

The background of the cover features a stylized world map composed of dots, overlaid with a network of white lines connecting various points. Below the map, a close-up of a hand typing on a laptop keyboard is visible. The entire composition is framed by a large, irregular orange shape that resembles a paintbrush stroke. Three circular icons containing padlock symbols are scattered across the design: one in the upper right, one in the center, and one in the lower left.

Information Privacy Policy



Yarriambiack
SHIRE COUNCIL

Information Privacy Policy

Yarriambiack Shire Council encourages a working environment which promotes gender equality and models non-violent and respectful relationships.

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1. Objective

The objective of this policy is to guarantee the responsible and ethical collection, use, and management of personal information pertaining to individuals. This is achieved through strict adherence to the Information Privacy Principles (IPPs) as outlined in Schedule 1 of the *Privacy and Data Protection Act 2014* (PDP Act). By complying with these principles, we ensure that personal information is handled with the utmost care, respect, and in accordance with legal requirements, thereby safeguarding the privacy rights of individuals.

2. Responsibility

This policy applies to all staff members, Councillors, consultants, contractors, and volunteers of the Yarriambiack Shire Council, as well as individuals on work-placement and work experience.

The Chief People and Culture Officer is responsible for updating and implementing this policy, ensuring compliance with privacy laws and policies, particularly the *Privacy and Data Protection Act 2014*. The Chief People and Culture Officer acts as the primary point of contact for all privacy-related matters, including handling complaints and processing requests for access to or correction of personal information.

Additionally, the Chief People and Culture Officer ensures that all staff members have a clear understanding of the Information Privacy Policy.

3. Policy Statement and Scope

Council is mandated to comply with privacy legislation, specifically the *Privacy and Data Protection Act 2014* (PDP Act). This Act delineates the procedures the Council must follow in handling personal information, ensuring adherence to the ten Information Privacy Principles (IPPs) when collecting, using, disclosing, and storing such information. This policy has been developed to demonstrate the Council's commitment to adhering to these principles as outlined in the PDP Act.

In accordance with IPP 5, Council is required to have a clearly documented policy outlining the management of personal information. This policy must be readily accessible to anyone who requests it; therefore, it is made available via Council's website.

By implementing this policy, the Council aims to ensure that all personal information is collected, managed, and utilised in a manner that is both responsible and transparent. This not only demonstrates the Council's compliance with legal requirements but also reinforces its dedication to protecting the privacy rights of individuals within the community. Through this policy, the Council strives to maintain the highest standards of privacy and data protection, thereby fostering trust and confidence among members of the community.

4. General Privacy Statement

The Yarriambiack Shire Council is dedicated to ensuring that personal information collected, stored, and used by the Council is managed responsibly and in full compliance with the *Privacy and Data Protection Act 2014* (PDP Act).

Personal Information is information that can be used on its own or with other information to identify, contact or locate a person, or whose identity can be ascertained from the information.

Personal or other information provided will be retained solely for the use of the Council and will not be disclosed to any external parties unless required by law or with the explicit consent of the individual. This ensures that personal information is handled responsibly and in accordance with legal requirements, thereby safeguarding the privacy and confidentiality of the individuals involved.

Council is obligated to collect and utilise personal, confidential, and sensitive information from individuals. Consequently, it adheres to the Information Privacy Principles outlined below.

The Ten Information Privacy Principles (IPPs)

IPP Number	Title	Description
IPP 1	Collection	An organisation can only collect personal information if it is necessary to fulfil one or more of its functions. It must collect information only by lawful and fair means, and not in an unreasonably intrusive way. It must provide notice of the collection, outlining matters such as the purpose of collection and how individuals can access the information. This is usually done by providing a Collection Notice, which should be consistent with an organisation's Privacy Policy.
IPP 2	Use and Disclosure	Personal information can only be used and disclosed for the primary purpose for which it was collected, or for a secondary purpose that would be reasonably expected. It can also be used and disclosed in other limited circumstances, such as with the individual's consent, for a law enforcement purpose, or to protect the safety of an individual or the public.
IPP 3	Data Quality	Organisations must keep personal information accurate, complete and up to date. The accuracy of personal information should be verified at the time of collection and periodically checked as long as it is used and disclosed by the organisation.
IPP 4	Data Security	Organisations need to protect the personal information they hold from misuse, loss, unauthorised access, modification or disclosure. An organisation must take reasonable steps to destroy or permanently de-identify personal information when it is no longer needed.
IPP 5	Openness	Organisations must have clearly expressed policies on the way they manage personal information. Individuals can ask to view an organisation's Privacy Policy.
IPP 6	Access and Correction	Individuals have the right to seek access to their own personal information and to make corrections to it if necessary. An organisation may only refuse in limited circumstances that are detailed in the PDP Act. The right to access and correction under IPP 6 will apply to organisations that are not covered by the <i>Freedom of Information Act 1982</i> (Vic).
IPP 7	Unique Identifiers	A unique identifier is an identifier (usually a number) that is used for the purpose of identifying an individual. Use of unique identifiers is only allowed where an organisation can demonstrate that the assignment is necessary to carry out its functions efficiently. There are also restrictions on how organisations can adopt unique identifiers assigned to individuals by other organisations.
IPP 8	Anonymity	Where lawful and practicable, individuals should have the option of transacting with an organisation without identifying themselves.
IPP 9	Transborder Data Flows	If an individual's personal information travels outside Victoria, the privacy protection should travel with it. Organisations can only transfer personal information outside Victoria in certain circumstances, for example, if

