



POLICY - PRIVACY

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ACKNOWLEDGEMENT OF COUNTRY

Hunter Water acknowledges the Traditional Countries of the Awabakal, Darkinjung, Geawegal, Wonnarua and Worimi peoples and the Countries on which we operate and beyond where our water flows.

We recognise and respect the cultural heritage, beliefs and continuing connection to the lands and waters of our Traditional Custodians and pay respect to their Elders past, present and emerging.





1. Overview

1.1. Purpose of the Policy

Hunter Water Corporation ('Hunter Water') is an organisation that recognises that our people, customers and community trust us to keep their personal information safe and secure. We will respect this trust and work together to make Privacy easy.

Hunter Water's Privacy Policy ('the Policy') has been developed to conform with the *Privacy and Personal Information Protection Amendment Act 2022 (NSW)* ('PPIP Act') and, in limited circumstances, the *Health Records and Information Privacy Act 2022 NSW* ("HRIP Act") in regard to protecting the personal and health information of Our people and customers and stakeholders.

1.2. Scope of the Policy

The Policy applies to all personal, and health information that is collected, used and stored by Hunter Water for the purpose of delivering its water, wastewater and stormwater services to the community.

Personal information is information which may directly or indirectly identify:

- a. Hunter Water's customers or stakeholders
- b. Our People

This Policy applies to Our People (as defined) and demonstrates the way that Hunter Water manages its privacy responsibilities in accordance with the NSW Information Protection Principles (IPPs) and Health Privacy Principles (HPPs).

2. Policy Statement

Hunter Water is committed to the effective management of personal and health information.



The Policy aligns with Hunter Water's value of trust.

Everyone at Hunter Water has a role to play in managing the personal and health information that Hunter Water holds to perform its functions. Management of personal information will uphold our legislative responsibilities and the expectations of Our People, our customers and our stakeholders.

The Policy forms part of Hunter Water's Privacy Framework and is supported by the:

- a. [Privacy Management Plan](#) – a central document that provides a practical plan for Our People regarding the requirements of the PPIP Act and how Hunter Water collects, uses, stores, shares and disposes of a wide range of personal and health information to carry out its privacy responsibilities.
- b. [Data Breach Policy](#) – a policy that outlines the way Hunter Water conforms with the requirements of the Mandatory Notification of Data Breach Scheme (MNDB).
- c. [Data Breach Response Plan](#) – a detailed and practical plan for Our People regarding the requirements of the MNDB and how Hunter Water will respond to and manage data breaches which contain personal information.
- d. [Privacy Fact Sheet](#) – provides a summary of key documents contained in the Privacy Framework.

Hunter Water's Code of Conduct provides an ethical framework to govern and guide the decisions, conduct and behaviour of all who work for Hunter Water, further supporting the obligations under this policy.



3. Application of Policy

Hunter Water and its people will manage personal and health information in accordance with the NSW IPPs and HPPs as detailed in the PPIP Act. This Policy provides the parameters within which personal information is managed at Hunter Water:

3.1. Why Hunter Water collects personal information

Hunter Water is committed to only collecting personal information reasonably necessary for, or directly related to its functions. Sensitive personal information may also be collected where you have provided consent or when the collection is authorised or required by law.

We collect, hold, use and disclose personal information for a range of purposes that are related to our functions, including:

- Providing water, wastewater and stormwater services
- Undertaking recruitment and managing employment
- Billing customers, including debt collection activities when required
- Handling complaints and requests for information (including Privacy and GIPA)
- Conducting research to manage and plan our services
- Auditing service and activities
- Managing and scheduling the maintenance of our assets
- Seeking feedback from customers and Our People to improve the services we provide
- Sending communications about the services we provide
- Coordinating responses in the event of a corporate asset failure, security threat or emergency
- Engaging third parties to assist with the performance of our functions

3.2. How Hunter Water Collects Personal Information

Hunter Water will collect personal information from individuals directly, or from their Authorised Representative where applicable. When Hunter Water collects personal information, a collection notice will be used at the time of the collection. This will include reasons for the collection, whether the collection is authorised or required by law, any person or organisation to whom the information is usually disclosed and whether there are any consequences arising from not providing the information.

