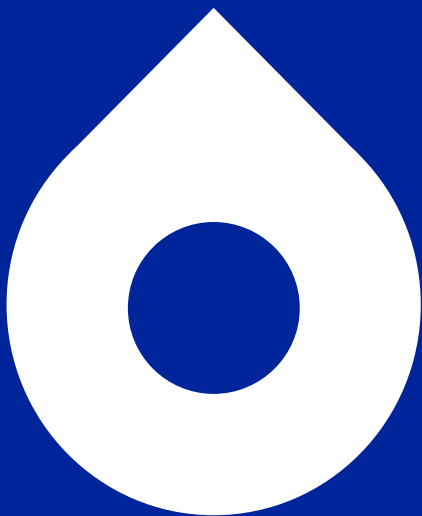


# Privacy Management Plan (PMP)

November 2023



2023

[sydneywater.com.au/privacy](https://sydneywater.com.au/privacy)

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Sydney  
**WATER**



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# 1. Introduction

Sydney Water takes the privacy of our customers, employees, contractors and stakeholders seriously. We are committed to safeguarding the privacy and confidentiality of personal information entrusted to us. We recognise the importance of protecting individuals' privacy rights and complying with privacy laws and regulations.

This Privacy Management Plan (**PMP**) outlines our commitment and serves as a framework for the management and protection of personal information at Sydney Water.

## 1.1 Purpose of PMP

Section 33 of the PPIP Act requires Sydney Water to have a PMP.

Sydney Water's PMP explains how Sydney Water manages personal and health information in accordance with the following NSW privacy laws:

- *Privacy and Personal Information Protection Act 1998 (PPIP Act)*
- *Health Records and Information Privacy Act 2002 (HRIP Act)*

The PMP includes information on the type of personal information Sydney Water holds, details on how an individual can request to access and amend their personal and health information, our internal review and complaints handling processes under the PPIP Act or HRIP Act. This PMP will be reviewed annually.

All references to **we**, **our** and **us** is a reference to Sydney Water.

## 1.2 About Sydney Water

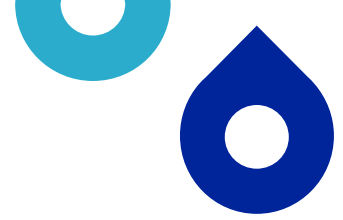
Sydney Water delivers water and wastewater services to Sydney, parts of the Illawarra and the Blue Mountains. This area, of almost 13,000 square kilometres, extends from the Hawkesbury River in the north, to Gerroa in the south and from the Pacific Ocean in the east to Mount Victoria, in the Blue Mountains in the west.

Sydney Water provides services to 5.2 million people, with an estimated growth to 10 million people by 2060. Sydney Water's Operating Licence permits Sydney Water to construct, operate, manage, and maintain systems and services for:

- storing and supplying water (including drinking water and recycled water)
- providing wastewater (sewerage) services and disposing of treated wastewater
- providing stormwater drainage services in some areas.

### 1.2.1 Sydney Water and its privacy context

Sydney Water is a statutory State-Owned Corporation (**SOC**), wholly owned by the people of New South Wales (**NSW**). Our Portfolio Minister is the Minister for Water. Our Shareholder Ministers are the Treasurer and the Minister for Finance.



Sydney Water is governed by the *Sydney Water Act 1994* and has three core objectives - to protect public health, protect the environment and be a successful business. The Independent Pricing and Regulatory Tribunal (**IPART**) issue Sydney Water with its license to operate which includes the Customer Contract. The IPART monitors and enforces the license and prices for regulated services. As a SOC, Sydney Water will be required to comply with the PPIP Act from 28 November 2023. The definition of 'public sector agency' provided for in section 3 of the PPIP Act will include SOCs from 28 November 2023 and requires Sydney Water to have a PMP.

Sydney Water is a 'private sector person' as defined under section 4 of the HRIP Act and is required to comply with the obligations set out in the HRIP Act for the management of health information.

We consider our customers to be every person that comes into contact with our products and services across Sydney, the Illawarra and the Blue Mountains – not just those who are responsible for paying a water bill.

We continuously engage with customers, the community and stakeholders as an integral part of our enterprise planning process, to understand and respond to customer experiences with our products and services. Accordingly, Sydney Water collects, holds, uses and discloses personal and health information in carrying out these activities.

### 1.3 Scope

The PMP applies to all employees (including agency hires, contractors and consultants) and stakeholders who handle and manage personal information on behalf of Sydney Water.

The PMP is only concerned with personal and health information that is prescribed under the NSW privacy laws.

