy.
- Approving any amendment to this policy.



- Notifying the Privacy Officer of any suspected or confirmed privacy breach in a timely manner.

Executive Leadership Team

The Managing Director and the Executive Leadership Team are responsible for:

- Demonstrating their leadership and promoting an organisation wide 'privacy culture'.
- Monitoring, reviewing, and recommending approval of policies and practices to ensure they remain relevant and effective.
- Establishing governance mechanisms for privacy responsibilities.
- Notifying the Privacy Officer of any suspected or confirmed privacy breach in a timely manner.

Managers and Leaders

Managers are responsible for ensuring that:

- Demonstrating their leadership and promoting an organisation wide 'privacy culture'.
- Operationalising privacy policies and practices within their workgroup, such as appropriate collection statements, securities and ensuring that necessary privacy controls are built into new systems.
- Notifying the Privacy Officer of any suspected or confirmed privacy breach in a timely manner.
- Responses to requests from the Privacy Officer are done in a timely and transparent manner to assist with the response to a complaint or suspected or confirmed privacy breach.
- [Privacy Impact Assessments](#) are completed for any new project, process review or initiative that involves personal information or impacts on our information management practices or processes within their remit.
- The Information asset register is maintained for their workgroup, and includes the type of personal information that is used, held and how it is secured.
- Staff are supported to participate in regular privacy awareness training and activities, such as Privacy Awareness Week.

Privacy Officer

The Privacy Officer is responsible for:

- Providing internal privacy advice.
- Coordinating the response to any suspected or confirmed privacy breaches.



- Handling privacy complaints that we receive directly.
- Promoting privacy awareness and activities for staff.
- Liaising with relevant privacy regulators.
- Assessing whether requests from other organisations to share personal information that we hold are permitted under privacy law.

Employees, Contractors

Employees and Contractors are responsible for:

- Adhering to the requirements as outlined in this Policy.
- Ensuring responses to requests from the Privacy Officer are completed in a timely and transparent manner.
- Participating in [Privacy Impact Assessments](#) for any new project process review or initiative that involves personal information or impacts on our information management practices or processes within their work area.
- Actively participate in regular privacy awareness training and activities, such as Privacy Awareness Week.
- Notifying the Privacy Officer of any suspected or confirmed privacy breach in a timely manner.

Definitions

Commissioner

The Victorian Commissioner for Privacy and Data Protection.

Contracted service provider/Third party contractor/Contractors

A reference to a contracted service provider/third party contractor/contractors is a reference to a person or body in the capacity of a contracted service provider and includes a reference to a subcontractor of the contracted service provider (or of another such subcontractor) for the purposes (whether direct or indirect) of the contract.

Gippsland Water

Central Gippsland Region Water Corporation (ABN 75 830 750 413) and its related entities.

Health information

Personal information or an opinion about a living or deceased individual's: physical, mental or psychological health; disability; expressed wishes about the future provision of health services to them; and access of a provided health service, or service to be provided to an individual. Principles

Owner: Governance Leader Sponsor: Chief Financial Officer

Approved: 26 November 2021 Next Review: November 2024

Document becomes uncontrolled when printed



contained in the *Health Records Act 2001* will apply to the collection, use, storage and disclosure of health information.

Location of Personal Information	Gippsland Water holds personal information if the information is contained in a document that is in the possession or under the control of Gippsland Water, whether alone or jointly with other persons or bodies, irrespective of where the document is situated, whether in or outside Victoria.
Personal Information	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 whose identity is apparent, or can reasonably be ascertained, from the information or opinion, but does not include information of a kind to which the <i>Health Records Act 2001</i> applies.
Privacy Officer	The Gippsland Water staff member delegated with the responsibilities as described in this Policy.
Privacy legislation	The <i>Privacy and Data Protection Act 2014</i>
Sensitive Information	<p>Personal information (including an opinion) about an individual's:</p> <ul style="list-style-type: none"> • racial or 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; or • criminal record.
Unique Identifier	An identifier (usually a number) assigned to an individual uniquely to identify that individual for the purposes of the operations of the organisation but does not include an identifier that consists only of the individual's name but does not include an identifier within the meaning of the <i>Health Records Act 2001</i> .



