

Southern Rural Water (SRW) respects the privacy of every individual's personal and health information.

This policy has been written in accordance with Information Privacy Principle 5 (Openness), which requires an organisation to set out in a document clearly expressed policies on its management of personal information.

For clarity, we use the words 'personal information' to include personal information and health information. SRW does not intentionally collect health information but we may receive it in the course of our normal business processes.

Any personal information collected by SRW, whether from a member of the public, an agency or an SRW employee, will be handled according to this policy.

General principles

1. SRW collects personal information provided by applicants, complainants, government agencies, members of the public, employees and other third parties in compliance with its functions and obligations under the *Freedom of Information Act 1982 (FOI Act)* and *Privacy and Data Protection Act 2014 (PDP Act)*.
2. SRW collects personal information for the purpose of conducting its business or providing one or more of its functions or activities.
3. SRW will keep personal information received or obtained confidential, except when it is necessary or appropriate to disclose the information in the performance of its statutory obligations under the FOI Act or PDP Act, or as otherwise authorised or required by law.
4. Information collected by SRW may include but is not limited to the form of hard copy or electronic documents, or voice or video recordings.
5. SRW uses, discloses and holds the personal information it collects in accordance with the PDP Act, in particular the Information Privacy Principles (**IPPs**). Where health information is collected by SRW, SRW handles that information in accordance with the *Health Records Act 2001 (HR Act)*. SRW will not otherwise use or disclose personal information unless permitted by law.
6. SRW takes reasonable steps to protect the personal information it holds from misuse and loss, and from unauthorised access, modification or disclosure. In protecting personal information SRW complies with the Victorian Protective Data Security Framework.
7. SRW will provide an individual with reasonable access to their personal information held by SRW and will take reasonable steps to correct such information when requested by that person, in order to ensure that its records are accurate.

8. SRW may use de-identified information about enquiries, complaints and reviews for educational purposes, to encourage and support SRW to improve their compliance with information access, privacy and data security obligations under the FOI Act and PDP Act.
9. Information that SRW obtains is retained and stored in accordance with the requirements of the *Public Records Act 1973*, associated Public Record Office Victoria standards and SRW's internal records policy. SRW destroys individuals' personal information once it is no longer needed and destroys or returns personal information it collects from agencies when it is no longer needed.

Collection

'Personal information' is defined in section 3 of the PDP Act as "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".

'Health information' is regulated under the HR Act and is information that can be linked to an identifiable individual (including a deceased person), which concerns that individual's physical, mental or psychological health, disability or genetic make-up.

SRW may receive health information in the course of receiving the details of an enquiry, complaint or application for a review. Health information of SRW staff may also be collected from time to time, for example, in the course of approving personal leave.

When collecting personal or health information from an individual, SRW will take reasonable steps to advise that individual of what information is being sought, for what purpose(s), whether any law requires the collection of the information, how the individual can contact SRW, and the main consequences, if any, of not providing the information.

As far as is practicable, SRW will inform an individual of how it intends to use their personal or health information and to whom their information may be disclosed.

SRW will collect personal or health information directly from the relevant individual, where possible. However, SRW may also collect information about an individual from an agency, third party or a publicly available source. Where reasonably practicable, SRW will notify individuals when information about them has been collected from third parties.

Use and disclosure of information

SRW staff will only use or disclose personal or health information in carrying out the functions and activities of the Office. Generally, this means that SRW staff will not use or disclose information except for the primary purpose for which the information was collected. In some cases, SRW staff may also use or disclose information for a secondary purpose that an individual may reasonably expect, or with the individual's consent.

When SRW discloses or transfers information to another individual or body, it will take reasonable steps to preserve the privacy of the individual to whom the information relates (for example, by only providing information relevant to a matter or de-identifying information prior to its disclosure).

In certain circumstances, and in accordance with law, documents related to a complaint may be referred to the Victorian Civil and Administrative Tribunal (**VCAT**) or to another appropriate complaint handling body, such as the Health Complaints Commissioner or Victorian Ombudsman.

Some personal information related to the management of SRW might be disclosed to the Victorian Auditor-General where there is a lawful reason.

Other disclosures may be made with an individual's consent, or otherwise in accordance with the use and disclosure provisions of the PDP Act and the HR Act.

Access to and correction of personal information

SRW will make information it holds reasonably accessible to the individual to which it relates, and will provide such information on request. In some circumstances, SRW may ask that the request be submitted in writing to assist in identifying relevant information or documents.

SRW will endeavour to maintain accurate records. When an error is identified (either internally or by an external party) SRW will correct the information promptly.

SRW takes steps to verify the identity of any individual who requests access, or a correction, to their information held by SRW before considering the request.

SRW will not release or provide access to information to any other person or body, unless:

- it has been authorised to do so by the person to whom the information relates;
- it is permitted or required to do so by law; or
- it is appropriate or required in the performance of a function of the Office.

Requests for access to and/or correction of documents containing personal information held by SRW will be handled in accordance with the FOI Act and should be addressed in writing to:

Southern Rural Water
PO Box 153
MAFFRA VIC 3860

Data quality and security

SRW takes reasonable steps to ensure the information it holds is accurate, complete and up-to-date. Where possible, SRW staff will check the accuracy of personal or health information with the individual before using it.

SRW uses a combination of people, process and technology safeguards across information, ICT, personnel and physical security to protect information from misuse and loss, and unauthorised

access, modification and disclosure.

Information is destroyed or permanently de-identified when it is no longer required in accordance with the *Public Records Act 1973* and the relevant Retention and Disposal Authorities.

If SRW becomes aware that an individual's information has been inappropriately handled, SRW will take steps to inform the individual of the incident, and will take appropriate action to ensure that such a breach does not occur again.

Unique identifiers

SRW assigns unique identifiers to individuals as is necessary to enable the organisation to carry out any of its functions efficiently.

SRW adopts as its own, a unique identifier of the individual that has been assigned by the DELWP's Victorian Water Register, as it is necessary to enable the organisation to carry out any of its functions efficiently.

SRW will not request a unique identifier created by another organisation unless required by law, nor will SRW use or disclose a unique identifier created by another organisation unless there is a lawful basis for doing so.

Anonymity

When seeking general information from SRW, you do not have to identify yourself. If you wish to make an enquiry, no personal information will be collected or recorded unless SRW staff need this information to get back to you with an answer to your enquiry.

However, if you wish to make an application for review under the FOI Act or a complaint under the FOI Act or PDP Act, you will be required to provide your personal information, including your name, contact details, and particulars of the matter.

Transfer of information outside Victoria

Generally, SRW will not send your personal information outside Victoria. In the rare cases that this may be necessary, SRW will only send this personal information if the recipient of the information is bound by a scheme that is substantially similar to the IPPs or SRW has obtained your consent. In some cases, this consent may be implied. Any other transfers of information outside Victoria will be made in accordance with the provisions of the PDP Act.

Complaints about privacy

If you wish to make a privacy complaint against SRW you can do so by:

- phone on 1300 139 510
- email at privacy@srw.com.au
- post at PO Box 153 MAFFRA Victoria 3860

SRW treats complaints seriously and will try to resolve them fairly and quickly. If you make a complaint, SRW will work with you to resolve your complaint and keep you informed of its progress.

If you are not satisfied with how SRW deals with your privacy complaint, your complaint will be referred to an external, independent conciliator, who will attempt to resolve the complaint. If conciliation is inappropriate or unsuccessful, SRW can refer the matter to VCAT.

If you wish to make a complaint against SRW for a breach of privacy in relation to health information, you should contact the Office of the Health Complaints Commissioner.