		the individual consents, or if the recipient of the personal information is subject to a law or binding scheme that is substantially similar to the Victorian IPPs.
IPP 10	Sensitive Information	The PDP Act places special restrictions on the collection of sensitive information. This includes racial or ethnic origin, political opinions or membership of political associations, religious or philosophical beliefs, membership of professional or trade associations or trade unions, sexual preferences or practices, and criminal record. Organisations can only collect sensitive information under certain circumstances.

5. Yarriambiack Shire Council Functions and Activities

Animal Management	
- Domestic Animal Registrations - Domestic Animal Business Registrations - Animal Attack	- Domestic Animal Pound - Enforcement - Local Laws
Community and Environmental Health	
- Premises or Business Registrations - Compliance Management - Infectious Diseases Management	- Consumer Safety Management - Effluent and Wastewater Management - Kindergarten Services
Community Development	
- Community and Economic Development Support - Business Development and Support - Customer Service - Tourism - Events - Grant Administration and Assistance	- Library Services including Words on Wheels Bus - Library Services and User Management - Publications - Communications
Emergency Management	
- Community Preparedness - Emergency Response	Community Recovery
Waste and Sustainability Management	
- Waste Strategy and Management - Dumping and Litter Management	- Sustainability Initiatives - Transfer Stations
Governance	
Celebrations, Ceremonies and Functions	Compliance Administration, Enforcement and Reporting

- Planning, Preparation and Conduct of Local Government Elections and Polls of Voters - Governance Rules - Community Asset Committees	- Policies and Procedures - Councillor Management - Council Meetings - Leases and Licences
Planning Services	
- Planning Scheme Management - Planning Permits	- Subdivision - Enforcement
Building Services	
- Building Permits and Requests - Building Regulations	Municipal Building Surveyor Services
Rates and Valuations	
Property Valuation	Rates Management
Finance	
- Financial Management - Contracts	- Grants - Budget
Assets	
- Asset Inspections - Fleet Management - Road Maintenance	- Asset Management – Roads and Footpaths - Disposal and Acquisition - Aerodrome Management
Business Systems	
- Caravan Park Management - IT Systems	Technology and Telecommunications
Service Infrastructure Management	
Service Infrastructure Development and Redevelopment	- Service Infrastructure Maintenance - Service Infrastructure Enforcement
Human Resources	
- Employee Details and Contracts - Remuneration - Grievances - Leave - Complaints and Investigations	- Injury Management - Recruitment - Equal Employment Opportunity / Human Rights - Work Experience / Work Placement

Occupational Health and Safety	
- Incident Reporting - Inspections	- Regulatory and Other Compliance - Return to Work
Sport and Recreation	
Recreation Reserves	Swimming Pools
Common Administrative Functions	
- Community Relations - Government Relations - Industrial Relations - Information Relations	- Information Management - Personnel Management - Strategic Management

6. Management of Information by the Yarriambiack Shire Council

The following information outlines and details the methods by which the Yarriambiack Shire Council manages personal information, in accordance with the ten Information Privacy Principles set forth in the PDP Act.

6.1 IPP 1 - Collection

Council will only collect personal information that is necessary for carrying out its functions and activities. In some circumstances, Council is required by law to collect personal information.

Personal Information

Depending on the reason, personal information collected typically includes, but is not limited to the following:

- Name
- Address
- Mailing address
- Telephone number
- Date of birth
- Signature
- Motor vehicle registration
- Photograph and/or video footage
- Personal Identification

Whenever it is reasonable and practicable, the Council will collect personal information directly from individuals. In doing so, individuals will be informed of the relevant matters as stipulated by legislation, including the purposes for which the information is being collected. The Council will ensure that the collection process is conducted using lawful and fair means.