### 1.4 Definitions

- **Health Information** – has the meaning given to it under section 6 of the HIRP Act which is personal Information that is 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.
- **HRIP Act** – Health Records and Information Protection Act 2002 (NSW).
- **Health Privacy Principles (HPPs)** – the principles set out in Schedule 1 of the HRIP Act.
- **Information Protection Principles (IPPs)** – the principles set out in Division 1 of Part 2 of the PPIP Act.
- **Personal Information** – has the meaning given to it under section 4 of the PPIP Act which is 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.
- **PPIP Act** – Privacy and Personal Information Protection Act 1998 (NSW)
- **Privacy Principles** – the Information Protection Principles (**IPPs**) and the Health Privacy Principles (**HPPs**)
- **GIPA Act** – Government Information Public Access Act 2009 (NSW)



## 1.5 Contact Us

For further information about this Plan or any other concerns about your personal or health information collected, held, used or managed by Sydney Water, please contact Sydney Water.

You may contact the Privacy Team for information about:

- How Sydney Water manages personal and health information
- Requests for access to and amendment of personal and/or health information
- Guidance on broad privacy issues and compliance
- Requests to conduct internal reviews about possible breaches of the PPIP Act and HRIP Act.

If Sydney Water employees feel uncertain as to whether certain conduct may breach their privacy obligations, they should seek the advice of the Privacy Team in the Legal, Compliance & Secretariat business unit.

Web: [www.sydneywater.com.au](http://www.sydneywater.com.au)

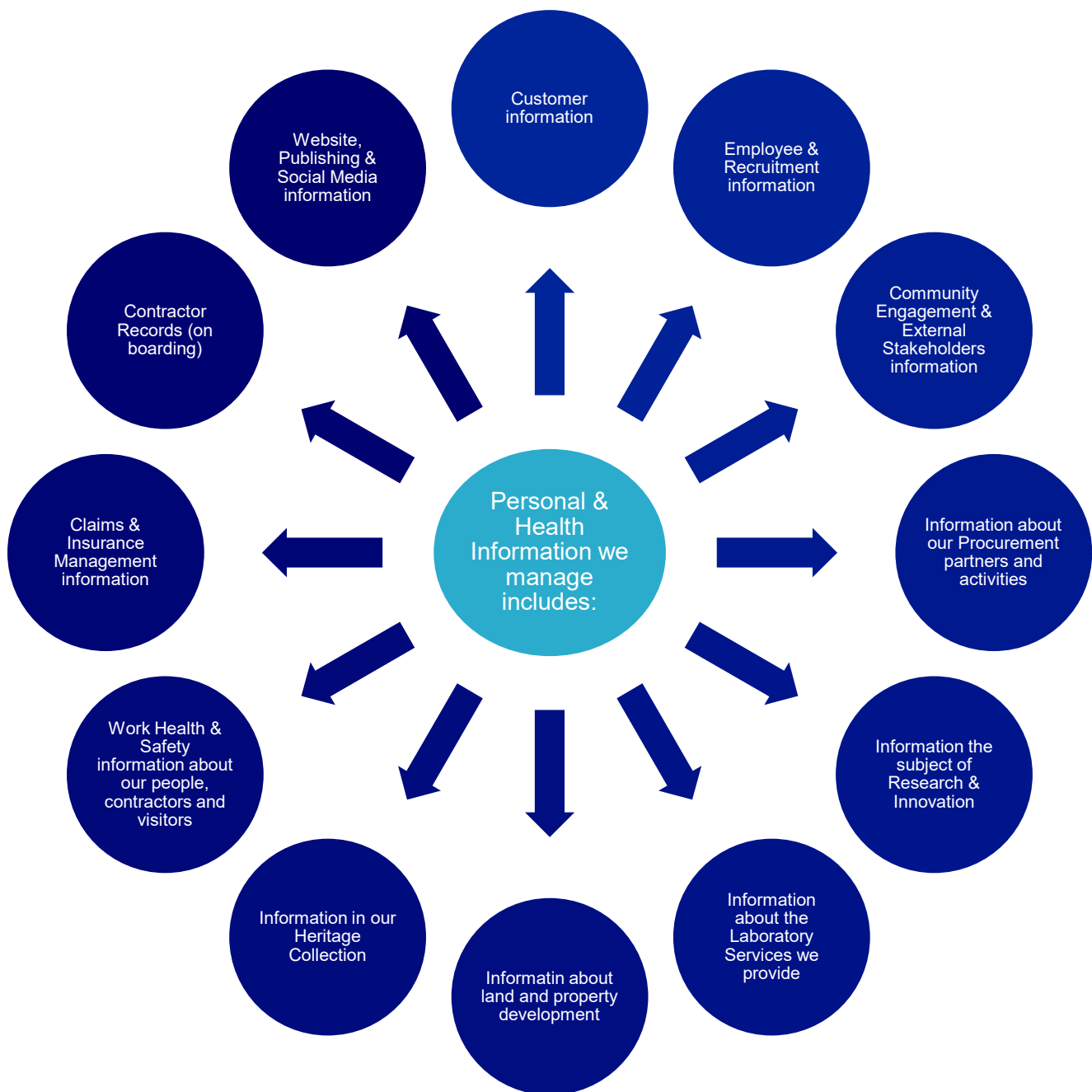
Email: [privacy@sydneywater.com.au](mailto:privacy@sydneywater.com.au)

Phone: 13 20 92

## 2. Personal and Health Information held by Sydney Water

Sydney Water undertakes a diverse range of functions and activities. We collect, hold, and manage different kinds of personal and health information of customers and stakeholders, and personal and health information of our employees as part of these functions and activities.

