

Privacy Policy

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Related Legislation	<i>Information Privacy Act 2009 Queensland Privacy Principles Public Records Act 2023 Right to Information Act 2009 Local Government Act 2009</i>
Related Documents	<i>Complaints Management Policy Western Downs Regional Council Personal Information Holdings</i>

Policy Version	Approval Date	Adopted/Approved
<i>1</i>	<i>4 August 2010</i>	<i>Ordinary Meeting of Council</i>
<i>2</i>	<i>6 May 2015</i>	<i>Ordinary Meeting of Council</i>
<i>3</i>	<i>21 March 2018</i>	<i>Ordinary Meeting of Council</i>
<i>4</i>	<i>18 September 2025</i>	<i>Ordinary Meeting of Council</i>

*This policy may not be current as Council regularly reviews and updates its policies. The latest controlled version can be found in the policies section of Council's intranet or Website. **A hard copy of this electronic document is uncontrolled.***

1. PURPOSE

The *Information Privacy Act 2009* (Qld) and its Queensland Privacy Principles (QPPs) set the rules for how Queensland government agencies, including Western Downs Regional Council, handle personal information. The purpose of this Policy is to describe how Council manages 'personal information' as defined in the *Information Privacy Act 2009* (section 12).

This Policy sets out:

- (1) the kinds of personal information Council collects and holds and how that information is collected and held;
- (2) the purposes for which Council collects, holds, uses, and discloses personal information; and
- (3) how to make a privacy complaint if it is considered that Council has breached its privacy obligations imposed under *Information Privacy Act 2009* and how Council will deal with privacy complaints.

2. SCOPE

This Policy applies to all Western Downs Regional Council activities that involve the management of personal information by any Councillors, employees, and contractors of Council.

3. POLICY

3.1 Collection of Personal Information

Council collects personal information required to exercise its statutory functions and meet legal obligations. Council may collect personal information in person, online, in writing, or by recording. Personal information will only be collected if it is reasonably necessary for or directly related to, one or more of Council's functions or activities. Council will generally only collect sensitive information directly from the individual it is about or with their consent or otherwise consistently with Council's obligations under the *Information Privacy Act 2009*. Any collection will be by lawful and fair means.

A person may choose to deal with Council anonymously or by using a pseudonym. However, Council may be required to collect personal information in certain circumstances to deal with matters effectively and in accordance with its legislative responsibilities.

Council collects personal information directly from individuals who access Council services and indirectly from third parties as part of performing Council's functions, including:

- (a) provision of services to the community, including roads, utilities, waste, development assessment, animal control, community facilities et cetera;
- (b) enforcement of state, federal, and local laws, regulation of development, and management of public health and safety;
- (c) responding to enquiries from the public, business and government agencies;
- (d) promotion of the Western Downs Region and of Council's services and events; and
- (e) the undertaking Council business functions (for example, conduct of Council meetings, human resources management, and recruitment processes).

The kinds of personal information (including sensitive information) Council collects and holds are detailed in Council's *Personal Information Holdings*.

3.3 Use and disclosure of personal information

Council uses and collects personal information for the purpose for which the personal information was collected, including:

- (a) exercising its powers or performing its statutory functions and duties as a regulatory authority and service provider to the community, such as assessment and handling of application forms, handling of complaints, or responding to general enquiries; and
- (b) managing associated business functions, such as procurement, recruitment, and human resources administration.



Council may also use or disclose personal information for secondary or alternative purposes as permitted under the *Information Privacy Act 2009*. This may include where Council is authorised or required to under Australian law (with an individual's consent) or where an individual would reasonably expect Council to use or disclose personal information for a related or in the case of sensitive information, directly related, secondary purpose.

3.4 Access and correction of personal information

Access and correction rights are contained in the *Right to Information Act 2009* (Qld). Council may require an individual to provide proof of identity in order to handle a request to access or correct their personal information.

3.5 Disclosure out of Australia

Where an individual communicates with Council via a social media platform, such as LinkedIn or YouTube, the social media provider and its partners may collect and hold that personal information overseas. Council may also use survey platforms to conduct voluntary surveys from time to time, which may involve the collection and disclosure of participants' personal information overseas. Where Council discloses personal information overseas, this will usually occur with agreement, where Council is authorised or required by law, or otherwise consistently with Council's obligations under the *Information Privacy Act 2009*.

3.7 Security of personal information

Council holds personal information securely and takes reasonable steps to protect it from misuse, interference, loss, unauthorised access, modification, or disclosure. Where permitted by the *Public Records Act 2023* (Qld), Council will take reasonable steps to destroy or deidentify unsolicited personal information or personal information no longer required for any of its functions, if it is lawful and reasonable to do so.

3.8 Privacy complaints

If an individual believes Council has not handled their personal information in accordance with the *Information Privacy Act 2009*, they can make a privacy complaint. A privacy complaint can only be made on behalf of another person:

- (a) if the person has provided authorisation;
- (b) by a parent or guardian on behalf of a minor/child; or
- (c) by a guardian or holder of legal authority to act on behalf of a person who lacks capacity.

To make a privacy complaint about Council, the complaint must be made to Council in writing (where possible) and include:

- (a) an address for Council to respond (for example, an email address);
- (b) details about the matter or issues being complained about (what did Council do or not do with your personal information that you believe breached the *Queensland Privacy Principles* and the *Information Privacy Act 2009*); and
- (c) evidence of authority, if relevant.

The complaint must be made to Council within twelve (12) months of becoming aware of the act or practice believed to constitute a breach of the *Information Privacy Act 2009*. The contact address for privacy complaints is:

Email: info@wdrc.qld.gov.au
Post: Western Downs Regional Council
PO Box 551
Dalby Queensland 4405

Council has forty-five (45) business days to respond to the privacy complaint. If this does not occur or a complainant remains dissatisfied, they can escalate their complaint to the Office of the Information Commissioner:

Email: complaints@oic.qld.gov.au
Post: Office of the Information Commission
PO Box 10142 Adelaide Street
Brisbane Queensland 4001