Council will take reasonable steps to make individuals aware of:

- Who we are and how we can be contacted;
- How individuals may gain access to the information;
- The purpose/s for which information is being collected;

- Whom Council discloses the information;
- Any relevant laws that require the information to be collected; and
- The main consequences (if any) for individuals if all or part of the information is not collected.

The methods through which the Yarriambiack Shire Council may collect personal information include:

- During conversations between you and Council representatives (face to face or via phone).
- When you access and interact with our website, social networking sites.
- When you make an enquiry, provide feedback or complete an application form.
- Via a Notice of Acquisition or voters roll information from the Victorian Electoral Commission.

When Council collects personal information about individuals from a third party, it will take reasonable steps to inform those individuals through at least one of the following methods: telephone, mail, or email. However, if making the individual aware of this would pose a serious threat to the life or health of any individual, the Council may refrain from doing so.

Council Officers are required to complete a Privacy Impact Assessment (PIA) when collecting personal information for a new program or project, or when an existing program or project is being updated. For further details, please refer to section 8 of this policy.

Whenever the Council collects personal information, individuals should be informed about how their information will be used, shared, and disclosed. This notification should be presented in a format similar to the example provided below.

Privacy Collection Notice – Example

*Yarriambiack Shire Council is committed to protecting your privacy. The personal information you provide on this form is being collected for the primary purpose of **[reason for collecting the information]**.*

*Where required, **[the personal information being collected, e.g. your identity]**, will be provided to **[people to whom the information will be provided, e.g. Yarriambiack Shire Council staff/contractors]** to enable them to **[the reason/s they need the information, e.g. process your application]**.*

*Your personal information will not be disclosed to any external party without your consent, unless required or authorised by law. If you wish to gain access to or alter any personal information you have supplied on this **[type of form, e.g. application / grant / agreement]**, please contact us on **[contact details]**.*

Anonymity

Where lawful and practicable, the Council will offer individuals the option to remain anonymous. However, it is important to note that choosing to remain anonymous may limit the Council's ability to effectively address a complaint or other matter. As a result, the Council reserves the right to take no action on any issue where an individual opts not to provide the necessary personal information required for the Council to perform its functions.

6.2 IPP 2 - Use and Disclosure

Council will use and disclose personal information about an individual for the primary purpose for which the information was collected. Council will also use or disclose information for a secondary purpose in other limited circumstances.

Examples of limited circumstances include:

- Example 1 - Council may utilise or disclose personal information from its existing database to compile a mailing list for the purpose of distributing relevant information.
- Example 2 - Council may use or disclose information for law enforcement purposes to assist in the investigation of unlawful activities that have been committed, are being committed, or to report concerns about such activities to the relevant authorities.

Additionally, Council may use or disclose information when it is legally permissible, particularly when it is necessary to mitigate or prevent a threat to the life, health, safety, or welfare of an individual or group.

6.3 IPP 3 - Data Quality

Council will take all reasonable measures to ensure that any personal and sensitive information collected, held, used, and disclosed is accurate, complete, up-to-date, and relevant to its intended purpose, functions, and activities.

6.4 IPP 4 - Data Security

Yarriambiack Shire Council will take all necessary measures to maintain a secure system for storing personal information. This includes implementing robust operational policies and procedures to protect personal information from misuse, loss, unauthorised access, modification, or disclosure.

Council regularly reviews its holdings of records, which may include personal information, to ensure they are managed appropriately. In accordance with the *Public Records Act 1973*, the Council will systematically destroy or transfer these records as necessary. This process ensures that records are maintained in a secure and organised manner, and that any personal information is handled responsibly and in compliance with legal requirements.

While the Yarriambiack Shire Council takes every precaution to ensure the security of your personal information, it is important to be aware that transmitting information over the internet carries inherent risks. If you have concerns about sending sensitive material to the Yarriambiack Shire Council online, you may prefer to contact us by telephone at 5398 0100 or by mail at PO Box 243, Warracknabeal, Vic 3393.

6.5 IPP 5 - Openness

This policy ensures Council's compliance with IPP 5 by setting out the Council's rules and procedures for its management of personal information.

Additionally, the Council is obligated to ensure that, upon request, it takes reasonable steps to inform individuals about the types of personal information it holds, the purposes for which it is collected, and how it is collected, held, used, and disclosed.

This policy can be obtained by contacting the Chief People and Culture Officer at 5398 0104 or via email at bschilling@yarriambiack.vic.gov.au. Alternatively, you may download the policy from the Council's website - [Policies and Publications - Yarriambiack Shire Council](#).