The personal information may be collected via the following:

- By telephone
- In person
- Email or writing
- Customer or employee surveys
- Field visits
- Community engagement activities
- Website – online forms and live chat functions
- Social media via private chat functions

There may be some situations where Hunter Water is not able to use a collection notice, examples include:

- a. Notification would be inconsistent with another legal obligation. For example, a legal obligation of confidence.



- b. Notification may pose a serious threat to the life, health or safety of an individual or pose a threat to public health or safety. For example, a law enforcement agency requiring personal information for the purpose of an investigation.

Hunter Water may collect personal information from someone else, but only where this has been authorised by the person.

If Hunter Water receives unsolicited information, such information is not considered 'collected' by Hunter Water for the purposes of the PPIP Act or the HRIP Act and as such does not breach the collection principle. Hunter Water will however uphold its responsibilities in terms of storage, access, use and disclosure.

3.3. The types of information we hold

Hunter Water may collect and hold the following types of personal information to perform its functions:

- a. Identity and contact details for customers and stakeholders (example, phone, email, postal address and property address).
- b. Information relating to a customer's personal circumstances, vulnerability or health (example, pension or concession information, requirements for continuity of supply related to medical equipment, sensitive information related to access to other policies or programs – for example domestic or family violence).
- c. Information related to a customer or stakeholders financial affairs (example, payment details, bank account details, billing history or information related to hardship or account assistance support).
- d. Information relating to Authorised Representatives, Power of Attorney or Enduring Guardian arrangements.
- e. Records regarding interactions with customers to manage repairs, maintenance or access to our assets.
- f. Employee and Contractor information including employment status, work history, education status, referee comments, salary, performance review ratings and comments, photographs for security and access, next of kin information, payment details, visa status, drivers licence, tax file number, superannuation information.

3.4. How personal information is used and disclosed

Hunter Water will manage the way that personal information is used and disclosed. When outsourcing functions to third parties, Hunter Water will use contractual protections to ensure personal information is protected in accordance with the PPIP Act and this Policy.

To manage use of personal information Hunter Water will:

- a. take reasonable steps to make sure that the personal or health information is relevant, accurate, up to date and complete before using it.
- b. only use personal or health information for the purpose it was collected unless:
 - a person has given consent to use it for another purpose
 - the use is for a purpose which is directly related to the purpose for which it was collected
 - the use is reasonably necessary to prevent or lessen a serious or imminent threat to any person's health or safety
 - an exemption applies (see Privacy Management Plan for a detailed list of exemptions).

To manage disclosure of personal information, Hunter Water will only disclose personal and health information in limited circumstances including when:

- a. it has consent



- b. a person was informed at the time of collection that his or her personal or health information would be disclosed to another person or entity
- c. the disclosure is directly related to the purpose for which it was collected and Hunter Water has no reason to believe the person would object to it disclosing the personal or health information in such a way
- d. the disclosure is necessary to prevent a serious and imminent threat to any person's health or safety
- e. Hunter Water is required to disclose the personal or health information by law
- f. third parties are engaged by Hunter Water to assist Hunter Water to provide its services and perform its functions (such as providing IT, marketing, auditing, construction and maintenance and other support services).

In the limited circumstances where Hunter Water holds sensitive personal information, this will only be disclosed with consent or if it is necessary to prevent a serious and imminent threat to any person's health or safety. Examples of sensitive personal information include information relating to personal attributes such as ethnic or racial origin, political opinions, religious or philosophical beliefs, sexual activities or trade union membership.

3.5. Storing, accessing and correcting personal information

Hunter Water will protect personal and health information from unauthorised access, misuse or loss.

