



# PRIVACY POLICY



## 1. Overview

### 1.1 Policy at a glance

Hunter Water Corporation ('Hunter Water') is an organisation that holds itself accountable for its acts and omissions. We seek to learn from our customers, our people and our community.

Hunter Water's Privacy Policy ('the Policy') has been developed to conform with the *Privacy and Personal Information Protection Act 1998 NSW* ('PIPP Act') and, in limited circumstances, the *Health Records and Information Privacy Act 2002 NSW* ("HRIP Act") in regards to protecting the personal and health information of Our People and customers<sup>1</sup>.

### 1.2 Scope

The Policy applies to all personal or health information held by Hunter Water which may directly or indirectly identify:

- (a) Hunter Water's customers
- (b) Our People

and that relates to the following privacy principles:

1. Collection
2. Storage
3. Access and accuracy
4. Use
5. Disclosure.

This Policy applies to all of Our People (as defined).

The Policy holds Our People responsible for managing and upholding the privacy principles in respect of the personal or health information that they deal with in carrying out duties for Hunter Water.

## 2. Policy statement

### Policy framework

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 ensuring openness, transparency and accountability in the management and protection of personal and health information in order to build trust and confidence with our people, our customers and our stakeholders.

The Policy is supported by the:

- (a) Privacy Management Plan – a publicly facing document that provides a more detailed explanation of the expectations that arise from the Policy and gives guidance on what each of the privacy principles looks like in practice.
- (b) Privacy Fact Sheet – provides a summary of the Policy and Privacy Management Plan.

Additional advice and support can be obtained from the Hunter Water Privacy Officer (contact details are at the end of the Policy).

Behaviours and expectations in the Hunter Water Code of Conduct further support employee obligations under the Policy.

<sup>1</sup> At present, Hunter Water must comply with the HRIP Act as a 'private sector person', but voluntarily adheres to the requirements of the PPIP Act. It is expected to be required to comply with PPIP Act in the future.



### 3. Application of policy

Hunter Water and its people will manage personal and health information in accordance with the following privacy principles:

#### 1. Collection

Hunter Water will:

- (a) collect by lawful means personal and health information that is directly related to and reasonably necessary for the delivery of services to customers and the community. The types of personal and health information collected includes:
  - customer contact information (including name, address and telephone number)
  - billing information
  - customer health conditions and requirements relating to the provision of services
  - in relation to Our People, information necessary for duties, safety and security, such as contact details, next of kin, employment history and health information.
- (b) collect personal or health information from individuals directly. This will be collected in a number of ways, including by way of:
  - by telephone
  - in person
  - email or in writing
  - customer surveys
  - field visits
  - website, online forms and live chat function
  - social media via private chat function.

Hunter Water may collect *personal information* from someone else, but only where this has been authorised by the person. Hunter Water may collect *health information* from someone else where this has been authorised or where it is unreasonable and impractical to collect it from the individual

- (c) provide information about certain things at the time personal or health information is collected, including the fact that it is being collected, the purpose of collection, what Hunter Water will do with the personal or health information and who will be able to see it.
- (d) provide information about how individuals may access personal or health information and make any corrections or amendments to it.
- (e) take reasonable steps to ensure the personal or health information that is collected is relevant to Hunter Water's functions and is not excessive, and is accurate, up to date and complete.

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. This means Hunter Water does not breach the collection privacy principles when it receives *unsolicited* irrelevant personal or health information, because the collection principles do not apply to unsolicited personal or health information. However, the information must still be treated in accordance with this Policy with respect to storage, access, use and disclosure.

#### 2. Storage

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

Hunter Water will:

- (a) store personal and health information securely
- (b) implement and maintain reasonable security measures to protect and secure personal information from unauthorised access and misuse, including measures around technical, physical and administrative controls
- (c) keep personal and health information only for so long as is necessary for the delivery of services to customers or the community, and
- (d) take steps to dispose of personal and health information securely.

### 3. Access and accuracy

Personal or health information can be accessed at any time by contacting Hunter Water.  
Hunter Water will:

- (a) provide access to a person's own personal or health information without excessive delay or cost.
- (b) amend personal or health information, to ensure the information is accurate, relevant to the services provided, is complete and not misleading.

### 4. Use

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 purpose of use is directly related to the purpose for which it was collected
  - use of the personal or health information 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).

### 5. Disclosure

Hunter Water will only disclose personal or health information in limited circumstances, being where:

- (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, or
- (f) third parties are engaged by Hunter Water to assist Hunter Water provide services and perform its business as usual processes (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.





## 4. Privacy enquiries and complaints

A person who wishes to make an enquiry or lodge a complaint in relation to how Hunter Water has managed their privacy may do any of the following:

- (a) make an informal complaint by contacting the Hunter Water Privacy Officer
- (b) make a formal complaint in writing with Hunter Water via the website, email or post
- (c) make a complaint with the NSW Privacy Commissioner.

Further information about these above options is included in the Privacy Management Plan. Hunter Water encourages all enquiries and complaints to initially be directed to the Hunter Water Privacy Officer as follows:

Email: [hunterwaterprivacy@hunterwater.com.au](mailto:hunterwaterprivacy@hunterwater.com.au)  
Post: The Privacy Officer Hunter Water  
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	Phone: 1800 472 679 Fax: 02 8114 3756 Website: <a href="http://www.ipc.nsw.gov.au">www.ipc.nsw.gov.au</a> Email: <a href="mailto:ipcinfo@ipc.nsw.gov.au">ipcinfo@ipc.nsw.gov.au</a>
Post:	GPO Box 7011 Sydney NSW 2000	

## 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 (consistent with the Performance Management, Misconduct and Disciplinary Policy). 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 Type	Title
Policy	Code of Conduct
Policy	Complaints and Allegations
Policy	Complaints and Enquiries
Policy	Performance Management, Misconduct and Disciplinary
Plan	Privacy Management Plan

*Hard copies of this document are considered uncontrolled*



## 7. Definitions, acronyms and abbreviations

Term	Definition
<b>Health Information</b>	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.
<b>HRIP Act</b>	<i>Health Records and Information Protection Act 2002 (NSW).</i>
<b>Our People</b>	For the purposes of this policy, includes: <ul style="list-style-type: none"> <li>• directors</li> <li>• permanent employees, whether full-time or part-time</li> <li>• temporary or casual employees</li> <li>• consultants</li> <li>• individual contractors working for or on behalf of Hunter Water</li> <li>• employees of contractors providing services to Hunter Water</li> <li>• volunteers, secondees, work experience students.</li> </ul>
<b>Personal Information</b>	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
<b>PPIP Act</b>	the <i>Privacy and Personal Information Protection Act 1998 (NSW).</i>
<b>Unsolicited information</b>	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 than 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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