The types of personal and health information collected, held, used and managed by Sydney Water in the exercise of its functions is summarised in **Annexure A** of this document.



## 3. Complying with Privacy Principles

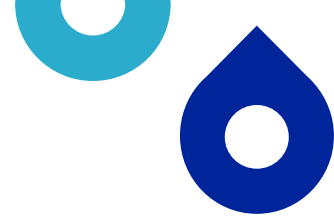
As a NSW 'public sector agency' under the PPIP Act and a 'private sector person' under the HRIP Act, Sydney Water must collect, store, provide access and amendment, use and disclose personal and health information according to the information protection principles (IPPs) and health privacy principles (HPPs) found in the NSW privacy laws.

### 3.1 Collection

The collection of personal information is covered by IPPs 1 to 4 and health information by the HPPs 1 to 4. These Privacy Principles relate to the lawful, direct, open and relevant collection of personal and health information.

Privacy Principle	Requirement	Key Points
<b>Lawful</b>	Only collect personal and health information for a lawful purpose, which is directly related to the agency's function or activities and necessary for that purpose.	<p>We limit the collection of personal and health information to lawful purposes that are directly related to a function or activity of our core business and that is reasonably necessary for that purpose.</p> <p>For example, we review and limit the types of information we collect when developing forms and surveys for our customers and employees.</p>
<b>Direct</b>	Only collect personal and health information directly from the person concerned, unless they have authorised collection from someone else, or if the person is under the age of 16 and the information has been provided by a parent or guardian.	<p>We will collect personal and health information directly from an individual over the phone, in writing, in person or using a technology platform.</p> <p>If we collect personal information from someone else, we will check that they are authorised to provide the relevant personal information to us. For example, we allow customers to authorise someone to act on their behalf, such as a family member or a Managing Agent for bill enquiries.</p>
<b>Open</b>	Inform the person you are collecting the information from why you are collecting it, what you will do with it and who else might see it. Tell the person how they can view and correct their personal and health information, if the information is required by law or voluntarily, and any consequences that may apply if they decide not to provide their information.	<p>When Sydney Water collects personal and health information from an individual, we take reasonable steps to inform and explain to the individual:</p> <ul style="list-style-type: none"><li>• Why the information is being collected</li><li>• What it will be used for and who is likely to receive it</li><li>• Whether the information is required by law or if voluntary</li><li>• What the consequence will be for the individual if they decide to not provide the information</li><li>• The right of the individual to access, and/or correct the information</li><li>• The contact details for Sydney Water as the public sector agency that holds the information.</li></ul> <p>In most cases, these requirements will be met by providing a privacy collection notice where personal and health information is being collected. The statement can be documented or provided verbally. If notification is not</p>



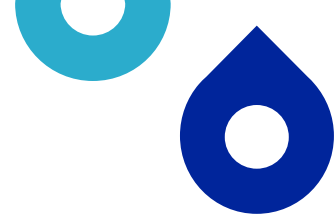


Privacy Principle	Requirement	Key Points
<b>Relevant</b>	Ensure that personal and health information is relevant, accurate, complete, up-to-date, and not excessive and that the collection does not unreasonably intrude into the personal affairs of the person.	made prior to the collection of the information, it will be made as soon as practicable.  When collecting personal and health information from an individual, we take reasonable steps to ensure that the information we collect is: <ul style="list-style-type: none"><li>• being collected as part of carrying out our function and activities</li><li>• relevant to the purpose for which it has been collected.</li><li>• not excessive</li><li>• accurate, up to date and complete</li><li>• not collected in an unreasonably intrusive manner.</li></ul> We adhere to this Privacy Principle by conducting privacy impact assessments ( <b>PIA</b> ) on projects and initiatives that collect personal and health information to ensure that the collection of personal and health information is not too excessive and that it is necessary to conduct our functions and activities.

## 3.2 Storage

The storing of personal and health information is covered by IPP 5 and HPP 5. This Privacy Principle relates to the secure storage, retention, and security of personal and health information held by Sydney Water.

Privacy Principle	Requirement	Key Points
<b>Secure</b>	Store personal and health information securely, do not keep it for longer than necessary and dispose of it appropriately. Personal and health information should also be protected from unauthorised access, use, modification or disclosure.	At Sydney Water, we are committed to: <ul style="list-style-type: none"><li>• Securely keeping an individual's personal and health information and protecting it from unauthorised access, use, modification, or disclosure</li><li>• Keeping personal and health information no longer than necessary</li><li>• Disposing of the information appropriately.</li></ul> Sydney Water takes reasonable steps to protect personal and health information from loss, unauthorised access, use, modification, or disclosure, and against all other misuse. This includes digital, technical and physical measures. For example, employees are only provided access to systems that they are required to have to complete their role requirements. Our digital systems undergo an Information Security Assessment. Sydney Water has strict access and security controls to its premises and sites for its employees and contractors.  Where it is necessary for personal or health information to be transferred to a third party in connection with the provision of a service to Sydney Water, reasonable

