



SHIRE OF KONDININ

Privacy and Information Sharing Policy

Policy Name	Privacy and Information Sharing Policy
Responsible Department	Corporate Services
Policy Owner	Chief Executive Officer
Applicable To	All Employees, Elected Members, Contractors and Volunteers

1. Objective

The Privacy and Responsible Information Sharing Act 2024 (WA) (PRIS Act) introduces a new privacy regulatory framework applying to Western Australian public entities, including local governments. Most of its operative privacy provisions, including the Information Privacy Principles (IPPs), commenced on 1 July 2026; the serious information breach notification scheme commences on 1 January 2027.

This policy establishes how the Shire of Kondinin will collect, use, store, share and dispose of personal information in compliance with the PRIS Act, designates the Shire's Privacy Officer and Information Sharing Officer, and sets out how a person may make a privacy complaint.

2. Scope

This policy applies to all personal information held by the Shire of Kondinin in any format, including information about employees, ratepayers, residents and other members of the public. It applies to all employees, elected members, contractors and volunteers who collect, use, store, share, access or dispose of personal information on the Shire's behalf. It should be read together with the Shire's ICT Acceptable Use Policy, Social Media Policy, Recruitment and Selection Directive, and State Records Act obligations, each of which touches on aspects of information handling addressed more fully here.

3. Definitions

Information Privacy Principles (IPPs) – The 11 principles set out in Schedule 1 to the PRIS Act governing the collection, use, disclosure, security, access, correction and disposal of personal information by IPP entities.

Information Sharing Officer – The Shire officer responsible for promoting and assisting the Shire's compliance with the information sharing requirements of the PRIS Act, designated under section 210 of that Act.

IPP Entity – A Western Australian public entity to which the IPPs apply, including a local government such as the Shire of Kondinin.

Serious Information Breach – An unauthorised access to, or disclosure or loss of, personal information held by the Shire that is likely to result in serious harm to an affected individual, which must be notified to the Information Commissioner and affected individuals once the serious information breach notification scheme commences on 1 January 2027.

Personal Information – Information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether or not the information or opinion is true and however it is recorded.

PRIS Act – The Privacy and Responsible Information Sharing Act 2024 (WA).

Privacy Officer – The Shire officer responsible for promoting and assisting the Shire's compliance with the privacy requirements of the PRIS Act, and for receiving privacy complaints in the first instance, designated under section 151 of that Act.

4. Legal Framework

- Privacy and Responsible Information Sharing Act 2024 (WA) - operative privacy provisions (including the IPPs) commenced 1 July 2026; serious information breach notification scheme commences 1 January 2027 Privacy Officer designation under section 151 and Information Sharing Officer designation under section 210.
- Information Commissioner Act 2024 (WA)
- Privacy Act 1988 (Cth) - to the extent applicable, including tax file number information, Commonwealth-related obligations, or dealings with APP entities.
- Freedom of Information Act 1992 (WA)
- State Records Act 2000 (WA)
- Local Government Act 1995 (WA)

5. Policy Statement

Application

The Shire of Kondinin is an IPP entity for the purposes of the PRIS Act. From 1 July 2026, the Shire must comply with the 11 Information Privacy Principles in handling personal information and must designate a Privacy Officer and an Information Sharing Officer. From 1 January 2027, the Shire must notify the Information Commissioner and affected individuals of a serious information breach.

Designated Roles

In accordance with section 151 of the PRIS Act, the Chief Executive Officer designates the occupant of the position of Executive Services & Governance Officer as the Shire's Privacy Officer.

In accordance with section 210 of the PRIS Act, the Chief Executive Officer designates the occupant of the position of Executive Services & Governance Officer as the Shire's Information Sharing Officer.

The CEO may designate another suitable officer to perform either or both roles in writing.

Information Privacy Principles

The following is a plain-English summary of the Information Privacy Principles. The wording of Schedule 1 to the Privacy and Responsible Information Sharing Act 2024 prevails to the extent of any inconsistency:

- **IPP 1 - Collection:** collect personal information only where necessary for a Shire function, by fair and reasonable means, and tell individuals at or before collection why it's being collected, who will access it, and how they can access or correct it. Where the Shire collects personal information directly from an individual, the Shire must take reasonable steps to provide a collection notice at or before the time of collection, or as soon as practicable after collection, in accordance with the PRIS Act and IPP 1.
- **IPP 2 - Use and disclosure:** use and disclose personal information only for the purpose it was collected, or a purpose the individual would reasonably expect, unless the individual consents or disclosure is required or authorised by law.
- **IPP 3 - Information quality:** take reasonable steps to ensure personal information is accurate, complete and up to date.
- **IPP 4 - Information security:** protect personal information from loss, misuse and unauthorised access, modification or disclosure, and destroy or de-identify it once it's no longer needed (subject to the State Records Act 2000 (WA)).
- **IPP 5 - Openness and transparency:** maintain and make available a document - this Policy - setting out how the Shire handles personal information and respond to general enquiries about the kinds of personal information the Shire holds.
- **IPP 6 - Access and correction:** give individuals access to their own personal information on request, and correct it where inaccurate, subject to the exceptions permitted by the PRIS Act. Requests for access to or correction of personal information must be managed in accordance with the PRIS Act, any approved privacy code of practice, and the Freedom of Information Act 1992 where applicable. Certain applications under the Freedom of Information Act 1992 may be taken to be requests under IPP 6 or an approved privacy code of practice.
- **IPP 7 - Unique identifiers:** not adopt or require a government identifier (such as a driver's licence or Medicare number) as the Shire's own identifier for an individual, except as permitted by law.