6.6 IPP 6 – Access and Correction

Council grants individuals the right to correct their personal information to ensure that the Council does not act on inaccurate data or misrepresent personal facts. This right of correction helps maintain the quality of the data, in line with IPP 3 – Data Quality. Generally, the Council should retain both the old and new information to meet any record-keeping obligations under the *Public Records Act 1993*.

Rates and Properties

The Council primarily retains personal information related to rates and properties. Individuals are authorised to update their details concerning rates and properties through the 'Update Details Form' available on the Council's website or via the following link – [Update Your Details Form](#).

Alternatively, individuals can request to update their details regarding rates and properties by emailing the Revenue Coordinator at rates@yarriambiack.vic.gov.au.

Council Documents

An individual may ask for access to their information or request a correction to their information by contacting the Chief People and Culture Officer.

When contacted, the Chief People and Culture Officer will inform the individual whether the Council holds any information about them and outline any further steps required to access this information. If the conditions of the *Privacy and Data Protection Act 2014* are met, access to the information may be withheld, accompanied by an explanation. This could occur, for example, if the information pertains to legal proceedings or falls under the *Freedom of Information Act 1982*.

Alternatively, if an individual believes that their personal information within Council documents, other than rates and properties, is inaccurate, incomplete, or outdated, they may request the Council to correct and update the information.

The 'Request to Correct Information Form' is available via Council's website – [Request to Correct Information Form](#)

6.7 IPP 7 - Unique Identifiers

Schedule 1 of the PDP Act defines 'unique identifier' as:

An identifier (usually a number) assigned by an organisation 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 Health Records Act 2001.

A unique identifier is a number or code assigned to an individual's record to aid in identification, similar to a driver's license number. Council will only assign identifiers to records when it is necessary to efficiently perform its functions.

There are three steps to determine whether a particular 'identifier' (any sequence of numbers, letters and/or symbols) is a 'unique identifier' for the purposes of the PDP Act:

1. Was the identifier assigned by an organisation to an individual?
2. Was the identifier assigned with the aim, purpose or intention of uniquely identifying that individual?
3. Was the assignment of the identifier to uniquely identify the individual for the purposes of the operations of the organisation.

6.8 IPP 8 - Anonymity

Where lawful and practicable, Council will offer the option of remaining anonymous as part of transactions with Council.

Before collecting your personal information, Council staff must first determine whether the information is necessary to complete their function or activity. For instance, do they need your name, address, and contact number to address your report of a bin on fire in Scott Street, or can you remain anonymous and only provide the bin's location?

Please note that choosing to remain anonymous may limit Council's ability to process your complaint or other matters. If you do not provide the necessary personal information for Council to perform its functions, Council reserves the right to take no further action on the matter.

6.9 IPP 9 - Trans-border Data Flows

Council may transfer your personal information to an individual or organisation outside Victoria only under limited circumstances, such as:

- If the individual has provided consent.
- If disclosure is authorised by law.
- If the recipient of the personal information is subject to a law or binding scheme that is substantially similar to the IPPs under the PDP Act.

Disclosure of Personal Information Overseas

The development of technologies, such as the internet and cloud computing, has led to an increase in trans-border data flows between organisations, as many cloud service providers are based outside Australia.

IPP 9 does not prohibit the transfer of personal information outside Victoria, but it does impose restrictions on when it can occur. This is because the PDP Act is a Victorian law, and therefore the IPPs do not apply to organisations in other states, territories, or countries.

Council will only transfer personal information outside of Victoria in accordance with the provisions outlined in the PDP Act. While Council uses cloud computing services based outside Victoria, it has taken all reasonable steps to ensure that the information transferred will not be held, used, or disclosed by the host inconsistently with the Victorian IPPs. Additionally, Council ensures that the hosts or recipients are subject to laws and/or binding contractual arrangements that provide protections similar to those provided under the PDP Act.

6.10 IPP 10 - Sensitive Information

Council will only collect sensitive information about an individual under circumstances prescribed by the PDP Act, which include:

- The individual has consented.
- The collection is required or authorised under law.
- The collection is necessary to prevent or lessen a serious threat to the life or health of any individual, where the individual whom the information concerns—
 - Is physically or legally incapable of giving consent to the collection; or
 - Physically cannot communicate consent to the collection.
- The collection is necessary for the establishment, exercise or defence of a legal or equitable claim.

