

PRIVACY POLICY

Policy number	005	Version	2
Drafted by	PA	Approved by Board on	7 March 2024
Responsible person	MWA Board	Scheduled review date	4 March 2027

INTRODUCTION

The Board of Municipal Works Australia is committed to protecting the privacy of personal information that the Association collects, holds, and administers. Personal information is information that directly or indirectly identifies a person.

PURPOSE

This document provides a framework for Municipal Works Australia to deal with privacy considerations.

POLICY

Municipal Works Australia collects and administers a range of personal information to market the association's services and provide association members with news and information. The Association is committed to protecting the privacy of personal information it collects, holds, and administers.

Municipal Works Australia recognises the essential right of individuals to have their information administered in ways they would reasonably expect protected on the one hand and made accessible to them on the other. These privacy values are reflected in and supported by our core values and philosophies and reflected in our Privacy Policy, which is compliant with the Privacy Act 1988 (Cth).

Municipal Works Australia is bound by laws that impose specific obligations when handling information. The Association has adopted the following principles as minimum standards concerning taking personal information.

Municipal Works Australia will

- Collect only information which the Association requires for its primary function.
- Ensure stakeholders are informed about why we collect the information and how we administer the information gathered.
- Use and disclose personal information only for our primary functions, a directly related purpose, or another purpose with the person's consent.
- Store personal information securely, protecting it from unauthorised access; and
- Provide stakeholders access to their information and the right to seek correction.

AUTHORISATION

A handwritten signature in black ink, consisting of a stylized, cursive 'M' followed by a long horizontal line extending to the right.

MAURO STARC | BOARD CHAIR
MUNICIPAL WORKS AUSTRALIA

7 MARCH 2024

PRIVACY PROCEDURES

Procedures number	005	Version	2
Drafted by	CEO	Approved by CEO on	7 March 2024
Responsible person	CEO	Scheduled review date	7 March 2027

RESPONSIBILITIES

Municipal Works Australia’s Board is responsible for developing, adopting, and reviewing this policy.

Municipal Works Australia’s CEO is responsible for the implementation of this policy, monitoring changes in Privacy legislation and advising on the need to review or revise this policy as and when the need arises.

PROCESSES

Collection

Municipal Works Australia will:

- Only collect information that is necessary for the performance and primary function of Municipal Works Australia.
- Notify stakeholders why we collect the information and how it is administered.
- Notify stakeholders that this information is accessible to them.
- Collect personal information from the person wherever possible.
- If collecting personal information from a third party, be able to advise the person whom the information concerns from whom their data has been collected.
- Collect Sensitive information only with the person’s consent. (Sensitive information includes health information and information about religious beliefs, race, gender, and others).
- Determine where unsolicited information is received, whether the personal information could have been collected in the usual way, and if it could have, it will be treated commonly. (If it could not have been, it must be destroyed, and the person whose personal information has been destroyed will be notified about the receipt and destruction of their personal information).

Use and Disclosure

Municipal Works Australia will:

- Only use or disclose information for the primary purpose for which it was collected or a directly related secondary purpose.

- For other uses, Municipal Works Australia will obtain consent from the affected person.
- About a secondary purpose, use or disclose the personal information only where:
 - a secondary purpose is related to the primary purpose, and the individual would reasonably have expected us to use it for purposes or
 - the person has consented; or
 - specific other legal reasons exist, or disclosure is required to prevent severe and imminent threats to life, health, or safety.
- About personal information collected from a person, use it for direct marketing, where that person reasonably expects it to be used. Municipal Works Australia has provided an opt-out, which has not been taken up.
- With the personal information collected other than from the person themselves, only use it for direct marketing if the person whose personal data has been collected has consented (and they have not taken up the opt-out).
- State in Municipal Works Australia's privacy policy whether the information is sent overseas and further will ensure that any overseas providers of services are as compliant with privacy as Municipal Works Australia is required to be.
- Provide all individuals access to personal information except where it is a threat to life or health or it is authorised by law to refuse, and if a person can establish that the personal information is not accurate, then Municipal Works Australia must take steps to correct it. Municipal Works Australia may allow a person to attach a statement to their information if Municipal Works Australia disagrees it is inaccurate.
- Where for a legal or other reason we are not required to provide a person with access to the information, consider whether a mutually agreed intermediary would allow sufficient access to meet the needs of both parties.
- Make no charge for requesting personal information, correcting the information, or associating a statement regarding accuracy with the personal information.

