

# PRIVACY POLICY



Policy Owner: SWS CEO  
Reviewed and Approved: 22 August 2023

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## 1. PURPOSE

The *Personal Information Protection Act 2004* (the Act) was introduced to protect the individual's right to personal privacy. Southern Waste Solutions (SWS) is committed to the Personal Information Protection Principles included in the Act. This policy explains the principles and how they may apply to dealings with SWS.

## 2. SCOPE

This policy applies to Authority members, Board members, employees and agents of SWS.

The policy covers all personal information held by SWS, including:

- information SWS has collected from individuals, as well as information we have collected from third parties,
- all information collected regardless of format and media, e.g. correspondence, forms (paper and electronic), in person, over the telephone or via SWS website.

## 3. DEFINITIONS

**Authority** is the Copping Refuse Disposal Site Joint Authority, trading as Southern Waste Solutions.

**Personal information** is any information or opinion in any recorded format about an individual that can be used to identify the individual who is alive or has not been dead for more than 25 years.

**Sensitive Information** includes information or an opinion about an individual's health, membership of a political association, membership of a professional or trade association, racial or ethnic origin, political opinions, trade union membership, philosophical or religious beliefs, sexual preferences or criminal record.

**Credit information** is personal information about an individual which is:

- Identification information (including name, address, date of birth, sex, current or last employer, driver licence number, previous names and two previous addresses),
- Information about the individual's current and past consumer credit liabilities,
- Information about other credit the individual has sought or obtained,
- Information about the individual's repayment history or financial hardship,
- Information held by a credit reporting body about the individual,
- Information about the individual's previous defaults, payments or new payment arrangements relating to credit provided to the individual,
- Information about the individual's insolvency,
- Information about court proceedings involving the individual, or
- Publicly available information about the individual's credit worthiness.

This policy deals with credit information when SWS is acting as a credit provider or agent of a credit provider.

## **4. POLICY**

### **4.1. PRINCIPLE 1 - COLLECTION**

**4.1.1** SWS will only collect personal information when it is necessary for its functions or activities.

**4.1.2** SWS will collect necessary personal information directly from an individual wherever it is reasonable and practicable to do so.

**4.1.3** SWS will collect necessary personal information only by lawful and fair means and not in an unreasonably intrusive way.

**4.1.4** In some instances, SWS will be required by law to collect personal information.

**4.1.5** SWS will only collect sensitive information where an individual has consented, or as permitted under the Act.

**4.1.6** Before, during, or as soon as practicable after collection of personal information, SWS will take reasonable steps to ensure that the individual is aware of:

- SWS's identity and how to contact it;
- their right to access the information;
- the purpose for which the information is collected;
- the intended recipients of the information;
- any law that requires the information to be collected;
- the main consequences (if any) for the individual if all or part of the information is not provided.

**4.1.7** If SWS collects personal information about an individual from a third party, it will take reasonable steps to make sure that the individual is aware of the matters referred to above, unless doing so would pose a serious threat to the life, safety, health or welfare of any individual, or would prejudice the carrying out of an investigation.

**4.1.8** A record of each visit to SWS website is made with its Internet Service Provider. The following information is logged for statistical purposes:

- an individual's server address;
- their top-level domain name (for example .net, .gov, .au, .com, etc);
- the date and time of the visit to the site;
- pages accessed and documents which were downloaded;
- the previous site visited; and
- the type of browser that is being used.

An e-mail address will only be recorded if a message is sent to SWS.

## **4.2. PRINCIPLE 2 – USE AND DISCLOSURE**

### **4.2.1** SWS will only use personal information within SWS, or disclose it outside SWS:

- for the purpose for which it was collected; or
- in accordance with the Act or as provided for in any other legislative provision; or
- where the individual has consented; or
- where it could be reasonably expected that consent would be provided.

### **4.2.2** SWS may use the information for purposes including, but not limited to, the following:

- to make contact in order to provide services requested by an individual, e.g. opening a debtor account.
- to make contact in order to resolve issues relating to SWS's services or functions, that an individual has brought to its attention, e.g. where they have reported a matter to be resolved by SWS such as a query regarding opening hours.
- to contact an individual before a meeting to confirm their attendance and advise them of any changes to the meeting details.
- to supply an individual with material concerning SWS initiatives and programs.
- to facilitate the collection of SWS fees and charges, e.g. SWS will use a person's name and address details to forward invoices.
- to enable payment for goods and services that SWS provided, e.g. SWS may collect an individual's credit card and bank account details.
- to update an individual's name and address details and verify the information.
- to contact an individual in case of an emergency.