Under IPP 10 of the PDP Act, Council is authorised to collect sensitive information about an individual if:

- The collection –
 - Is necessary for research, or the compilation or analysis of statistics, relevant to government funded targeted welfare or educational services; or
 - Is of information relating to an individual's racial or ethnic origin and is collected for the purpose of providing government funded targeted welfare or educational services.
- There is no reasonably practicable alternative to collecting the information for that purpose; and
- It is impracticable for the organisation to seek the individual's consent to the collection.

7. Lodging a Complaint or Enquiry Regarding a Privacy Breach

The PDP Act authorises individuals to lodge complaints regarding privacy breaches by the Council.

A data breach occurs when personal information that is held by a public sector organisation is subject to misuse or loss or to unauthorised access, modification or disclosure.

A data breach can be caused deliberately as a result of a malicious act from an external or internal party. It can also be caused by human error or by a failure of an organisation to implement effective information management or security systems.

Example of a Data Breach

An organisation publishes details of a new project on its website which includes responses to consultation. Personal information in the responses has been electronically redacted in PDF format but the organisation later discovers that the personal information can be rendered visible where the contents of the PDF are copied and pasted into a Microsoft Word document.

Please take note of the following important points when lodging a complaint:

- Your complaint must pertain to a breach of one or more of the ten Information Privacy Principles (IPPs).
- Your complaint should be submitted within 45 days of becoming aware of the breach. However, it may still be considered if there are valid reasons for the delay.
- Complaints can only address personal information that is documented in some form.
- Complaints must:
 - Be made by the person whose privacy has allegedly been breached, or by someone they have authorised to act on their behalf.
 - Be submitted in writing (letter or email) and accompanied by a suitable form of identification. Complaints received orally or by phone must be recorded in the Council's CRM system.
 - Provide a brief description of the incident, including the date of the incident, the personal information involved, and the form it was in (if known), such as paper records or an electronic database.

Each complaint will be acknowledged within ten business days and investigated as soon as practicable. A written response will be provided within 28 days of the date the complaint is received by the Council. Complaints will be handled in accordance with the Council's Complaints Handling Policy and investigated using the following four step process, as outlined in section 9, in the event of a privacy breach.

Complaints can be submitted to the Chief People and Culture Officer through the following methods:

- **In person:** Yarriambiack Shire Office
34 Lyle Street Warracknabeal, Vic 3393
Monday to Friday 8.30am – 5.00pm
- **By phone:** 5398 0104
- **In writing:** Yarriambiack Shire Council
Attention: Chief People and Culture Officer
Subject: Privacy Breach
PO Box 243
Warracknabeal, Vic 3393
- **By email:** info@yarriambiack.vic.gov.au
Attention: Chief People and Culture Officer

Alternatively, a complaint can be submitted to the Office of the Victorian Information Commissioner (OVIC). However, the OVIC may decline to entertain certain complaints. For instance, this may occur if it appears that the act or practice in question does not constitute an interference with privacy, or if the OVIC believes that the Council has already provided an adequate response. Additionally, the OVIC may decline to entertain a complaint if:

- The complainant didn't complain to the Council and give them time to respond before complaining to the OVIC;
- The matter has been dealt with under another Act, or another Act provides a more appropriate remedy; or
- The complaint is frivolous, vexatious, misconceived or lacking in substance.

If a complainant is not satisfied with the decision of the Council, they may apply to the OVIC.

To make a complaint to the OVIC under the *Privacy and Data Protection Act 2014*:

- Individual complaints must pertain to a Victorian public sector organisation (e.g. Council). If the complaint concerns a company or a Federal agency (e.g. the Australian Tax Office or Centrelink), it should be directed to the [Office of the Australian Information Commissioner](#).
- Your complaint must be about the handling of your personal information. The OVIC cannot handle complaints about health information. Individuals should direct privacy complaints about health information to the [Health Complaints Commissioner](#).
- Individuals should complain to the Council first before complaining to the OVIC.

To lodge a complaint with the OVIC:

- Complete their online privacy complaint form - [Make a privacy complaint - Office of the Victorian Information Commissioner](#)
- If you require assistance with your complaint, contact OVIC:
 - By phone: 1300 006 842
 - By email: privacy@ovic.vic.gov.au

8. Privacy Impact Assessment (PIA)

A privacy impact assessment (PIA) is a systematic assessment of a project that identifies potential privacy impacts and recommendations to manage, minimise or eliminate them.

When designing or managing any project or system, it is important to consider various competing public interests, including the protection of privacy and associated risks. A privacy 'risk' refers to the potential for a project to fail to comply with privacy laws, not meet community expectations, or result in unmitigated or unnecessary negative impacts.