Storage Municipal Works Australia

- Implement and maintain steps to protect personal information from misuse and loss, unauthorised access, interference, modification, or disclosure.
- Before Municipal Works Australia discloses any personal information to an overseas recipient, including a provider of IT services such as servers or cloud services, establish that they are privacy compliant. Municipal Works Australia will have systems that provide sufficient security.
- Ensure that Municipal Works Australia's data is up-to-date, accurate and complete.

Destruction and de-identification Municipal Works Australia

- Destroy personal information once is not required to be kept for the purpose for which it was collected, including from decommissioned laptops and mobile phones.
- Change information to a pseudonym or treat it anonymously if required by the person whose information [organisation] holds, and we will not use any government-related identifiers unless they are reasonably necessary for our functions.

Data Quality

Municipal Works Australia will:

- Take reasonable steps to ensure the information Municipal Works Australia collects is accurate, complete, up-to-date, and relevant to our functions.

Data Security and Retention

Municipal Works Australia will:

- Only destroy records under the organisation's Records Management Policy.

Openness

Municipal Works Australia will:

- Ensure stakeholders know Municipal Works Australia's Privacy Policy and its purposes.
- Make this information available in relevant publications and on the organisation's website.

Access and Correction

Municipal Works Australia will:

- Ensure individuals have a right to seek access to information held about them and to correct it if it is inaccurate, incomplete, misleading, or not up to date.

Anonymity

- Allow people from whom the personal information is being collected not to identify themselves or use a pseudonym unless it is impracticable to deal with them.

Making information available to other organisations

Municipal Works Australia can release information to third parties where it is requested by the person concerned.

RELATED DOCUMENTS

- MWA 001 – Governance Policy
- MWA 003 - Code of Ethics Policy

AUTHORISATION



PETER ALI | CHIEF EXECUTIVE OFFICER

MUNICIPAL WORKS AUSTRALIA

7 MARCH 2024

Municipal Works Australia | 005 Privacy Policy

Policies can be established or altered only by the Board: Procedures may be altered by the CEO.

Municipal Works Australia's PRIVACY POLICY

Your privacy is important.

This statement outlines Municipal Works Australia's policy on how Municipal Works Australia uses and manages personal information provided to or collected by it.

Municipal Works Australia is bound by the Australian Privacy Principles in the Commonwealth Privacy Act and complies with the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

Municipal Works Australia may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to Municipal Works Australia's operations and practices, and ensure it remains appropriate to the changing legal environment.

What kind of personal information does Municipal Works Australia collect, and how does Municipal Works Australia manage it?

The type of information the Municipal Works Australia collects and holds includes (but is not limited to) personal information, including sensitive information, about:

- Name, employer, work, and private contact details.
- Branch meeting and networking event attendance information.

Personal Information you provide:

Municipal Works Australia will generally collect personal information about an individual through electronic forms, email subscriptions and meetings. You have the right to seek to deal with us anonymously or using a pseudonym. Still, in almost every circumstance, it will not be practicable for us to deal with you or provide any services to you except for the most general responses to general enquiries unless you identify yourself.

Personal Information provided by other people:

In some circumstances, Municipal Works Australia may be provided with personal information about an individual from a third party, for example, through marketing lists provided by members of the Association.

Concerning employee records:

Under the Privacy Act, the Australian Privacy Principles do not apply to an employee's record. As a result, this Privacy Policy does not apply to Municipal Works Australia's treatment of an employee record where the treatment is directly related to a current or former employment relationship between Municipal Works Australia and the employee. However, Municipal Works Australia must provide access and ensure compliance with the Health Privacy Principles under the Victorian Health Records Act 2001.

How will Municipal Works Australia use the personal information you provide?

Municipal Works Australia will use personal information it collects from you for the primary purpose of collection and other secondary purposes related to the primary purpose of collection and reasonably expected or to which you have consented.

About direct marketing, Municipal Works Australia will use your personal information for direct marketing where you have provided that information, and you are likely to expect direct marketing: only then will you be sent direct marketing containing an opt-out. If we use your personal information obtained from elsewhere, we will still send you direct marketing information to which you have consented and will also contain an opt-out. We will always obtain your consent to use sensitive information as the basis for our direct marketing.

We may use video surveillance for security purposes, and the footage will be used only by Municipal Works Australia and by the providers of our security services. Municipal Works Australia does not use surveillance videos for other purposes, and the footage is not publicly available. Surveillance cameras are not located in any bathrooms or change room facilities.

