

Purpose

This Privacy Policy describes how Whitsunday Regional Council (Council, we, our, us) handles personal information, including sensitive information, consistent with our obligations under the Queensland *Information Privacy Act 2009* (**Queensland Privacy Act**) including the Queensland Privacy Principles (**QPPs**), and the *Right to Information Act 2009* (**RTI Act**).

Through this policy we seek to:

- enhance the transparency of our operations
- give individuals a better and more complete understanding of the personal information we may collect and hold and the way in which we deal with that information
- provide guidance on how individuals can access and correct their own personal information or make a privacy complaint.

Scope

This policy is applicable to:

- all council employees, contractors, volunteers, temporary, casual workers, and councillors, in their role of collecting and handling personal information
- all of Council's functions and activities.

For more information about Council's functions and activities please visit: -
<https://www.whitsundayrc.qld.gov.au>.

Policy Statement

Council values your privacy and takes its obligations under the Queensland Privacy Act including the QPPs and the RTI Act (together, the **Acts**) seriously.

We will only collect personal information about you in a fair and lawful way and in a manner that is not unreasonably intrusive. This means that we will not use any form of deception or threat when we collect personal information, either from you or from anyone else.

This privacy policy sets out how we collect, use, disclose and store personal information, including sensitive information, in accordance with the QPPs and how you can access and correct the personal information we hold about you, or make a complaint about our handling of your personal information.

The meaning of personal information and sensitive information are set out in section 11 (Definitions) on this privacy policy.

1. Who we may collect personal information about

We collect and hold personal information when it is reasonably necessary for, or directly related to, our functions or activities.

We may collect your personal information if you:

- have provided your personal information to us or are otherwise an individual whose personal information may be given to or held by us, including if you are a resident or visitor to the region or otherwise use our services, programs and facilities
- have an agreement with government agencies delivering services to local government
- are a contractor, consultant, supplier or vendor of goods or services to us

- are a person seeking employment with us, or who is or was employed by us.

See section 2 (What personal information we may collect and hold) and section 5 (Why we collect, hold, use and disclose personal information) for further information.

2. What personal information we may collect and hold

We will only collect personal information where it is reasonably necessary for, or directly related to, Council's functions or activities.

We will only collect sensitive information about you if:

- you consent and the sensitive information is reasonable necessary for, or directly related to, Council's functions and activities
- the collection is authorised or required under Australian law or a court or tribunal order, or
- the collection is otherwise allowed under the Queensland Privacy Act.

The kinds of personal information and sensitive information we collect will be based on the Council services you engage with or our relationship with you, and may include the following information.

Information about you, such as your:

- name
- address
- gender
- date of birth
- contact details.

Information about your circumstances, such as your:

- employment information
- education background and status
- financial situation
- cultural and linguistic background
- race and ethnicity
- citizenship and visa status
- travel movements
- political opinions or religious beliefs
- health, welfare and disabilities
- family and relationship circumstances
- eligibility to work with children
- any criminal record you may have

Information about your family and other related persons, such as any:

- partners
- children
- dependants
- carers
- nominees or authorised representatives

Information about your interactions with us, such as:

- property ownership
- bank account details
- applications and claims you've made

- animal or pet ownership
- payments or services we provide you
- feedback and complaints
- public questions, attendance at a public meeting, event or function held by Council
- submissions and responses to our community consultations
- any other special service arrangements.

We may also collect information about you to help us establish and verify your identity, administer records and comply with laws, including:

- government identifiers:
 - Pensioner Concession Reference Number
 - Tax File Number
 - Australian Business Number (ABN)
 - Council File Numbers
- business information related to sole traders and partnerships
- photographic images, pictorial representations, video records and audio of you
- your vehicle description and registration details
- enforcement actions by Council affecting you or your property(ies)
- reference checks to verify your eligibility and/or suitability
- with consent, biometric information (such as facial recognition and/or fingerprints) of our staff and contractors

We may also collect information about how you use our online services and applications, such as:

- pages you visit
- online forms you fill in
- your interactions
- browser information including browser type, computer operating system and internet protocol (IP) address
- information about your preferences on a website
- successful and unsuccessful attempts at authenticating or making payments on Council sites
- your chats with our virtual assistants
- your language preferences
- searches you make

See section 7 (Online privacy) for further information.