Conducting a Privacy Impact Assessment (PIA) helps the Council to:

- Describe how personal information flows in a project.
- Analyse the possible impacts on individuals' privacy.
- Identify and recommend options for avoiding, minimising or mitigating negative privacy impacts.
- Build privacy considerations into the design of a project.
- Achieve the project's goals while minimising the negative and enhancing the positive privacy impacts.

Council employees are required to complete a Privacy Impact Assessment (PIA) for any project involving the handling of personal information. This assessment aims to consider

the future consequences of the current or proposed action and to prevent or minimise any negative impacts on privacy.

The Privacy Impact Assessment guide and template can be accessed from the OVIC site through the following link - [Privacy Impact Assessment Guide – Office of the Victorian Information Commissioner](#)

All Privacy Impact Assessments (PIAs) must be documented and stored within the Council's Intranet.

9. Information Security Practices

In the event of a data breach, the Council should consult with the OVIC on how to respond. The Council is encouraged to report any data breach to the OVIC by using the following form - [Information security and privacy incident notification form - Office of the Victorian Information Commissioner \(ovic.vic.gov.au\)](#)

Responding to a data breach consists of four key steps:

- Step 1** **Contain** the breach immediately to prevent any further compromise of personal information.
- Step 2** **Assess** the risks of harm to affected individuals by investigating the circumstances of the breach.
- Step 3** **Notify** affected individuals if deemed appropriate in the circumstances.
- Step 4** **Review** the breach and the Council's response to consider longer-term action to prevent future incidents of a similar nature and improve the organisation's handling of future breaches.

The overriding principle to be followed is harm minimisation – minimising potential harm to affect individuals.

Council is required to report information security incidents that compromise the confidentiality, integrity, or availability of public sector information, which may cause 'limited' or greater damage to government operations, organisations, or individuals. These incidents are not limited to electronic information held on government systems and services but also include information held in physical formats (e.g., printed documents, photographs, recorded audio or video, or unauthorised verbal discussions).

10. Public Registers and Records

The following public registers and records are examples among those currently maintained by the Yarriambiack Shire Council that may include personal information.

Register / Record	Description
Allowances for Mayors, Deputy Mayors or Councillors	Details of current allowances fixed for the Mayor, Deputy Mayor and Councillors under section 39 of the <i>Local Government Act 2020</i> . This information is embedded in the Council's Annual Report.
Interstate Travel Register	Details of overseas or interstate travel undertaken in an official capacity by Councillors or any member of Council staff within the past 12 months, including the position title or department, departure date, return date, location, reason for travel, and total cost to the Council.
Council Meeting Agendas	Submissions received from the public in accordance with section 223 of the <i>Local Government Act 1989</i> during the previous 12 months. Submissions are listed as part of the Council Meeting Agenda.
Delegations and Authorisations Register	A register maintained under section 224(1A) of the <i>Local Government Act 1989</i> of authorised officers appointed under that section, combined with a register in accordance with section 11(8) and 47(7) of the <i>Local Government Act 2020</i> .
Leases and Licences Register	A document containing details of all leases involving land, which were entered into by the Council as lessor, including the lessee and the terms and the value of the lease.
Initial Personal Interest Return Register	A document that records the private interests of individuals in public office. This register helps ensure transparency and reduce conflicts of interest by documenting interests, both pecuniary and otherwise, that may conflict with a person's duties in accordance with section 135(3)(a) of the <i>Local Government Act 2020</i> .
Biannual Personal Interest Return Register	A document that records the private interests of individuals in public office biannually. This register helps ensure transparency and reduce conflicts of interest by documenting interests, both pecuniary and otherwise, that may conflict with a person's duties in accordance with section 135(3)(a) of the <i>Local Government Act 2020</i> .
Gifts, Benefits and Hospitality Register	A document that records all declared gifts, benefits, and hospitality offered to Council employees, ensuring transparency and compliance with the Council's policies and guidelines.
Donations and Grants	A list of donations and grants made by the Council during the financial year, including the names of persons or bodies which have received a donation or grant and the amount of each donation or grant. This information is embedded in the Council's Annual Report.

Memberships	A list of the names of the organisations of which the Council was a member during the financial year and details of all membership fees and other amounts and services provided during that year to each organisation by the Council. This information is embedded in the Council's Annual Report.
Register of Registered Dogs and Cats	A register of registered dogs and cats (including ownership details) in the municipality must be maintained by Council pursuant to section 18 of the <i>Domestic Animals Act 1994</i> .
Election Campaign Donation Returns	Election Campaign Donation Returns received from candidates during the Council Election in accordance with section 307(2) of the <i>Local Government Act 2020</i> .