### **4.2.3** In some circumstances, SWS must disclose an individual's information to other organisations. Examples of situations where disclosure may occur include:

- information relating to financial requests, for example, a direct debit, may be forwarded to our bank.
- if a workplace incident or other incident or accident occurs, information may be forwarded to SWS's worker's compensation, public liability or professional indemnity insurers.
- if an individual does not pay their invoices, SWS may forward their information to the courts and a debt collector may be appointed.
- in order to properly assess an application for credit, SWS may seek the advice of other entities and, in doing so, will provide details of the application, including any personal information included on the application to that entity.

## **4.3. PRINCIPLE 3 – DATA QUALITY**

### **4.3.1** SWS will take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete, up to date and relevant to its functions or activities.

### **4.3.2** An individual may update the personal information supplied to SWS. Details on how to do so are outlined under Privacy Principle 6.

#### **4.4. PRINCIPLE 4 – DATA SECURITY**

**4.4.1** SWS will take all necessary steps to make sure that personal information including credit information is stored safely and securely. Technological and operational procedures are in place to protect personal information from misuse and loss.

**4.4.2** SWS will destroy personal information where it is no longer necessary to fulfil the purposes for which it was collected, or as required by the *Archive Act 1983* or other legislation. It is usually destroyed seven years after it is last used. Some documents, for example original executed agreements, are kept at least seven years after they expire.

**4.4.3** In an event of security incident or data breach, appropriate actions will be taken in accordance with the SWS Information Technology Policy, and as directed by the insurance company, including reporting to relevant authorities and notifying affected individuals.

#### **4.5. PRINCIPLE 5 – OPENNESS**

**4.5.1** SWS will make this policy available upon request.

**4.5.2** On request by a person, SWS will take reasonable steps to let the person know, generally, what sort of personal information it holds and collects, for what purposes, and how it collects, holds, uses and discloses that information.

#### **4.6. PRINCIPLE 6 – ACCESS AND CORRECTION**

**4.6.1** Should an individual wish to access their personal information SWS holds, they can request access to the information by contacting SWS by phone on 03 6273 9712 or via email [info@swstas.com.au](mailto:info@swstas.com.au). Access will be provided except in the circumstances outlined by the Act, for example, where the information relates to legal proceedings or where the *Right to Information Act 2009* or the *Freedom of Information Act 1982* applies.

**4.6.2** An individual, who considers their personal information to be incorrect, incomplete, out of date or misleading, can request that the information be corrected by contacting SWS by phone on 03 6273 9712 or via email [info@swstas.com.au](mailto:info@swstas.com.au). Any amendment will be processed in accordance with the provision of the Act.

#### **4.7. PRINCIPLE 7 – UNIQUE IDENTIFIERS**

**4.7.1** A unique identifier is a reference that enables the identification of a particular person (e.g. your driver's licence number).

**4.7.2** SWS will only assign unique identifiers if this is necessary to carry out any SWS functions or responsibilities, or it is required by law.

#### **4.8. PRINCIPLE 8 – ANONYMITY**

**4.8.1** SWS will, where it is lawful and practicable, give individuals the option of remaining anonymous when entering into transactions with SWS.

**4.8.2** However, as anonymity may limit SWS’s ability to process a complaint or other matter, SWS reserves the right to take no action on any matter if an individual chooses not to supply sufficient personal information.

#### **4.9. PRINCIPLE 9 – TRANS BORDER DATA FLOWS**

**4.9.1** SWS will transfer personal information to a region outside Tasmania only if authorised by law or with the consent of the individual.

#### **4.10. PRINCIPLE 10 – SENSITIVE INFORMATION**

**4.10.1** SWS will only collect sensitive information when individuals have consented, or as permitted under the Act or required by law.

**4.10.2** Sensitive information will be treated with the utmost security and confidentiality and only used for the purpose for which it was collected.

### **5. COMPLAINTS**

A person who is not satisfied with the handling or the outcome of a request for access to or correction of personal information, may contact SWS to make a complaint by phone on 03 6273 9712 or via email [info@swstas.com.au](mailto:info@swstas.com.au). Each complaint will be investigated within 10 business days and a written response will be provided.

Alternatively, to lodge a complaint with the Ombudsman's Office, contact by phone on 1800 001 170 (cost of a local call outside Hobart area), or by email at [ombudsman@ombudsman.tas.gov.au](mailto:ombudsman@ombudsman.tas.gov.au).

### **6. RELATED LEGISLATION AND DOCUMENTS**

- *Personal Information Protection Act 2004* (Tas)
- *Archives Act 1983* (Cth) or SWS Records Management Policy
- SWS Information Technology Policy
- Conduct Policy Statement
- Compliance Policy

### **7. FURTHER INFORMATION AND DATE OF REVIEW**

Policy Owner	CEO, Southern Waste Solutions
Policy approved by	CEO, Southern Waste Solutions
Approval date	22 August 2023
Next review date (unless a need arises earlier)	August 2026

#### **Further information**

Please contact Southern Waste Solutions by phone on 03 6273 9712 or via email [info@swstas.com.au](mailto:info@swstas.com.au).