

# Privacy Policy

SA Water is a dynamic Corporation which owns, manages and operates South Australia's water supply and wastewater treatment systems for about 1.5 million people. We also deliver broader services to the water industry in Australia.

SA Water is wholly owned by the South Australian Government.

The aim of this policy is to demonstrate SA Water's commitment to collect, use, disclose and store personal information in a manner that meets community expectations and reflects current South Australian Government information privacy principles.

## Objectives

The objectives of this policy are:

- to ensure that the information privacy principles are promulgated, implemented and complied with across SA Water
- to build customer, stakeholder and employee confidence in the ability of SA Water to protect and manage their information in accordance with community expectations and South Australian Government information privacy principles.

This policy applies to all personal information, customer personal information and employee records collected, used, disclosed and stored by SA Water. It covers all media in which information is collected and stored e.g. paper, electronic, film, and recording. This policy also applies to corporate customer information collected, used, disclosed and stored by SA Water.

*SA Water will ensure that, wherever possible, our customers and employees retain some control over the way information about them is collected, used, disclosed and stored.*

## INFORMATION PRIVACY PRINCIPLES

### 1. OPENNESS

- 1.1 SA Water will ensure openness, transparency and accountability in its management of personal information.

### 2. COLLECTION

- 2.1 SA Water will only collect personal information from customers for the main purpose of:

- a) supplying water by means of reticulated systems;
- b) storing, treating and supplying bulk water;
- c) removing and treating wastewater by means of sewerage systems; and
- d) supplying recycled water by means of reticulated systems;

and for the connected purpose of:

- e) advising users of water in the efficient and effective use of water. (SA Water Corporation Act 1994)

- 2.2 SA Water may also collect personal information from customers for the connected functions of:

- a) carrying out research and works to improve water quality and wastewater disposal and treatment methods;
- b) providing consultancy and other services within areas of SA Water's expertise;
- c) developing commercially and marketing products, processes and intellectual property produced or created in the course of SA Water's operations;
- d) encouraging and facilitating private or public sector investment and participation, whether from within or outside South Australia, in the provision of water and wastewater services and facilities;
- e) any other function prescribed by the South Australian government.

Refer SA Water Corporation Act 1994 Section 7(1) and (2d) for main purpose and Section 7(2a,b,c,e,f) for connected purpose.

- 2.3 SA Water will only collect personal information on employees for a lawful purpose directly related to employment.

- 2.4 SA Water will not collect personal information unnecessarily, nor will it collect information that is excessively personal.

- 2.5 SA Water will only collect personal information if it:

- a) ensures that the information is collected fairly, lawfully and not in an intrusive manner;
- b) takes reasonable steps at or before collection or, if that is not practicable, as soon as practicable after collection, to inform the individual of;

- the purpose of the collection unless that purpose is obvious; and
- the collection being authorised or required by or under law, if that is the case; and
- SA Water's usual practices, in general terms, in relation to disclosure of the personal information collected; and
- the fact that the individual is able to gain access to the information.

- 2.6 SA Water will, if it is reasonable and practicable to do so, collect personal information about an individual only from that individual.

### **3. USE**

- 3.1 SA Water will only use personal information for a purpose to which it is relevant.
- 3.2 SA Water will not use personal information for a purpose other than the purpose of collection or a purpose incidental to or connected with that purpose unless:
- a) the individual has expressly or impliedly consented to the use;
  - b) SA Water believes, on reasonable grounds, that the use is necessary to prevent or lessen a serious and imminent threat to life or health of the individual or some other person;
  - c) the use is required by or under law;
  - d) the use for that other purpose is reasonably necessary for:
    - the enforcement of the criminal law or of a law imposing a pecuniary penalty; or
    - the protection of the public revenue; or
    - the protection of the interests of the government, statutory authority or statutory office-holder as an employer.

### **4. DISCLOSURE**

- 4.1 SA Water will not disclose personal information about an individual to a third person unless:
- a) the individual has expressly or impliedly consented to the disclosure;
  - b) the person disclosing the information believes, on reasonable grounds, that the disclosure is necessary to prevent or lessen a serious or imminent threat to life or health of the individual or of some other person; or
  - c) the disclosure is required or authorised by or under law; or
  - d) the disclosure is reasonably necessary for:
    - the enforcement of the criminal law or of a law imposing a pecuniary penalty; or
    - the protection of the public revenue; or
    - the protection of the interests of the government, statutory authority or statutory office-holder as an employer.

### **5. ACCESS**

- 5.1 An SA Water employee is entitled to, on request, inspect the contents of his/her employee record and/or obtain a copy. Other than the employee, the only persons who are permitted to have access to an employee record are those who are required in the course of their duties to refer to the particular file as specified in the procedure accompanying this policy.
- 5.2 SA Water will provide ready access to a customer's own personal information in its possession or under its control in accordance with the Freedom of Information Act 1991.

### **6. ACCURACY**

- 6.1 SA Water will take all reasonable steps to ensure that the information when collected or used is accurate, up-to-date, complete, relevant and not excessively personal.

### **7. SECURITY**

- 7.1 SA Water will take all reasonable steps to ensure that the personal information in its possession or under its control is securely stored and is not misused.

### **8. CORRECTION**

- 8.1 SA Water will take all reasonable steps to correct personal information in its possession or under its control:
- a) if the personal information is found to be inaccurate; or

- b) if the personal information is incomplete, irrelevant or out-of-date to the purpose of collection or to the purpose that is incidental to or connected with that purpose; or
- c) where the personal information would give a misleading impression in accordance with the Freedom of Information Act 1991.

## 9. LEGISLATION

- 9.1 Certain legislation may override areas of this policy and SA Water will always be bound to firstly comply with such legislation.

### How will we ensure the effectiveness of this policy?

- through a privacy compliance audit
- through the complaint handling mechanism

### Definitions

**Privacy:** An individual/customers right to avoid information about them being unnecessarily or covertly collected and to avoid such information being disclosed to others without consent or other justification unless allowed under law.

**Personal Information:** Information or an opinion, whether true or not, relating to a natural person or the affairs of a natural person whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

- **Personal information for customers** may include, but not be limited to, name, address, contact details, concession status, financial details, plumbers' registration details, property and water use details.
- **Personal information for employees** may include, but not be limited to: payroll records e.g. work history, rates of pay, tax file declarations; leave records; personnel records e.g. pre-placement medical information, police and security checks, annual appraisals, qualifications.

**Individual:** The person who is the subject of the information, data or record.

**Customer:** An individual or company who obtains a service from SA Water.

**Employee Record:** The nature of personal information held in an employee's record comprises payroll records, leave records, and personnel records. Personnel records are general information not relating to payroll or leave and include: police and security checks; pre-placement medical information; service awards; annual appraisals; disciplinary records. A full list of personal information held in an employee's record can be found in the SA Water Employee Records Procedure. Other documents containing personal information are subject to the FOI Act.

**Corporate Customer Information** may include, but not be limited to, property and water use details and trade waste. Wherever applicable, personal information as defined in this section will include corporate customer information.