Policy review and approval

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively without requiring approval of the approving body. Examples include only a change to the template, name of a position or department, or a minor update to legislation which does not have a material impact.

Responsible Officer	Review Frequency	Approving Body
Governance Leader	Three Years	Gippsland Water Board

Normative references

Related Legislation

1. [Privacy Act 1988](#) (Cth)
2. [Privacy and Data Protection Act 2014](#) (Vic)
3. [Charter of Human Rights and Responsibilities Act 2006](#) (Vic)
4. [Freedom of Information Act 1982](#) (Vic)
5. [Gender Equality Act 2020](#) (Vic)
6. [Public Records Act 1973](#) (Vic)
7. [Surveillance Devices Act 1999](#) (Vic)
8. [Victorian Data Sharing Act 2017](#) (Vic)
9. [Water Act 1989](#) (Vic)

Related Policies and Frameworks

- [Victorian Protective Data Security Framework](#).
- [VPSC Code of Conduct for Directors](#)
- [VPSC Code of Conduct for Employees](#)
- Closed Circuit Television (CCTV)/Visual Surveillance Policy
- Risk Management Policy
- Records Management Policy
- ICT Policy
- ICT Information Security Policy
- ICT Change Management Policy
- Payment Card Industry Compliance Policy
- Security Policy
- Business Continuity Policy

OFFICIAL



- Family Violence Policy – Employees
- Family Violence Policy – Customers



Appendix One: Example Website Privacy Statement

Privacy Statement

Gippsland Water is strongly committed to protecting an individual's right to privacy.

Accordingly, we are committed to full compliance with our obligations under the *Privacy and Data Protection Act 2014* (Vic) ('Act'). In particular, we will comply with the Information Privacy Principles contained in the Act.

This Privacy Statement explains some of these principles and how they may apply to you.

Note that the website privacy statement does not apply to linked web sites, however we do not link knowingly to sites that are privacy-invasive. When you follow a link to another site, we recommend you read the privacy statement of that site to familiarise yourself with its privacy policy.

Anonymous access to our site

You can browse our website anonymously, without disclosing your personal information. By registering your membership for our website you may choose not to provide personal information and this will not affect your access to the majority of the web site. However, areas or services provided through this site that require registration may not be accessible.

Collection and use of personal data

Our Gippsland Water owned websites do not collect or record personal information, other than information you choose to provide through our online forms. Any information submitted will only be retained for such time as necessary to carry out the purposes for which the information is collected or as required by law.

E-mail addresses and any other contact details you provide will not be added to a mailing list without your consent.

Services from third-party websites

We may use the services of third-party software such as email newsletter distribution software (e.g. MailChimp), and/or online survey software (e.g. Survey Monkey) for the collection, aggregation and analysis of some survey data. The information you provide is encrypted both in-transit and at-rest when transferred to and stored by these third-party providers. The information collected by these systems may be transmitted and stored securely in the United States and is accessed by us in accordance with each party's relevant Privacy Policy. By completing such an online transaction (subscribing to an eNewsletter or completing an online survey), you agree to this transfer.

You may decline to provide your personal information. If you do provide personally identifiable information, you consent to the possible storage of this information offshore (outside of Australia). This means that once you have chosen to participate in the online transaction, we will not have an obligation to take reasonable steps to ensure that the third-party (e.g. Survey Monkey) does not breach our Privacy Policy or Victorian Privacy Laws in relation to personal information that is given to them.

[View the Survey Monkey Privacy Policy](#)

[View the MailChimp Privacy Policy](#)



Social media

We do interact with the community via social media channels such as Facebook, Instagram, Twitter, LinkedIn and YouTube. Your usage of these platforms to interact with us is also subject to our Privacy Policy, as well as the Privacy Policy of the respective platforms.

Due to the public (and potentially viral) nature of social media, you are warned not to share any personal information (such as email addresses, phone numbers and photos) that you do not wish to be publicly displayed. To protect everyone's privacy this warning applies to personal information about yourself, your friends and family as well as individual Gippsland Water staff members.