- **IPP 8 - Anonymity:** allow individuals the option of not identifying themselves when dealing with the Shire, where it is lawful and practicable to do so.
- **IPP 9 - Disclosures outside Australia:** not disclose personal information to a recipient outside Australia unless comparable privacy safeguards apply, the individual consents, or the disclosure is otherwise permitted under the PRIS Act.
- **IPP 10 - Automated decision-making:** where an automated process is used to make a significant decision about an individual, assess and monitor the process for bias, notify the individual, and provide a means for them to request human review.
- **IPP 11 - De-identified information:** protect de-identified information from misuse, loss and unauthorised re-identification, and only re-identify it in limited, permitted circumstances.

Aboriginal Information

Where the Shire proposes to share information that affects Aboriginal people or communities under the responsible information sharing framework, the Shire will ensure Aboriginal people are involved in decisions about that sharing in a manner consistent with the PRIS Act and any applicable guidance.

Responsible Information Sharing

Where the Shire proposes to share information under the responsible information sharing framework in Part 3 of the PRIS Act, the Shire must apply the applicable statutory requirements, information sharing principles, risk assessment, decision-making and transparency requirements before sharing occurs.

Information sharing under this Policy must not override secrecy, confidentiality, legal professional privilege, public interest immunity, court orders, or other restrictions imposed by written law.

Contracted service providers

Where a contractor or service provider handles personal information on behalf of the Shire, the relevant contract or engagement document should include appropriate privacy, security, recordkeeping, breach reporting, audit and return/destruction obligations. Contracted service providers may be subject to privacy obligations under the PRIS Act where the contract provides for this or where otherwise required by law.

Employee Information

Personal information about employees (including recruitment records, performance records, leave records and disciplinary records) is collected, used and stored in accordance with this policy and the Shire's record-keeping obligations under the State Records Act 2000 (WA). Employee information will only be disclosed outside the Shire where required or authorised by law, necessary to manage a dispute, grievance or compliance matter, or with the employee's consent.

Access controls and data minimisation

Access to personal information must be limited to officers, elected members, contractors or volunteers who require access for an authorised Shire purpose. Users must not access, browse, download, copy or disclose personal information unless required for their role or authorised function.

Privacy Complaints

An individual who believes the Shire has interfered with their privacy may make a complaint to the Shire's Privacy Officer in the first instance. The Privacy Officer will acknowledge, assess and respond to the complaint within a reasonable timeframe and in accordance with the PRIS Act.

If the complaint is not resolved to the individual's satisfaction, the individual may refer the matter to the WA Information Commissioner in accordance with the PRIS Act and Information Commissioner Act 2024.

Serious Information Breaches

From 1 January 2027, where the Shire becomes aware of an actual or suspected serious information breach, the Privacy Officer will coordinate assessment, containment and mitigation.

Where the breach is assessed as notifiable under the PRIS Act, the Shire will notify the Information Commissioner and affected individuals as required.

All employees, elected members, contractors and volunteers must report any suspected unauthorised access, use, disclosure, loss or compromise of personal information to the Privacy Officer immediately.

Training and Awareness

The Shire will provide employees, elected members, contractors and volunteers who handle personal information with appropriate privacy training and guidance, including induction training and refresher training where required.

Breach of this Policy

A breach of this policy by an employee will be managed under the Disciplinary Directive and may result in disciplinary action up to and including termination of employment.

A breach by an elected member may be managed in accordance with the Local Government Act 1995, the Local Government (Model Code of Conduct) Regulations 2021, and the Shire's Code of Conduct for Council Members, Committee Members and Candidates.

6. Roles and Responsibilities

Council: Responsible for adopting and reviewing this Policy and ensuring adequate resources are allocated to support the Shire's privacy and information management obligations.

Privacy Officer: Responsible for promoting and assisting compliance with the IPPs, receiving and managing privacy complaints, maintaining internal guidance, and coordinating the Shire's response to any serious information breach.

Information Sharing Officer: Responsible for promoting and assisting compliance with the responsible information sharing requirements of the PRIS Act.

Chief Executive Officer: Responsible for designating the Privacy Officer and Information Sharing Officer, ensuring appropriate systems, training and procedures are in place, and reporting significant privacy or information sharing risks to Council where appropriate.

All Employees, Elected Members, Contractors and Volunteers: Responsible for handling personal information in accordance with this Policy, only accessing personal information where authorised, and reporting any suspected breach immediately.

7. Review

This policy was reviewed ahead of the 1 July 2026 commencement of the operative IPPs and will be reviewed again before 1 January 2027 (commencement of the serious information breach notification scheme), and thereafter every two years or earlier if required by amendment to the PRIS Act. The Chief Executive Officer is responsible for initiating each review.

Document References & Information	
Legislation	Freedom of Information Act 1992 (WA); Information Commissioner Act 2024 (WA); Local Government Act 1995 (WA); Privacy Act 1988 (Cth) to the extent applicable; Privacy and Responsible Information Sharing Act 2024 (WA) including ss.14, 19, 20, 39-44, 151 and 210; State Records Act 2000 (WA).
Regulation	
Local Law	
Shire Policy	Code of Conduct for Employees; Disciplinary Directive; ICT Acceptable Use Policy; Social Media Policy; Recruitment and Selection Directive
Procedural	Privacy Complaint Form; Data Breach Response Procedure; Privacy Impact Assessment Template; Personal Information Collection Notice Template
Related Sources	Office of the Information Commissioner WA - Privacy in Western Australia guidance; WALGA PRIS Act implementation guidance
Policy Owner	Chief Executive Officer
Risk Rating	Medium to High

Document Control				
Date	Version	Reason for Modification	Resolution Reference	Next Review
12.7.2026	1	Amended Policy – PRIS Act	OCM/26/089 22.7.2026	July 2027