
PRIVACY AND DATA PROTECTION POLICY

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1 PURPOSE

The objectives of this policy are to:

- ensure the proper collection and use of personal information within Westernport Water (WPW)
- ensure compliance with the Privacy and Data Protection Act 2014
- ensure compliance with the Victorian Protective Data Standards Framework (VPDSF) requirements

2 SCOPE

This policy applies to:

- all employees, managers, board members, contractors, consultants, and any other external party or personnel affiliated with third parties at WPW (hereafter referred to holistically as 'personnel');
- WPW information stored or exchanged in either hardcopy or electronic form.

3 POLICY APPLICATION

3.1 Personal Information

WPW recognises the trust placed in the corporation when individuals supply personal information and understands the importance of protecting that information when using it in carrying out the corporation's functions and activities.

WPW will always endeavour to collect and handle personal information in a responsible manner, as required by the Privacy and Data Protection Act 2014.

The primary purposes for which WPW collects personal information include:

- the provision of water, wastewater, trade waste, reuse and gas services;
- administration and billing;
- distribution of educational material and general information on WPW related matters;
- market research in relation to WPW's functions and
- maintenance of employee records.

3.2 Privacy Charter

WPW maintains a Privacy Charter that explains to customers what personal information we collect and how we use and disclose this information. It also includes how we secure our customers personal information and the rights they have to know what information we hold about them.

The Privacy Charter is made available to our customers on our website.

3.3 Information Privacy Principles

WPW is required to comply with the Victorian Information Privacy Principles, within the Privacy and Data Protection Act 2014, with regard to how we use and handle personal information.

Privacy sessions are held annually to ensure all WPW employees are aware of their obligations in relation to privacy.

3.4 Complaints

If an individual complains to WPW about an act or practice that they consider to be an interference with their privacy the matter will be investigated by the Privacy Officer. The Privacy Officer will advise the complainant of their right to refer a complaint to the Privacy Commissioner.

If an individual lodges a complaint with the Privacy Commissioner the Privacy Officer will be the primary contact with the Privacy Commissioner and will be responsible for ensuring that all documents and other information are provided as required by the Privacy Commissioner.

3.5 VPDSF

The Office of the Victorian Information Commissioner (OVIC) is an independent regulator responsible for governance of the VPDSF which is comprised of 12 Victorian Protective Security Standards (VPDSS). These standards aim to ensure Victorian public sector organisations:

- manage information throughout its lifecycle (creation to disposal);
- manage information across all the security domains (information, personnel, information, communications and technology (ICT), physical);
- manage security risks to information;
- manage external parties with access to information;
- share information with other agencies with confidence and
- minimise security incidents.

WPW employees will not engage in any activity that contravenes a protective data security standard for data systems kept by WPW.

3.5.1 Protective Data Security Plan (PDSP)

As part of our initial VPDSF obligations, WPW completed a PDSP following a security risk profile assessment in accordance with the Privacy and Data Protection Act 2014.

While submission of a detailed PDSP is no longer required as part of VPDSF requirements, it remains a critical document for the organisation as it provides the basis for WPW's biennial high level PDSP submission to the commissioner in line with our VPDSF reporting and attestation commitments. As such, WPW will ensure that the Protective Data Security Plan is amended annually, or sooner if there are significant changes in operations or security risks or to the requirements of the VPDSF. .

3.5.2 Information Asset Register (IAR)

Information value refers to the overall importance of that information to WPW. The value is determined through a holistic assessment of the compromise of WPW information in terms of confidentiality, integrity and availability (CIA).

Confidentiality (C)	The limiting of official information to authorised persons for approved purposes (need to know).
Integrity (I)	The assurance that information has been created, amended or deleted only by the intended, authorised means and is correct and valid.
Availability (A)	The desired state that allows authorised persons to access particular information for authorised purposes, at the time they need to do so.

The CIA value of an information asset should be determined using the VPDSF Business Impact Level (BIL) tool.

3.6 Notifiable Data Breaches

In the event of a known or suspected data breach, the staff member identifying the circumstance is to report to their General Manager without delay.

Data breaches of personal information which may be notifiable data breaches under the Privacy Amendment (Notifiable Data Breaches) Act 2017 are to be actioned via the Notifiable Data Breaches procedure.

4 DEFINITIONS

4.1 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.

4.2 Privacy Officer

The person delegated by the Corporation to carry out any functions in relation to privacy matters.

4.3 Information Privacy Principle

Any of the Information Privacy Principles set out in the Privacy and Data Protection Act 2014.

4.4 Privacy Legislation

The Privacy and Data Protection Act 2014.

4.5 Data

Data is raw and unorganised facts that require processing to be made meaningful. Generally, data comprises facts, observations, perceptions numbers, characters, symbols, image, etc.

4.6 Information

Information is a set of data which has been processed in a meaningful way according to the given requirement. Information is processed, structured, or presented in a given context to make it meaningful and useful. Information assigns meaning and improves the reliability of the data.

4.7 WPW Record

Recorded information, in any format (for example, electronic, paper, image) created or received by WPW personnel in the course of conducting their duties.

5. ROLES AND REPORTING

5.1 ICT Management

Will provide an annual report of Privacy and Data activities undertaken by the Information Management Team to the Audit and Risk Committee (ARC), particularly those that relate to Victorian Protective Data Security Framework (VPDSF) obligations.

5.2 ARC

Will monitor the adequacy of Privacy and Data processes and maintain oversight of WPW's Information Security actions (ie: the VPDSF requirement to monitor, review, validate and update security policies and procedures). The outcome of this assessment will be detailed in the Privacy & Data Protection Policy annual assurance activities presentation.

5.3 Managing Director

Will ensure that all reporting obligations to the Board and ARC are met and attest that VPDSF obligations relating to Records Management activities are met.

6. APPLICABLE LEGISLATION, REGULATION AND STANDARDS

The following documents must be considered when editing this policy. Any changes made to this document are to be reflected in and aligned to:

- Public Records Act 1973. Public Records Office Victoria (PROV) Standards.
- PROV Guideline 12/06 – Retention and Disposal Authority for Records of the Water Industry Functions.
- Guideline 07/01 – Retention and Disposal Authority for Records of Common Administrative Functions.
- Australian Standard ISO 15489
- Crimes (Document Destruction) Act 2006
- Evidence Act 2008
- Freedom of Information Act 1982
- Health Records Act 2001
- Privacy and Data Protection Act 2014.
- Local Government Act 1989
- Water Act 1989
- Victorian Protective Data Security Framework
- Victorian Protective Data Security Standard
- Privacy Amendment Act 2017