Job applicants, staff members and contractors:

With the personal information of job applicants, staff members, and contractors, Municipal Works Australia's primary purpose of collection is to assess and (if successful) engage the applicant, staff member, or contractor.

The purposes for which Municipal Works Australia uses personal information of job applicants, staff members and contractors include:

- for insurance purposes.
- to satisfy Municipal Works Australia's legal obligations,

Where Municipal Works Australia receives unsolicited job applications, these will usually be dealt with by the unsolicited personal information requirements of the Privacy Act.

Volunteers:

Municipal Works Australia also obtains personal information about volunteers who assist Municipal Works Australia in its functions or conduct associated activities, such as to enable Municipal Works Australia and the volunteers to work together.

Marketing and fundraising:

Municipal Works Australia treats marketing and seeking donations for the future growth and development of the Association as significant. Personal information held by Municipal Works Australia may be disclosed to an organisation that assists in the Association's fundraising, such as providing consented member contact details to corporate members.

To whom might Municipal Works Australia disclose personal information?

Municipal Works Australia may disclose personal information, including sensitive information, held about an individual to:

- government departments.
- people providing services to the Association.
- other members of the Association.
- anyone you authorise Municipal Works Australia to disclose information to.

Sending information overseas:

Municipal Works Australia will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (in some cases, this consent will be implied); or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

We use overseas IT service providers, including servers and cloud services.

How does Municipal Works Australia treat sensitive information?

In referring to 'sensitive information', Municipal Works Australia means:

“information relating to a person's racial, ethnic origin; political opinions, religion; trade union or other professional or trade association membership; sexual preferences or criminal record, that is also personal information; and health information about an individual”.

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose unless you agree otherwise or the use or disclosure of the sensitive information is allowed by law.

Municipal Works Australia | 005 Privacy Policy

Policies can be established or altered only by the Board: **Procedures** may be altered by the CEO.

Management and security of personal information

Municipal Works Australia's staff are required to respect the confidentiality of personal information and the privacy of individuals.

Municipal Works Australia has steps to protect the personal information it holds from misuse, loss, unauthorised access, modification, interference, or disclosure by using various methods, including locked storage of paper records and passworded access rights to computerised records.

When you use our website, having your cookies enabled will allow us to maintain the continuity of your browsing session and remember your details when you return. We may also use web beacons, Flash locally stored objects, and JavaScript. If you adjust your browser settings to block, reject or delete these functions, the webpage may not function optimally. We may also collect information about your IP address, although this may not identify you.

Updating personal information

Municipal Works Australia endeavours to ensure that its personal information is accurate, complete, and current. A person may seek to update their personal information contained by Municipal Works Australia by contacting the Privacy Officer of Municipal Works Australia at any time.

The Australian Privacy Principles and the Health Privacy Principles require Municipal Works Australia not to store personal information longer than necessary. In particular, the Health Privacy Principles impose certain obligations about the length of time health records must be held.

You can check what personal information Municipal Works Australia holds about you.

Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to access any personal information that Municipal Works Australia holds about them and advise Municipal Works Australia of any perceived inaccuracy. There are some exceptions to this right set out in the applicable legislation. Please write to the Privacy Officer to request access to any information Municipal Works Australia holds about you.

Municipal Works Australia may require you to verify your identity and specify the information you require. Although no fee will be charged for accessing your personal information or making a correction, Municipal Works Australia may charge a fee to retrieve and copy any material. Municipal Works Australia will advise the likely cost in advance if the information sought is extensive.

How long will Municipal Works Australia keep my information?

Under our destruction and de-identification procedures, your personal information is no longer required to be de-identified or destroyed. In many circumstances, however,

it will be kept for marketing purposes, as you will have consented to that in writing with us.

Enquiries and privacy complaints

If you would like further information about the way Municipal Works Australia manages the personal information it holds, please get in touch with the Privacy Officer via:

MWA Privacy Officer: email: ceo@municipalworks.com.au tel: +61 0408 129 394

If you have any concerns or complaints or you think there has been a breach of privacy, then also please get in touch with the Privacy Officer, who will first deal with you, usually over the phone. If we have not dealt satisfactorily with your concerns, we will meet with you to discuss further. If you are dissatisfied with our response to your complaint within 30 days of this meeting, then you can refer your complaint to the Office of the Australian Information Commissioner.