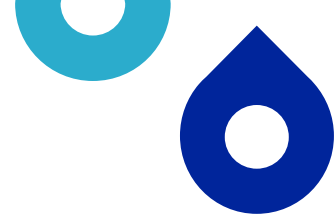


Privacy Principle	Requirement	Key Points
		<p>steps are taken to prevent unauthorised use and disclosure of that information by that third party.</p> <p>Sydney Water is committed to ensuring that personal and health information is stored securely and not kept longer than necessary and disposed of appropriately.</p> <p>State Records NSW provides guidance on the retention and disposal of State records under section 21 of the <i>State Records Act 1998</i>. Records Retention and Disposal Authorities identify records required to be kept for State archives and provide approval for the destruction of other records after a minimum retention period has been met. We will apply these retention periods to our internal processes and procedures.</p>

### 3.3 Access and accuracy

Access to personal and health information is covered by IPP 6 to 8 and HPP 6 to 9. These Privacy Principles relate to being transparent about what personal and health information is being held and how to allow an individual to access, update, correct or amend their personal and health information. These principles interface with Sydney Water's obligations under the GIPA Act.

Privacy Principle	Requirement	Key Points
<b>Transparent</b>	Explain to the person what personal and health information about them is being stored, why it is being used and any rights they have to access it.	<p>Our PMP details the types of personal and health information we hold. See Annexure A – Information Held and Managed by Sydney Water.</p> <p>If you have a question about the types of personal or health information Sydney Water holds on you, you can contact the Contact Centre (for customers), Business Connect (for employees) or the Privacy Team.</p>
<b>Accessible</b>	Allow people to access their personal and health information without excessive delay or expense.	At Sydney Water, we allow individuals to access their personal and health information without excessive delay via our Contact Centre (for customers), Business Connect (for employees) or the Privacy team.
<b>Correct</b>	Allow people to update, correct or amend their personal and health information where necessary.	An individual can submit a request to amend personal and health information using this form, in doing so the individual will need to demonstrate that the information is in fact inaccurate, irrelevant, not up to date, incomplete and/or misleading. We will determine whether it is appropriate to amend the relevant information. If we are not prepared to amend the relevant information, an explanation will be provided, and we may instead add a note to the information indicating the amendment you sought.



### 3.3.1 Access to Information under GIPA Act and PPIP Act

Access to personal and health information under the PPIP Act and HRIP Act may also interface with our obligations under the GIPA Act.

Individuals that wish to only request access to their own or another individual's (with that individual's authorisation) personal and health information, it is recommended they should apply under PPIP Act.

Individuals who wish to obtain either their own personal information in combination with other government information or wish to seek access to the information of other people will need to apply under the GIPA Act.

The Privacy and GIPA Teams will work with individuals to ensure that their request is handled according to the applicable legislation.

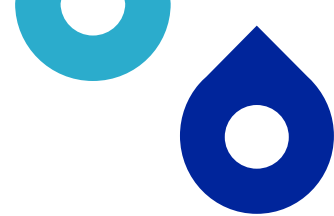
### 3.4 Use

The use of personal and health information is covered by IPPs 9 to 10 and HPP 9 to 10. These Privacy Principles concerns the accuracy and use of the personal and health information.

Privacy Principle	Requirement	Key Points
<b>Accurate</b>	Make sure that the personal and health information is relevant, accurate, up to date and complete before using it.	<p>At Sydney Water, we rely on the accuracy of the information we receive from the Land Registry Services, from our customers, employees and other stakeholders. If we have doubts about its accuracy, we won't use the personal and health information.</p> <p>For employees, we regularly ask them to check and update the information we hold on them in our HR system.</p> <p>If significant time has passed between the time information was collected and the use of it, we will attempt to ensure its accuracy prior to its use.</p> <p>In the event the information we use is inaccurate, we will take steps to contact the individual to make the appropriate amendments to the information we hold.</p>
<b>Limited</b>	Only use personal and health information for the purpose it was collected unless the person has given their consent, or the purpose of use is directly related to the purpose for which it was collected, or to prevent or lessen a serious or imminent threat to any person's health or safety	<p>We will only use personal information for the purpose it was collected or for a directly related purpose. Our employees are encouraged to query any additional or new uses for the information with the Privacy Team.</p> <p>If there is a need to use the information for another purpose, we will seek the consent of the individual unless the information needs to be used to prevent or lessen a serious or imminent threat to health or safety to that person or the use of that information is permitted by law.</p>

### 3.5 Disclosure

The disclosure of personal and health information is covered by IPPs 11 to 12 and HPP 11. These Privacy Principles relate to restricting the disclosure of personal and health information and safeguarding it from disclosure.