Where reasonable, the personal information of Councillors, Senior Officers, and Senior Executive Officers, such as names and position titles, will be included in the registers. However, where practicable, the Council will refrain from disclosing the names, position titles, or other personal information of other Council employees or individuals.

11. Closed Circuit Television (CCTV)

Council operates CCTV systems installed at both fixed and mobile locations on land and buildings within the municipality. These systems are used to support the provision and management of Council services, assets, and facilities.

Data will be collected, stored, accessed, and disclosed in accordance with the *Privacy and Data Protection Act 2014*, the *Surveillance Devices Act 1999*, and any other relevant legislation.

For further details, please consult the Council's Closed Circuit Television (CCTV) Policy, which is available to the public. Additionally, the Closed Circuit Television (CCTV) Standard Operating Procedure and Operations and Maintenance Manual can be referenced, although it is not available to the public.

12. Health Privacy Principles (HPPS)

Council is committed to the *Health Records Act 2001* and the eleven principles that regulate how Council will collect, hold, manage, use, disclose or transfer health information.

For further details, please refer to the Council's Occupational Health and Safety and Wellbeing Guidelines.

13. Staff Training and Awareness

All Council employees receive training to enhance their awareness about their obligations regarding the collection and management of personal information in the workplace.

All new staff are required to complete the online training module 'Information Privacy' as part of their induction program and must agree to abide by the 'Employee Code of Conduct' in respect to the 'Privacy' requirements.

14. Victorian Local Government Privacy Guide

Yarriambiack Shire Council frequently refers to and abides by the Victorian Local Government Privacy Guide in its functions and decision-making processes. This guide serves as the overarching reference document in conjunction with this policy.

Council employees can access this guide via the Intranet Home Page, under the Policies and Procedures tab, in the Other Resources folder.

15. Related Documents and References

- *Privacy and Data Protection Act 2014*
- *Freedom of Information Act 1982*
- *Victorian Charter of Human Rights and Responsibilities Act 2006*
- *Public Records Act 1973*
- *Surveillance Devices Act 1999*
- *Local Government Act 1989*
- *Local Government Act 2020*
- Local Government (Governance and Integrity) Regulations 2020
- Local Government (Electoral) Regulations 2020
- Local Government (Planning and Reporting) Regulations 2020
- Closed Circuit Television (CCTV) Policy
- Closed Circuit Television (CCTV) Standard Operating Procedure and Operations and Maintenance Manual.
- Public Transparency Policy
- Complaints Handling Policy and Procedure
- Public Interest Disclosure Policy and Procedures
- Employee Code of Conduct
- Councillor Confidentiality Policy
- Freedom of Information Part II Statement
- Information Management Policy
- Information Management Procedure
- Yarriambiack Shire Council – Policies and Publications
Available at: [Policies and Publications - Yarriambiack Shire Council](#)
- Yarriambiack Shire Council – Information Privacy and Privacy Statement
Available at: [Information Privacy and Privacy Statement - Yarriambiack Shire Council](#)
- Office of Victorian Information Commissioner (OVIC) - Victorian Protective Data Security Standards
Available at: [Victorian Protective Data Security Standards V2.0 – Office of the Victorian Information Commissioner](#)
- Records Solution - Victorian Local Government Privacy Guide
Available at: [Victorian Local Government Privacy Guide - Records Solutions](#)
- Office of Victorian Information Commissioner (OVIC) - Information Privacy Principles Short Guide.
Available at: [Information Privacy Principles Short Guide – Office of the Victorian Information Commissioner](#)

16. Definitions

TERM	DESCRIPTION
Information Privacy Principles (IPPs)	The Information Privacy Principles (IPPs) are a set of ten principles that govern the handling of personal information, including its collection, management, storage, use, disclosure, and transfer by an organisation. These principles form the foundation of the

TERM	DESCRIPTION
	<i>Privacy and Data Protection Act 2014</i> and establish the minimum standards for managing personal information.
PDP Act	<i>Privacy and Data Protection Act 2014</i>
Personal Information	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. Personal information may include, but is not limited to, details such as a person's: • Name • Age • Weight or height • Income • Marital status • Education • Home address • Phone number • Employee details • Email address
Privacy Impact Assessment (PIA)	Is an assessment of any actual or potential effects that the activity or proposal may have on individual privacy and ways in which any adverse effects may be mitigated?
Public Registers	Public registers are documents, that Council are required to make publicly available pursuant to Victorian Government legislation. These registers are: • open to inspection by members of the public or made available on Council's website. • contain information required or permitted by legislation, • may contain personal information. The Yarriambiack Shire Council also makes available a number of non-statutory registers that may contain personal information.
Sensitive Information	Means information or an opinion about an individual's— • racial or ethnic origin; or • political opinions; or • membership of a political association; or • religious beliefs or affiliations; or • philosophical beliefs; or • membership of a professional or trade association; or

TERM	DESCRIPTION
	- membership of a trade union; or - sexual orientation or practices; or - criminal record— that is also personal information.
Unique Identifier	Means an identifier (usually a number) assigned by an organisation 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 and does not include an identifier within the meaning of the <i>Health Records Act 2001</i> .