Your interactions may also be removed or hidden from our social media pages at our discretion if they are found to be in breach of this Privacy Statement or the Terms and Conditions of the respective pages.

Any questions, comments, messages, discussions, images/video or other interactions with us on social media may be captured for the purpose of record-keeping, and will be available to our staff members with a current role requiring them to have such access. Access to this information is removed from staff who are on extended leave or no longer employed by us.

Collection and use of site visit data

A cookie is a block of data that is shared between a web server and a user's browser. If you decide to use any services of our website that require you to create an account, our website may place a cookie on your computer. This cookie is only used to remember your login information on the login form. Although this cookie may identify you as a registered user of our website, your identity will not be used for any other purpose than for which it was provided.

The following non-personal information is automatically recorded by this site's web server for statistical and system administration purposes only:

- your IP address;
- the date and the time of your visit to the site;
- the pages you accessed and downloaded;
- your operating system;
- the type of browser you are using.

To the extent that this data could make you identifiable, we will not attempt to identify individuals from the records the server automatically generates unless that is necessary to investigate a breach of law or regulation.

Google Analytics and Google Tag Manager

In addition to web service logs, we use Google Analytics (which may also include the Advertising Features and Google Tag Manager), which are web analysis services provided by Google Inc. ('Google').

All the information we collect using Google Analytics and Google Tag Manager is for internal purposes only. We cannot identify individuals based on the data we collect and we won't publish any of it on our website.

Reports obtained from Google Analytics are used to improve the efficiency and usability of this website. Google Analytics uses cookies to help analyse how users use this site. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States. The Advertising Features is a function within Google Analytics to get more advanced information about our users, such as user demographics, user interests, and frequency of visits.

Owner:	Governance Leader	Sponsor:	Chief Financial Officer
Approved:	26 November 2021	Next Review:	November 2024



Google Tag Manager lets us combine codes on different areas of the website and collect data in ways that we can't do with Google Analytics.

By using this website, you consent to Google processing data about you in the manner and for the purposes set out above.

[View Google's Privacy Policy](#)

[View Google Analytics Terms of Service](#)

[View Google Tag Manager Terms of Service](#)

To opt out and prevent your data from being collected by Google Analytics, you can download [Google's opt out add-on](#).

Online Payments

Credit card details you supply to us are not stored on our website or by us. They are transferred securely through a third party service (Westpac PayWay) to the bank. We only retain a transaction number, which cannot be linked to your credit card details, but is linked to your customer record as proof of payment.

Disclosure

We will not disclose your personal information to a third party without your consent, unless we are required or authorised to do so by law or other regulation. In the event of an investigation into suspected unlawful or improper activity, a law enforcement agency or government agency may exercise its legal authority to inspect the web server's records (e.g. in relation to hacking or abusive messages).

Security of your personal data

Although every effort is made with regard to security, this web site does not guarantee secure transmission of information over the Internet. You should be aware that there are risks in transmitting information across the Internet. If you are concerned about conveying sensitive material to us over the Internet, you might prefer to contact us by telephone or mail.

More information

Privacy Policy

Our Privacy Policy provides guidance and advice on the way in which we collect, hold, use and disclose personal and health information of individuals. The policy also details how individuals can request access to their information in addition to outlining the complaint process for any potential breaches of privacy.

Office of the Victorian Information Commissioner

The OVIC website contains information about the *Privacy and Data Protection Act 2014*(Vic) and the standards for the way Gippsland Water and other government organisations must handle your personal information.



Appendix Two: Example Collection Statement

Freedom of Information Request Form

Gippsland Water manages your personal information in accordance with its Privacy Policy and the *Privacy and Data Protection Act 2014* (Vic). Your personal information is collected to communicate with you and to process your request. It may be disclosed to Gippsland Water staff to undertake document searches, third parties for the purpose of consultation and the Office of the Victorian Information Commissioner in the event of a review or complaint. If you do not provide the requested information we may be unable to effectively communicate with you or process your request. If you have any questions about how your personal information will be handled or would like to gain access to your personal information, you can contact Gippsland Water’s FOI Office on 1800 050 500 or foi@gippswater.com.au.