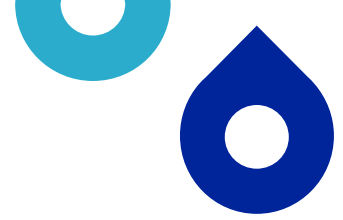
Privacy Principle	Requirement	Key Points
<b>Restricted</b>	Only disclose personal and health information with a person's consent or if the person was told at the time that it would be disclosed, if disclosure is directly related to the purpose for which the information was collected and there is no reason to believe the person would object, or the person has been made aware that information of that kind is usually disclosed, or if disclosure is necessary to prevent a serious and imminent threat to any person's health or safety.	<p>At Sydney Water unless an exemption applies, we will only disclose personal information to other parties if:</p> <ul style="list-style-type: none"> <li>• the individual agrees to the disclosure</li> <li>• the individual is aware that this sort of information is usually disclosed</li> <li>• we need to disclose the information to fulfil the purpose for which it was collected</li> <li>• the disclosure is necessary to prevent a serious and imminent threat to any person's health and/or safety</li> <li>• It is authorised by law.</li> </ul> <p>Sydney Water may transfer personal information outside of NSW in limited circumstances. This typically occurs when using technology services hosted outside of NSW and is done by binding the other party to terms that uphold Sydney Water's privacy obligations.</p> <p>We may also disclose personal information outside of NSW if permitted by law (such as transferring payroll and taxation information to the Australian Taxation Office – ATO)</p>

<b>Safeguarded</b>	An agency cannot disclose sensitive personal information without a person's consent, for example, information about ethnic or racial origin, political opinions, religious or philosophical beliefs, sexual activities, or trade union membership, it can only disclose sensitive information without consent in order to deal with a serious and imminent threat to any person's health or safety.	<p>Sydney Water does not handle sensitive personal information unless an individual has chosen to share that with us in order for us to deliver services to them, or an employee has provided it in the course of their employment with us.</p> <p>We will not disclose sensitive personal information unless it is necessary to prevent a serious and imminent threat to any person's health and/or safety.</p>
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### 3.6 Health Information

For health information, there are additional health privacy principles 12-15 that apply.

Principle	Requirement	Key Points
<b>Identifiers and anonymity (12 and 13)</b>	Apply to identifying you with an identification number and giving you the option of receiving services anonymously.	<p>At Sydney Water we currently do not have the need to use health identifiers.</p> <p>In limited circumstances, we may allow employees to receive health services anonymously.</p>
<b>Transferrals and Linkages (14 and 15)</b>	Transferring information outside NSW and using health record system.	<p>Sydney Water will only transfer health information to another person or body who is outside NSW, or to Commonwealth agency in very limited circumstances, such as where:</p> <ul style="list-style-type: none"> <li>• it is a legal requirement to do so, and it upholds the health privacy principles</li> <li>• individual has consented to the transfer</li> <li>• It is transferred to a health provider for the delivery of services, and we have bound</li> </ul>



Principle	Requirement	Key Points
		<p>them by contract to uphold Sydney Water's privacy legislative obligations</p> <ul style="list-style-type: none"><li>• the transfer is reasonably necessary to lessen or prevent serious and imminent threat to your life, health, or safety.</li></ul>

## 4. Exemptions from the Privacy Principles

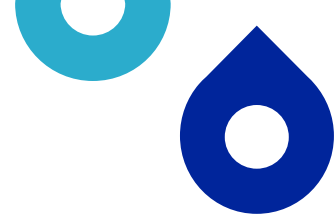
### 4.1 Exemption from the IPPs:

The IPPs in the PPIP Act do not apply to personal information in certain circumstances. Some of the key situations where collection, use, or disclosure of information is exempted from the compliance with certain IPPs are listed in sections 22-28 of the PPIP Act and include:

- Disclosures of personal information to law enforcement agencies (section 23). For example, from time to time, we may be contacted by a law enforcement agency for the personal information of an occupant at a residential address for law enforcement purposes.
- Disclosures of personal information to investigative agencies (section 24). On occasion an investigative agency or an agency exercising its investigative functions may contact Sydney Water for information in order to carry out an investigation.
- Collection of personal information where it is lawfully authorised or required (section 25) such as the collection of property ownership records from the Land Registry Services through the *Valuation of Land Act 1916 NSW*.
- Certain exchanges of personal information between public sector agencies, such as with our Minister, other Members of Parliament or other government agencies in the process of responding to an enquiry from a member of the public (section 27A) or GIPA applications and with the NSW Information and Privacy Commissioner (**IPC**) pursuant to sections 45, 54 & 89 of the GIPA Act and section 25 of the GIIC Act (section 27A) are lawfully authorised.
- Disclosing personal information about an internal review to the NSW Privacy Commissioner (section 54) and in connection with an eligible data breach (Part 6A) is permitted.