We understand that from time to time you may not want to provide your personal information to us. Council will allow you to remain anonymous or use a pseudonym where it is lawful and practicable, such as when responding to a survey or providing feedback. However, in some circumstances, Council may be required or authorised by law to collect this information or it will be impracticable for Council to deal with you anonymously or through use of a pseudonym. Where this is the case, not providing this information or providing incomplete or incorrect information may mean that we are not able to provide you with the services or information you require, or enter into or continue a particular type of relationship with you.

3. How we collect personal information

We will generally collect your personal information directly from you. The ways in which we collect personal information may include, but is not limited to:

- through your access and use of our website, applications and other web-based channels
- during conversations with you via telephone, in person and our virtual assistants

- through written correspondence with you, including email and surveys
- when you subscribe to our e-Newsletters;
- when you complete an application or form
- when register for or attend our events
- when you reside in or visit the Whitsunday region, including through use of public wifi, CCTV and our parking facilities.

We may collect personal information from third parties including, but not limited to:

- persons who are authorised to act on your behalf, such as a family member, carer or professional representative
- other government agencies
- law enforcement agencies
- credit reporting agencies
- service providers to Council
- if you are seeking employment or work with us, your current or former employer/s
- publicly available sources.

Collection of personal information from a third party may occur if:

- you consent
- collection from the third party is required or authorised under Australian law or a court or tribunal order, or
- direct collection is unreasonable or impracticable.

In limited circumstances Council may receive personal information where the Council has not asked for and does not require the personal information. This is referred to as 'unsolicited personal information'. In these circumstances, we will consider whether Council could have lawfully collected the personal information had it solicited the information and will handle it in accordance with the QPPs.

4. How we store and protect your personal information

We take reasonable steps to protect your personal information from misuse, interference, loss and from unauthorised access, modification or disclosure. This includes the following:

- Secure storage – Storing electronic and paper records securely in accordance with the Information Security policy, Essential 8 and NIST security frameworks.
- Access restrictions – Restricts access to those employees who need access in order to perform their duties and provide the required services.
- Auditing – Regularly updating and auditing our storage and data security systems.
- Contractual measures – Taking contractual measures to ensure contracted service providers (including sub-contractors) comply with the same privacy requirements applicable to Council.
- Destruction and disposal – When information is no longer required it is securely destroyed in accordance with the *Public Records Act 2023* and the Queensland Records Governance Policy or where information is classified as a permanent record securely transferred to Queensland State Archives.

5. Why we collect, hold, use and disclose personal information

Personal information you provide to us through our customer service centres, email, websites, customer surveys or Council representatives will be recorded for information or action and be stored and used in accordance with the *Information Privacy Act 2009*, QPPs, *Public Records Act 2023*, *Local Government Act 2009*, other relevant legislation (as required), and to provide services as requested.

We may also collect, hold, use and disclose your personal information to:

- confirm your identity
- communicate with you, including by SMS, email
- process, manage and respond to requests for information, services or applications
- update our records and keep your information and contact details up-to-date
- conduct business processing functions and transactions with you, including levying and collecting rates
- ensure correct payments are made
- verify data provided in relation to claims
- undertake our recruitment, employment and personnel functions
- record, investigate and manage complaints and feedback
- administer and provide our services, programs and resources, including online services
- protect your safety, security and wellbeing at council-controlled venues, events, functions, forums and programs
- operate and protect Council's infrastructure, facilities and assets
- protect the environment and local amenity
- ensure public safety, security and well-being
- emergency response, incident management and disaster recovery
- create statistics for decision making and legislative reporting
- verify or fact check information you have provided to us or as due diligence in relation to public funds
- perform investigations and audits for fraud and compliance, and take appropriate action
- administer and enforce legislation and regulations, including enforcement actions by Council affecting you, your property or your business
- undertake our internal administration, operations and planning activities
- fulfil legal requirements and protect and enforce our legal rights and interests, including any recovery action
- analyse, improve and develop our services, resources and facilities.