17. Consistency with Governance Principles Local Government Act 2020

Governance Principle	Section of policy where covered
a) Council decisions are to be made and actions taken in accordance with the relevant law;	Section 1, 3, 4 and 16
b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;	Section 7 and 8
c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;	Section 1
d) the municipal community is to be engaged in strategic planning and strategic decision making;	Section 4 and 6
e) innovation and continuous improvement is to be pursued;	Section 18
f) collaboration with other Councils and Governments and statutory bodies is to be sought;	Section 15
g) the ongoing financial viability of the Council is to be ensured;	Section 9
h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;	Section 15

Governance Principle	Section of policy where covered
i) the transparency of Council decisions, actions and information is to be ensured.	Section 1, 3, 4, 6, 8, 9 and 10

In giving effect to the overarching governance principles, a Council must take into account the following supporting principles—

Community Engagement Principles	- A community engagement process must have a clearly defined objective and scope. - Participants in community engagement must have access to objective, relevant and timely information to inform their participation. - Participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement. - Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement. - Participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.
Comment:	Not applicable.
Public Transparency Principles	- Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act. - Council information must be publicly available unless— (i) the information is confidential by virtue of this Act or any other Act; or (ii) public availability of the information would be contrary to the public interest. - Council information must be understandable and accessible to members of the municipal community. - Public awareness of the availability of Council information must be facilitated.
Comment:	This policy aligns with the Public Transparency Principles by identifying how personal information is collected, managed, used, disclosed, or transferred by the Council. The policy also identifies public registers and records that are available to the community. This policy aligns with the Public Transparency Principles as it outlines the processes by which personal information is collected, managed, used, disclosed, and transferred by the Council. Additionally, the policy identifies various public registers and records that are available to the community. This transparency not only fosters trust and confidence among community members but also reinforces the Council's commitment to openness and accountability in its operations.

Strategic Planning Principles	• An integrated approach to planning, monitoring and performance reporting is to be adopted. • Strategic planning must address the Community Vision. • Strategic planning must take into account the resources needed for effective implementation. • Strategic planning must identify and address the risks to effective implementation. • Strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.
Comment:	Not applicable.
Financial Management Principles	• Revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans. • Financial risks must be monitored and managed prudently having regard to economic circumstances. • Financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community. • Accounts and records that explain the financial operations and financial position of the Council must be kept.
Comment:	Not applicable.
Service Performance Principles	• Services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community. • Services should be accessible to the members of the municipal community for whom the services are intended. • Quality and costs standards for services set by the Council should provide good value to the municipal community. • A Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring. • Service delivery must include a fair and effective process for considering and responding to complaints about service provision.
Comment:	This policy aligns with several Service Performance Principles by outlining how individuals can update and access their personal information held by the Council. It also details the services available to assist with these updates and address any data breach complaints.

18. Policy Review

This policy will be reviewed in conjunction with its associated procedures every three years.

From time to time, circumstances may require minor administrative changes to be made to this Policy. Where an update does not materially alter this Policy, such a change may be made administratively and need not be considered and adopted by Council.

Where any change or update may materially change the intent of this policy, or the legal responsibilities of any member of the community, it must be considered and adopted by Council, or by the Chief Executive Officer in reliance on delegated authority.

The 'Information Privacy and Privacy Statement' webpage is updated in conjunction with this Policy to ensure alignment with the latest revisions and stipulations. This ensures that all information provided remains current and accurately reflects our commitment to privacy and data protection.

19. Legislative Context

This policy has been developed to articulate the Council's obligations and commitments under the *Privacy and Data Protection Act 2014* (PDP Act) and the Information Privacy Principles (IPPs) as outlined in Schedule 1 of the PDP Act. It serves as a comprehensive framework to ensure that all personal information collected, managed, used, disclosed, or transferred by the Council is handled with the utmost care and in strict compliance with legal requirements. By adhering to these principles, the Council demonstrates its dedication to safeguarding the privacy rights of individuals and maintaining the highest standards of data protection.

Council Approved Policy

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