Sydney Water will also rely on the section 25 exemption when disclosing personal information for the following purposes:

- Disclosing overdue charges to a Sydney Water account to an occupant of the property for the purposes of retaining a connection to our services – section 64 *Sydney Water Act 1994*
- Upon application and payment of a fee, Sydney Water will provide an applicant with the amounts due on an account, call a Section 66 Certificate – section 66 *Sydney Water Act 1994*
- Transferring records to the Museums of History NSW – section 30 *State Records Act 1998*
- Providing information the subject of or supporting any legal proceeding before the NSW Civil and Administrative Tribunal (**NCAT**) – section 69 the *Administrative Decisions Review Act 1997*
- Providing employee payroll and taxation information to the Australian Taxation Office – *Taxation Administration Act 1953*
- Providing information and records to the NSW Environmental Protection Authority on written notice – *Protection of Environment Operations Act 1997*.



## 4.2 Exemption from the HPPs:

The HPPs in the HRIP Act do not apply to health information in certain circumstances. Some of the exemptions can be found in Sections 14-17A of the HRIP Act. Sydney Water does not use these or other exemptions on a regular basis as they are not relevant to our work.

## 4.3 Privacy codes of practice or public interest directions

The Privacy Commissioner, with the approval of the Attorney General, may make a Public Interest Direction to waive or make changes to the requirements for a public sector agency to comply with an IPP or HPP. A Public Interest Direction modifies the application of the IPPs or HPPs or Code of Practice to particular projects or activities of one or more public sector agencies.

There are currently no public interest directions that apply to Sydney Water. However, we may collect personal information with Local Government Authorities (**LGA**) within our area of operations as permitted by the Privacy Code of Practice for Local Government.

We also may exchange information with NSW ID Support, an agency of the Department of Customer Service, as permitted by the Privacy Code of Practice for NSW ID Support.

## 4.4 Public Registers

Sydney Water is not required to maintain any public registers containing personal or health information.

However, there is a list of providers that we choose to publish on our website in accordance with section 5(3) of the Sydney Water Act. The Listed Providers directory can be accessed on our website. This is not a public register for the purposes of Part 6 – Public Registers of the PPIP Act.

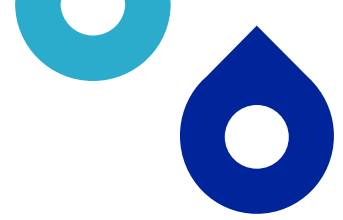
# 5. How to access and amend your personal and health information

This section explains how to request access to or amend personal and/or health information from Sydney Water.

## 5.1 Customers and members of the public

The PPIP and the HRIP Act gives an individual the right to access and amend their own information, however, generally does not give an individual the right to access or amend someone else's information.

If you contact us to access or amend your information, we will first verify your identity. If you are applying to access or amend the personal and/or health information of someone else (such as a family member or client), you will need to demonstrate you have the authority or the consent of that person to access or update their personal or health information.



If you are a customer you can contact the Customer Contact Centre on **13 20 92** or via our website contact us forms.

Otherwise, you can submit a request to access or amend your information by completing the forms on our website and forwarding them to [privacy@sydneywater.com.au](mailto:privacy@sydneywater.com.au)

If none of these circumstances are relevant, you should consider making an application for access to the information under the GIPA Act.

## 5.2 Employees

Current employees will be able to access their personal and health information from our HR System, via iConnect or by contacting Business Connect. Current employees can update or amend their personal information in our HR system or by logging a ticket with Business Connect.

Other employees such as agency hires and contractors can request access to or amend their personal and/or health information through their People Leader, who will direct the request to the appropriate People Services area.

Former employees will need to submit a request for access to or amendment of their information by completing the relevant form below and forwarding them to [privacy@sydneywater.com.au](mailto:privacy@sydneywater.com.au)

Our Heritage Collection may hold historical records of former employees and can be contacted [archiverequests@sydneywater.com.au](mailto:archiverequests@sydneywater.com.au)

In all other circumstances, you can request to access or amend your personal and/or health information by completing the forms on our website and forwarding them to [privacy@sydneywater.com.au](mailto:privacy@sydneywater.com.au)

## 5.3 Forms

Access to Personal Information Form

Amendment Request Form

## 5.4 Timeframes:

The Privacy Team aims to provide a response to your request in writing within 30 working days of acknowledging a request. If there is likely to be a delay in providing the information, you will be notified and advised when the information is likely to be available. If your request to access or amend personal information under PPIP Act or health information under HRIP Act is refused, the reasons will be provided.





## 6. Sydney Water's strategies for compliance and best practice

Sydney Water adopts several strategies to implement best practice principles to comply with our obligations under the PPIP Act and the HRIP Act. It also adopts a “privacy by design” approach when developing policies, processes and procedures to support its privacy framework. These strategies recognise that privacy is a shared responsibility within Sydney Water.

### 6.1 Policies and Procedures

Sydney Water is required to set out in this plan how policies and practices are developed to ensure privacy legislative compliance by Sydney Water.

This plan sets out a number of specific elements of our privacy protection framework.

Policies and practices are developed by:

- examining changes in the legislative, policy or operational environment for their impacts on Sydney Water's privacy framework
- conducting regular reviews of privacy policies and collection notices
- considering the privacy implications of changes to policies, procedures and systems for any procedural changes needed.

