

Privacy and Data Protection Policy

1.0 PURPOSE

The purpose of this Policy is to:

- (a) provide for the responsible collection and handling of personal information within Wannon Water; and
- (b) provide for the development of a protective data security plan consistent with the requirements of the Commissioner.

2.0 SCOPE

This Policy applies to all Wannon Water employees and service providers.

3.0 POLICY – PRIVACY

The aim of privacy legislation is to give customers and individuals more control over the way organisations such as ours collect, use, secure and disclose personal information. It also gives customers the right to know what information we hold about them. To assist with this, Wannon Water has developed and will maintain a Privacy Charter that explains how Wannon Water handles personal information.

Wannon Water is bound to comply with the Victorian Information Privacy Principles contained in privacy legislation in the way we handle personal information about customers and other individuals. Wannon Water's strong commitment to ensuring that personal information is protected and used appropriately will continue. To assist our employees to comply with privacy legislation, Wannon Water has developed and will maintain a Privacy Procedure that sets out requirements of employees when handling personal information.

Consistent with the *Charter of Human Rights and Responsibilities Act 2006*, a person has the right:

- (a) not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and
- (b) not to have his or her reputation unlawfully attacked.

Wannon Water will have regard to the seven foundational principles of Privacy by Design to ensure that privacy is integrated into the design and architecture of our systems and processes.

4.0 POLICY – DATA PROTECTION

4.1 General – Data Protection

The Commissioner is responsible for developing the Victorian protective data security framework for monitoring and assuring the security of public sector data. The Commissioner is responsible for issuing protective data security standards for the security, confidentiality and integrity of public sector data and access to public sector data.

Wannon Water and its employees will not act or engage in a practice that contravenes a protective data security standard in respect of data collected, held, managed, used, disclosed or transferred by us and in respect of data systems kept by us.

4.2 Security Risk Profile Assessment and Protective Data Security Plan

Wannon Water commits to undertake a security risk profile assessment against the Victorian Protective Data Security Standards and the development of a protective data security plan in accordance with the obligations of the *Privacy and Data Protection Act 2014*.

4.3 Review and Distribution

We will ensure that the protective data security plan prepared under privacy legislation is reviewed:

- (a) if there is a significant change in the operating environment or the security risks relevant to us;
- or
- (b) otherwise, every two years.

We will ensure that a copy of the protective data security plan is given to the Commissioner.

4.4 Exemption

Consistent with section 90 of the *Privacy and Data Protection Act 2014*, the *Freedom of Information Act 1982* does not apply to a protective data security plan.

5.0 IMPLEMENTATION

The requirements of this Policy will be communicated to employees with guidance being made available through Wannon Water's Privacy Officer.

6.0 RESPONSIBILITY

The Board is responsible for approving this Policy.

The General Manager Community and Corporate Services is responsible for the privacy requirements of this Policy. The General Manager Finance and Strategy is responsible for the data protection requirements of this Policy.

7.0 DEFINITIONS

Commissioner means the Victorian Commissioner for Privacy and Data Protection.

employees means the Directors, Managing Director, contractors and all other employees of Wannon Water.

privacy legislation means the *Privacy and Data Protection Act 2014*.

personal information (as per privacy legislation) means 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 *Health Records Act 2001* applies.

Privacy by Design is a specific approach to privacy, developed in Canada initially in the 1990s but continuing over the subsequent decades. Privacy by Design is a methodology that allows privacy to be 'built in' to the design and architecture of information systems, business processes and networked infrastructure. There are seven principles of Privacy by Design.

8.0 DOCUMENTATION

- (a) *Charter of Human Rights and Responsibilities Act 2006.*
- (b) *Privacy and Data Protection Act 2014.*
- (c) *Health Records Act 2001.*
- (d) *Freedom of Information Act 1982.*
- (e) Wannon Water's Privacy Procedure.
- (f) Wannon Water's Privacy Charter.

9.0 REFERENCES

Not applicable.

10.0 DOCUMENT CONTROL



Privacy and Data Protection Policy

Only the Board may authorise development and approval of Board policies. The policy development and approval process is coordinated and documented in the agenda and minutes of the Board. For document control purposes, the approver detailed below is the relevant employee responsible for managing the Policy on behalf of the Board.

Custodian	Branch Manager Retail Services
Approver	General Manager Community & Corporate Services
Status	Approved
Version	1
Approved Date	23/02/2016
Review Due Date	23/02/2019