Where we have collected your personal information for a particular purpose, we will only use or disclose it for another purpose with your consent or where we are otherwise permitted to under the QPPs. We will give you information about the purposes for which we collect your personal information when we collect it.

6. How we disclose personal information

We may disclose your personal information for the purposes specified in this privacy policy to:

- our employees, contractors or service providers for the purposes of fulfilling our functions and activities, fulfilling requests made by you, and to otherwise provide information, products and services to you including, without limitation, web hosting providers, IT systems administrators, cloud computing services, mailing houses, couriers, payment processors, data entry service providers, debt collectors, and professional advisors (including accountants, solicitors, business advisors and consultants)
- suppliers and other third parties with whom we have commercial relationships
- other government agencies for legislative or safety purposes

- emergency and support organisations if you are affected or at potential risk in the time of an emergency or disaster, or following during recovery efforts
- any organisation for any authorised purpose with your consent.

Your personal information will not be shared or disclosed other than as described in this privacy policy unless:

- you consent
- the disclosure is authorised or required by or under an Australian law or court or tribunal order, or
- is otherwise permitted under the Queensland Privacy Act.

Disclose to overseas recipients

We use some third parties located overseas to deliver services. Wherever possible we have put in place contractual measures to ensure that these third parties only use your personal information for the purposes of delivering their services to us. Where these services are utilised we encourage you to review their privacy statements separately as they may be subject to local legislation.

Countries these services operate from include New Zealand, United Kingdom, and United States of America.

Services utilised overseas

e-Newsletters - When you sign up to a Council eNewsletter service using either MailChimp or Klavyio to receive news and updates about specific Council services you are agreeing to your personal information captured during the sign-up process being stored overseas.

Social media platforms - When you communicate with us through a social network service such as Meta, X or LinkedIn, the social network provider and its partners may collect and hold your personal information overseas.

Website analytics – When you access our website/s, we utilise Google Analytics and Google reCAPTCHA to understand usage of our websites to improve services. These products capture data about the technology you use and approximate location and store this information overseas on Google's servers to provide Council with statistical data.

7. Online privacy

Cookies

Cookies are small text files that we may place on your device that store information in order to recognise your device each time you visit our website. Our website uses session cookies and persistent cookies [and similar technologies] to maintain user sessions, track the behaviour of visitors and improve user experience. For example, cookies allow us to analyse and improve our website, display personalised content and store your preferences on your device. We generally cannot identify you from this information. This information will be used and disclosed by us in anonymous, aggregated form only unless we are legally compelled otherwise. This may include where a law enforcement body exercises a warrant to inspect the Internet Service Provider's log files.

You can choose if and how your device accepts cookies by configuring the cookie settings in your browser. Most web browsers are set by default to accept cookies. If you do not wish to receive cookies you may set your browser to either prompt or refuse cookies. If you block all cookies, you may not be able to access and/or use all or parts of our website.

Links to external sites

Our website may contain links to other websites. We cannot control and are not responsible for the privacy practices of linked websites and linked websites are not subject to our privacy policies and procedures.

Social networking services

We may use social networking services such as [X (formerly Twitter), Facebook, Instagram and LinkedIn] to communicate with the community. When you communicate with us using these services, we may collect your personal information (including your name, handle/username and contact information) but we will only use this information to communicate with you. The social networking service will also handle your personal information for its own purposes in accordance with their own privacy policies and practices. We are not responsible for the privacy practices of social networking sites and social networking sites are not subject to our privacy policies and procedures.

8. How to access or correct your personal information

Access

Individuals may request access to their own personal information held by Council. There is no charge associated with making a request and Council will process the request and provide access to the information, in most cases, within 25 business days.

Personal information documents include information on any matter of personal or private concern to an individual such as account details, correspondence, and employment records.

The more information an individual can provide about dealings they have had with Council, the easier and more quickly information can be located.

For security reasons, and to protect individuals' privacy, applicants will be asked to show proof of their identity.

To access personal information, please [contact Council by email, phone or in person](#). Depending on your request, you will be directed to either a specific department about your account / request or if your request is to access all personal information, you will be directed to Council's Governance team.