The Very Human Story of Sydney Water is Sydney Water's Ethical Framework. It outlines the responsibilities of our employees in protecting privacy in the course of their duties. All employees are provided with a copy of The Very Human Story of Sydney Water and are regularly reminded of their obligations. The Very Human Story of Sydney Water is available on our website.

The Privacy Policy outlines the responsibilities of our employees in protecting the privacy of our customers and other employees. All employees and contractors collecting, holding, using and managing personal and/or health information are regularly reminded of their privacy obligations.

This PMP is supported by other policies and procedures including:

- Data Breach Policy
- Acceptable Use of Technology Policy
- Records Management Policy
- Workplace Surveillance Policy
- GPS Policy
- Managing Employee Personal Information Procedure
- Assessing Privacy Risk Procedure.





## 6.2 Promoting Privacy Awareness

### 6.2.1 Promotion of the Plan

We promote the principles of our PMP to employees through our Privacy Team.

Our Privacy Team is committed to transparency and accountability around Sydney Water's compliance with the PPIP Act and the HRIP Act. Transparency and compliance with the PPIP and HRIP Acts is reinforced by:

- endorsing the PMP and making it publicly available on the Sydney Water's website
- identifying privacy issues when implementing new systems or through investigations and other monitoring activities
- publishing the PMP internally on Sydney Water's intranet to ensure that all employees are aware of sound privacy management practices.
- Referencing and highlighting the key points in the PMP in any staff online e-Learning privacy training module or staff awareness sessions.

### 6.2.2 Employee Training and Awareness

We ensure our employees are aware of and understand the PMP and particularly how it applies to their day-to-day activities. With this in mind, we have written this plan in a practical way so that employees understand what their privacy obligations are, how they can manage personal information in the conduct of their work and what they can do if they are unsure of how to comply with Sydney Water's privacy framework.

We make our employees aware of their privacy obligations by:

- publishing the PMP on our website and internally on our intranet iConnect.
- including the PMP in induction packs for new starters
- providing privacy training and referencing the PMP in our privacy mandatory e-learning module
- highlighting and promoting the PMP during the annual Privacy Awareness Week.

## 6.3 Review and continuous improvement

Sydney Water consistently evaluates the effectiveness and appropriateness of its privacy practices, policies and procedures to ensure they remain effective and to identify, evaluate and mitigate risks of potential non-compliance.

Sydney Water is committed to:

- Monitoring and reviewing its privacy processes, policies and procedures
- Further promoting and maintaining privacy awareness and compliance
- Encouraging feedback from our employees and customers on our privacy practices

- Introducing initiatives that promote good privacy practices in our business operations (such as conducting PIAs on new projects or processes from the outset)
- Carrying out PIAs of the risk to digital information and digital information systems that are used to process personal and health information
- Actively promote information security awareness to ensure all staff fully understand their responsibilities of information security compliance in their day-to-day activities
- Making the PMP publicly available as open access information under the GIPA Act.

## 6.4 Management of Data Breaches

If we identify a data breach, we will promptly contain it and assess it for seriousness. If a data breach is likely to result in serious risk of harm to an affected individual, we will attempt to contact that individual directly. If we cannot, we will make the necessary public statements to ensure those affected are aware.

A data breach is defined as unauthorised access to, or unauthorised disclosure of personal or health information. This can occur by accident, through loss or malicious attack.

Our Data Breach Policy provides further details on the steps we take in the event of a data breach.

If you suspect a data breach has occurred, please contact the Privacy Team immediately at [privacy@sydneywater.com.au](mailto:privacy@sydneywater.com.au)

## 6.5 Accountabilities and Offences

All employees, including agency hires and contractors must act in accordance with this PMP, the PPIP Act, HRIP Act and must also comply with the Sydney Water's Ethical Framework.

The PPIP Act and HRIP Act contain criminal offences applicable to employees, agency hires and contractors who use or disclose personal information or health information without authority. It is an offence to:

- intentionally disclose or use personal or health information accessed in doing our jobs for an unauthorised purpose
- offer to supply personal or health information for an unauthorised purpose
- attempt to persuade a person from making or pursuing a request for health information, a complaint to the Privacy Commissioner about health information
- hinder the Privacy Commissioner or member of the Commissioner's staff from doing their job.

It is a criminal offence, punishable by up to two years' imprisonment, an \$11,000 fine (or both), for any person employed or engaged by Sydney Water (including former employees and contractors) to intentionally use or disclose any personal information or health information about another person, to which the employee or contractor has or had access in the exercise of his or her official functions, except in connection with the lawful exercise of his or her official functions.

Sydney Water employee, as public officials can also make a report a of privacy contravention as a potential serious wrongdoing under the *Public Interest Disclosures Act 2022 (PID Act)*.

## 7. Reviews and Complaints

If you consider that we have breached a Privacy Principle, a privacy code of practice or a provision in the PPIP Act, you are entitled to complain and seek an internal review.