Hunter Water will:

- a. Store personal and health information securely and implement and maintain security and access controls.
- b. Conduct training and maintain privacy awareness to prevent unauthorised access and misuse.
- c. Keep personal and health information only as long as necessary for the delivery of our services.
- d. Require that individuals pass a two-factor authentication identity process prior to discussing an account.

Hunter Water will ensure that personal information records are maintained and accurate by:

- a. Allowing individuals to request their records be made accurate and to do so at the time of the request.
- b. Ensuring that individuals can access their own personal information without excessive delay or cost.
- c. Take reasonable measures to ensure personal information records are complete and up to date.
- d. Take reasonable measures to ensure that personal information is relevant to the services provided and is not misleading.

4. How to contact our Privacy Officer

Contact Hunter Water's Privacy Officer if you want to:

- a. Ask a question about this Policy or require a copy of this Policy in an alternative format;
- b. Raise a privacy enquiry or obtain information about your personal information; or
- c. Make a formal complaint in writing via the website, email or post.



Further information about management of privacy enquiries and complaints is contained in our Privacy Management Plan. Hunter Water encourages all enquiries and complaints to initially be directed to the Hunter Water Privacy Officer:

Email: hunterwaterprivacy@hunterwater.com.au

Post: The Privacy Officer
Hunter Water Corporation
PO Box 5171
HRMC NSW 2310

The NSW Privacy Commissioner can be contacted at the Information & Privacy Commission as follows:

Office: Information & Privacy
Commission
Level 11, 1 Castlereagh Street
SYDNEY NSW 2000
Post: GPO Box 7011
SYDNEY NSW 2000

Phone: 1800 472 679 **Fax:** 02 8114 3756
Website: www.ipc.nsw.gov.au
Email: ipcinfo@ipc.nsw.gov.au

5. Breaches of this policy

Internal management

A breach of this Policy by any of Our People, as a subset of the Code of Conduct, may result in disciplinary action up to and including termination of employment. Contractors may be subject to contract renegotiation, including termination.

Any suspected breaches will be investigated in line with the Complaints and Allegations Policy.

External management

Part 8 of the HRIP Act details criminal offences for certain conduct in relation to health information.

In addition, under section 308H of the *Crimes Act 1900* (NSW), it is an offence to access or modify restricted data held in a computer where authorisation has not been provided. The maximum penalty is 2 years' imprisonment.

6. Associated Regulations and Standards

Document ID	Document Title
Policy	Code of Conduct
Policy	Complaints and Allegations
Policy	Complaints and Enquiries
Policy	Data Breach Response
Plan	Privacy Management Plan
Plan	Data Breach Response Plan



7. Definitions, Acronyms and Abbreviations

Term	Definition
Authorised Representative	A person who has been authorised by the property owner to act on behalf of/or represent them in all matters related to their account and interactions with Hunter Water.
Health Information	Information or an opinion about a person’s physical or mental health or disability, or a person’s express wishes about the future provision of his or her health services or a health service provided or to be provided to a person, see section 6 of the HRIP Act.
HRIP Act	<i>Health Records and Information Protection Act 2002</i> (NSW).
Our People	For the purposes of this policy, includes: <ul style="list-style-type: none"> • directors • permanent employees, whether full-time or part-time • temporary or casual employees • consultants • individual contractors working for or on behalf of Hunter Water • employees of contractors providing services to Hunter Water • volunteers, secondees, work experience students
Personal Information	Information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion, including such things as name, email address, mobile phone number or residential address. Exclusions to the definition of personal information are contained in section 4(3) of the PPIP Act and includes health information.
PPIP Act	<i>Privacy and Personal Information Protection Amendment Act 2022</i> (NSW) (PPIP Act)
Unsolicited Information	Information that is received where Hunter Water has taken no active step to collect it. For example, Hunter Water may have asked for personal or health information and more information was given that was asked for; or an individual sends personal or health information to Hunter Water that was not asked for.

Signed:

Darren Cleary
Managing Director

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