

**State Water Policy: SW2005-P0075*****Privacy Policy*****Guidance to Staff on collecting or releasing information that is sensitive and Confidential**

This privacy policy details how State Water Corporation deals with personal information and health information it collects to ensure that it complies with the Privacy and Personal Information Protection Act 1998 (NSW) OR the Privacy Act 1988 (Cth) and the Health Records and Information Privacy Act 2002. In the privacy policy, a reference to 'information' is a reference to both personal information and health information. (For more information refer to the State Water Privacy Statement.)

State Water Corporation Guidelines are adapted from the ***NSW Privacy and Personal Information Protection Act 1998***, Sections 8 – 19.

State Water Corporation ('State Water') in its daily activities, is required to collect, use, store and disseminate information. Some of that information relates to personal information and to the health of individuals.

State Water intends to apply the general principles set out in the *Privacy and Personal Information Protection Act 1998 (NSW)*, as if it were bound by that Act, to ensure that the personal information of individual's is dealt with in a manner consistent with these principles.

The Manager of each branch is to ensure that the information management practices of each branch is in accordance with the guidelines set out below.

**Application of principles to State Water*****a. Collection of personal information*****Principle 1**

The collection of personal information must be lawful (i.e. directly related to State Water's functions) and necessary to that purpose.

**Principle 2**

Personal information must be collected directly from the individual, and the individual must be notified of the purpose for which the information is collected, and who will be storing it (eg State Water Head office). This information needs to be accurate, up to date and complete.

***b. Retention of personal information*****Principle 3**

The information that State Water collects, whether it be from a member of the public or a State Water employee, eg salary package information, health information, disciplinary proceedings; must be protected against unauthorised access and misuse. The information must be disposed of securely and only held for the period required. Payroll information and Health information held by State Water is protected by secure access procedures which enable only authorised staff to access these records.

***c. Access to personal information*****Principle 4**

If an individual requests access to information, they must be notified of whether State Water holds the information, the main purpose for which the information is being used,

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their entitlement to gain access to and amend the information. State Water must provide access to an individual to their own personal information, at their request, without excessive delay or expense.

**d. Amendments to personal information****Principle 5**

If an individual requests than an appropriate amendment, correction or update be made, then this must be undertaken to ensure that their personal information is accurate, relevant to the purpose of collection, up to date, complete and not misleading. The information can be altered by the State Water employee who has been involved in the information gathering process such as the manager responsible for human resources management or the relevant manager or officer responsible for a project or activity giving rise to the publication of incorrect personal information.

**e. Use of personal information by State Water****Principle 6**

Personal or health information used by State Water must be checked for accuracy and used only for the purpose for which it was collected. An exemption available is that if the individual has consented to its use, or if it is necessary to prevent or lessen a serious or imminent threat to life or health.

**f. Disclosure of personal information****Principle 7**

The State Water information holder must not disclose personal information to a third party. Personal information must not be disclosed if it relates to an individual's:

- ethnic or racial origin,
- political opinions,
- religious or philosophical beliefs,
- trade union membership,
- health or sexual activities.

**Exemptions:**

- if it is directly related to the purpose of collection, and State Water has no reason to believe that the individual concerned would object;
- if the individual to whom the personal information relates has been made aware, or is likely to be aware that information of that kind is usually disclosed to that person or body;
- if the State Water holder believes on reasonable grounds that disclosure is necessary to prevent or lessen a serious or imminent threat to life or health. This also applies to personal information disclosed to State Water by another person or body.

For further information please contact John de Groot, State Water Risk and Compliance Manager, on 9354 1047.

**Policy Administration**

The responsibility and authority to implement and enforce this policy rests with each Manager who has employees who handle confidential personal information. This responsibility includes effective communication of the policy and any necessary related procedures to all affected staff. Approval to deviate from this policy can be given only by the Chief Executive Officer.

**Feedback**

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Feedback on this policy is welcome. Feedback and enquiries in relation to this policy should be directed to the Strategy and Governance branch on (02) 9354 1047.

**Adopted by:** Management Team Board, 2005

**Issued by:**

Marysia Derewlany  
Manager Strategy and Governance  
(02) 9354 1084

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