



Department of  
**Local Government, Sport  
and Cultural Industries**



# Privacy Policy (Interim)

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# 1 Purpose

In performing its functions and administering its portfolio legislation, the Department of Local Government, Sport and Cultural Industries (DLGSC; department) deals with personal and sensitive information about individuals.

## 2 Scope

This Privacy Policy (Policy) applies to any personal and sensitive information collected, held, used, disclosed, secured, stored, and protected by DLGSC.

## 3 Objectives

This Privacy Policy aims to:

- communicate DLGSC information handling practices
- enhance the transparency of DLGSC operations
- give individuals a better and more complete understanding of the personal and sensitive information DLGSC holds and how the department deals with that information.

## 4 Definition of terms

**Personal information:** Means information or an opinion about an identified, or reasonably identifiable individual.

**Sensitive information:** Refers to a subset of personal information, which includes information or an opinion about an individual's health, genetics, race, ethnicity, political opinion or association, religion, philosophical beliefs, union membership, sexual preference, and criminal record.

## 5 Policy requirements

### 5.1 What privacy law does DLGSC comply with?

The *Privacy Act 1988* (Cth) (Privacy Act) applies to various Commonwealth entities. Schedule 1 of the Privacy Act sets out 13 Australian Privacy Principles (APPs) which regulate the collection, use, disclosure and storage of personal information by such entities, as well as how individuals can access and correct personal information about them that is held by an entity.

The Privacy Act does not currently extend to State Government agencies, nor is there currently WA legislation implementing a data privacy regime. Until such time as more substantial guidance and/or legislative measures are available, the [Interim Privacy Position](#) for the WA public sector is that agencies

should ensure their actions are consistent with applicable APPs with primary emphasis upon Principle 6 – ‘use or disclosure of personal information.’

DLGSC therefore complies with the State’s Interim Privacy Position when dealing with personal and sensitive information to the extent possible and where the information is not regulated by other laws or confidentiality obligations.

Some information collected by DLGSC may be protected by confidentiality and disclosure obligations under the department’s portfolio legislation or other State legislation. These provisions contain rules for the collection, use and disclosure of information (which may include personal information) and generally override the department’s obligations under the Interim Privacy Position and the APPs.

## **5.2 How DLGSC collects personal information**

DLGSC only collects personal information for purposes reasonably necessary for, or directly related to the department’s functions or activities, or when the information is knowingly or voluntarily provided by an individual.

DLGSC collects personal information directly from individuals’ or their authorised representative(s) through (among other ways):

- forms
- correspondence
- interactions in person, online or over the phone
- surveys or questionnaires
- partner and service providers
- events hosted by DLGSC
- DLGSC website and social media channels.

DLGSC may also collect personal information from other sources including:

- third parties where it is unreasonable or impractical to collect it from the individual.
- a publicly available source.

Third parties may include other Commonwealth, State and Local government agencies, law enforcement agencies, foreign governments, sponsors, legal or medical practitioners, organisations that a person has nominated, education providers, employers, and members of the public who contact us with information.

## **5.3 Kinds of personal information collected by DLGSC**

Examples of the types of personal information DLGSC may collect include:

- an individual’s name, address and contact details
- information about a person’s identity (e.g. date of birth, country of birth, passport details, visa details, drivers’ licence, birth certificates, ATM cards)
- information about an individual’s personal circumstances (e.g. marital status, age, gender, occupation, accommodation and relevant information about their partner or children)

- information about a person’s financial affairs including funding arrangements.
- information about a person’s employment (e.g. work history, referee comments, remuneration)
- information about a person’s background (e.g. educational qualifications, the languages they speak and their English proficiency)
- government identifiers (e.g. Centrelink Reference Number or Tax File Number).
- photographs, video recordings and audio recordings
- voice print and facial recognition biometrics
- location information from a mobile device
- information recorded by the DLGSC webserver when an individual visits the DLGSC website, including the individual’s:
  - server address
  - top level domain name (e.g. .com, .au, .gov)
  - the date and the time of the visit to the site
  - the pages accessed and downloaded
  - the address of the last site visited
  - operating system
  - the type of browser in use

## **5.4 Purposes for which DLGSC collects and holds personal information**

DLGSC collects personal information (other than sensitive information) where it is reasonably necessary for one or more of its functions and activities, including:

- performing employment and personnel functions in relation to staff and contractors
- performing legislative and administrative functions
- policy development, research, and evaluation
- complaints handling
- program management
- managing correspondence with the public
- providing services to the community, such as:
  - helping Aboriginal people to locate historical records about themselves and their direct ancestors through family history research requests
  - Racing Gaming and Liquor applications, licences, and game results
  - Combat Sports permits and registrations
  - Camp Bookings for DLGSC recreational camps

DLGSC will only collect sensitive information about an individual if the individual consents to the sensitive information being collected, except in limited circumstances permitted under the Privacy Act (e.g., where authorised by an Australian law or court/tribunal order).

In some circumstances, members of the public may have the right to remain anonymous or adopt a pseudonym when dealing with DLGSC, for example when completing some online forms or making public submissions.

## **5.5 Purposes for which DLGSC uses and discloses personal information**

DLGSC will generally only use and disclose personal information for the purpose for which it was collected (**primary purpose**).

DLGSC may use or collect the information for another purpose, and for (**secondary purpose**) where permitted under the APPs, for example where:

- the individual has consented
- the individual would reasonably expect the APP entity to use or disclose their personal information for the secondary purpose, and that purpose is related to the primary purpose of collection, or, in the case of sensitive information, directly related to the primary purpose
- the secondary use or disclosure is required or authorised by or under an Australian law or a court/tribunal order
- DLGSC reasonably believes that the secondary use or disclosure is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body
- DLGSC has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the department's functions or activities has been, is being or may be engaged in.

## 5.6 How DLGSC protects personal information

DLGSC takes reasonable steps to ensure that the personal information that the department holds is kept confidential and secure, including by:

- maintaining robust physical security of its premises
- maintaining robust security of its electronic systems
- limiting access to certain information to only those who require it
- having robust cyber security measures in place.

## 6 Requesting access to or amendment of your personal information

DLGSC will endeavour to ensure the personal information it collects, uses or discloses is accurate, complete and up to date.

The *Freedom of Information Act 1992* (WA) (FOI Act) provides persons with the right to access certain information held by DLGSC.

The FOI Act also provides individuals with a right to apply for amendment of their personal information, or the personal information about a dead person where the applicant is the dead person's closest relative, if the information held by DLGSC is inaccurate, incomplete, out of date or misleading.

Further information about applications for access to or amendment of personal information under the FOI Act, as well as the application form, is available on the [DLGSC FOI webpage](#).

## 7 Retention of personal information

The retention and destruction of records of personal information held by the Western Australian Government is governed by legislation, including the *State Records Act 2000 (WA)*, and supporting policies and procedures.

The department will not keep personal or sensitive information for longer than is needed. In most cases, this means that the department will only retain your personal information for the duration of your relationship with us, or where it is no longer required for the purpose for which it was collected, unless the department is required to retain your personal information to comply with applicable laws and policies.

## 8 Complaints, compliments, and suggestions

If a person has a complaint about how DLGSC has handled their personal information, or wishes to allege a breach of the APPs, they may do so by lodging an online form. The complaint will be dealt with in accordance with the DLGSC Complaint Handling Policy and Procedure.

Further information on how to submit a complaint is available on the [DLGSC webpage](#).

## 9 Related guidance

To access a copy of the Privacy Policy in another form, or provide feedback on the Policy, contact DLGSC by emailing [info@dlgsc.wa.gov.au](mailto:info@dlgsc.wa.gov.au)

This policy aligns with the:

- [Freedom of Information Act 1992 \(WA\)](#)
- [Privacy Act 1988 \(Cth\)](#)
- [State Records Act 2000 \(WA\)](#)

## 10 Document information

Approved by	Corporate Executive	Date: 31/07/2024
Status	Approved	
Version	1.0	
Policy Owner	Manager Information Services	
Primary Contact	Manager Information Services	
Effective date	24/07/2024	

Next review date	24/07/2026
File reference	23/5470

## Version history

A version is created upon initial approval and thereafter when significant amendments are made. List any committee endorsement and the approval details.

Version	Date	Name & Position / Committee	Status / Notes
1.0	13/06/2024	Corporate Policy Committee	Endorsed
1.0	31/07/2024	Corporate Executive	Approved