Where the request is to access all personal information you will be requested to complete the [Right to Information and Information Privacy Access Application form](#) located the [RTI Queensland Government website](#).

Amendment or Correction

Individuals wishing to update their contact information with Council can complete a Change of Address form from Council's website and return the completed form to Council. The new contact details will be updated for all accounts and requests unless otherwise specified.

Individuals may request the amendment of their own personal information held by Council which is considered to be inaccurate, out-of-date, incomplete, irrelevant or misleading. Such requests should be

attentioned to Council's Governance department outlining what aspects of the information are believed to be inaccurate, incorrect or out-of-date.

Information will generally not be amended if it is intended to reflect a particular point in time and the information was correct at that time. The *Public Records Act 2023* also limits changes to local government records.

There is no charge associated with making a request, and notification of the outcome will be provided, in most cases, within 25 business days. If the department refuses to correct or amend the information a written explanation will be provided.

9. How to make a privacy complaint

If you wish to make a complaint about our handling of your personal information, first try to resolve the issue with the person you've been dealing with or ask to speak to their supervisor.

If your issue is not resolved satisfactorily or you suspect your personal information has been breached please submit your complaint in writing by email, in person or post. We are committed to a quick and fair resolution of complaints. Every complaint will be treated confidentially, investigated through our complaints handling process and you will be advised of the outcome.

If you are not satisfied with our response to your complaint, you may request an external review by the Queensland Ombudsman's Office via their website. If you require assistance to complete the form you can contact their enquiry line on 07 3005 7000.

10. Contact us

You can contact us for further information in relation to our privacy policy, including:

- Ask for access to or correction of your personal information
- Make a privacy complaint
- Ask a question about this policy or about how we handle your personal information
- Access this policy in an alternative format (free of charge).

Please refer to Council's website contact us page and attention any written correspondence to the Governance team.

We may change this privacy policy from time to time. Any updated versions of this privacy policy will be posted on our website.

11. Related Policies and Legislation

This policy refers to the following legislation, policies and processes:

Information Privacy Act 2009

Right to Information Act 2009

Queensland Privacy Principles (QPPs)

Public Records Act 2023

Service Requests and Complaints process

Administrative Action Review process

Right to Information and Information Privacy Access Application form

12. Definitions

Session cookies exist only for the duration of a web browser session with a particular website/host. These cookies will be immediately lost when a person ends their internet session or shuts down their computer. Our copy of each user's information will be automatically deleted twenty minutes after they have last used the system. We only use this information to help people use our website systems more efficiently. We do not use the information to track their movements through the internet, or to record personal information about them.

Persistent cookies stay in one of a user's browser subfolders until that person deletes them manually or their browser deletes them based on the duration period contained within the persistent cookie's file. This period is usually beyond the termination of the current session.

Google Analytics is a third-party service that records site visitation and usage to help us understand how our websites are being used in order to improve the services we offer. Google Analytics uses cookies to analyse how you use our websites. No identifying information is collected by Google Analytics and parts of your IP address are masked so your identity remains anonymous. Data captured by Google Analytics is processed and stored in the USA. If you don't want your data being used by Google Analytics when visiting our website, you can opt out by using the [Google Analytics opt-out browser add-on External Link](#).

Personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion –

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

Sensitive information for an individual, means the following:

- (c) information or an opinion about an individual's:
 - (i) racial or ethnic origin; or
 - (ii) political opinions; or
 - (iii) membership of a political association; or
 - (iv) religious beliefs or affiliations; or
 - (v) philosophical beliefs; or
 - (vi) membership of a professional or trade association; or
 - (vii) membership of a trade union; or
 - (viii) sexual orientation or practices; or
 - (ix) criminal record;
- (d) health information about an individual; or
- (e) genetic information about an individual that is not otherwise health information; or
- (f) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- (g) biometric templates

COUNCIL POLICY (Governance use only)

Date Adopted by Council	30/07/2025	Council Resolution	OM2025/07/30.13
Effective Date	01/08/2025	Next Review Date	30/06/2026
Responsible Officer(s)	Governance	Revokes	