### At a glance:



#### Complaint

We welcome the opportunity to discuss any privacy issues you may have. You can raise your concerns with us by contacting the Privacy Manager on [privacy@sydneywater.com.au](mailto:privacy@sydneywater.com.au)



#### Internal Review

If you are unhappy with a decision concerning our conduct, you have the right to seek an internal review under section 53 of the PPIP Act. We will also write to you to advise you of our findings.



#### External Review by NCAT

If you are unhappy with the outcome of the internal review conducted by Sydney Water or do not receive an outcome within 60 days, you have the right to seek an external review by the NCAT.



#### Complaint to the Commissioner

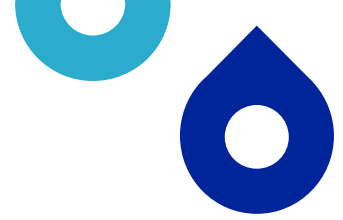
Complaints relating to how we handled your health information should be directed to the NSW Privacy Commissioner in the first instance. If your complaint relates to our handling of health information, and you send it to us, we will review it and forward to the Commissioner's office.

### 7.1 Internal Review

If you consider Sydney Water has not dealt with your personal and/or health information in accordance with NSW Privacy Laws, you can lodge a complaint or internal review with Sydney Water.

For a complaint, it must be made in writing and lodged at [privacy@sydneywater.com.au](mailto:privacy@sydneywater.com.au)

To apply for an internal review, the requirements in Part 5 of the PPIP Act must be met. You will need submit Privacy Internal Review Form available on Sydney Water website along with any relevant material by email at [privacy@sydneywater.com.au](mailto:privacy@sydneywater.com.au) within 6 months.



We will acknowledge receipt of an internal review and will:

- follow the process as set out in the Information & Privacy Commission's internal review checklist and guidance.
- Aim to complete the internal review within 60 calendar days (we will contact you if the review is likely to take longer than 60 days to complete). If the internal review is not completed within 60 days, you have a right to seek a review of the conduct by the NCAT.
- advise the applicant in writing of the findings of the review, the reasons for those findings, the action we propose to take and the reasons for the proposed action (or no action).
- Also provide a copy of your internal review request to the Privacy Commissioner, keep the Commissioner informed of the progress of the internal review and will provide a copy of the finalised internal review report.

In most instances, a member of the Privacy team will investigate your complaint. However in the event the Privacy team cannot, an employee that was not involved in the conduct being complained about will be appointed to investigate the conduct you have sought to be reviewed.

## 7.2 Complaint to the Privacy Commissioner

A complaint to the NSW Privacy Commissioner must be made in writing and within 6 months of the time you first became aware of the conduct that is the subject of your complaint.

The Privacy Commissioner may conduct a preliminary assessment of a complaint before deciding whether to deal with the complaint.

In dealing with a complaint about personal information, the Privacy Commissioner must endeavour to resolve the issue by conciliation.

In considering a complaint about health information, the Privacy Commissioner may resolve the issue by resolution, conciliation, or a report on the findings.

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

Post: GPO Box 7011 Sydney NSW 2001

Phone: 1800 472 679

Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)

Website: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)

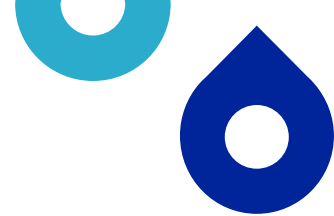
## 7.3 External Review

If you are unhappy with the outcome of the internal review conducted or do not receive an outcome within 60 days, you have the right to seek an external review by the NCAT.

You have 28 calendar days from the date of the internal review decision to seek an external review under Section 53 of the *Administrative Decisions Review Act 1997* (NSW).

To apply for an external review or to obtain more information about seeking an external review, including current forms and fees, please contact the NCAT:

Website: <http://www.ncat.nsw.gov.au/>



Phone: 1300 006 228 and (02) 9377 5711

The NCAT cannot give legal advice, however the NCAT website has general information about the process it follows and legal representation.

# Annexure A – Information held and managed by Sydney Water

Source	Description	Types of information
<p><b>Customer</b></p>	<p>We deliver our products and services to our customers. In doing so, we generate a customer and account record.</p> <p>We will also create contact centre records if you call and report faults or leaks.</p>	<ul style="list-style-type: none"> <li>• Customer name, email address, phone number, date of birth</li> <li>• Property address and property ownership records (purchase date)</li> <li>• Correspondence (email, letters, call summaries, complaints, service alerts)</li> <li>• Call recordings (if you phone our Contact Centre or Customer Hub)</li> <li>• Water consumption data</li> <li>• Bills, bill reminders, overdue bill notices</li> <li>• Payment of invoices, payment extensions</li> <li>• Banking details</li> <li>• Evidence of customer's eligibility to receive a concession or rebate</li> <li>• Evidence of customer's financial hardship</li> <li>• Applications for customer programs (such as Waterfix) – Water efficiency and conservation programs</li> <li>• Records authorising a representative to act on behalf of a customer (Power of Attorney, guardianship order)</li> <li>• Authorised representative's name, email address, phone number</li> <li>• Notices of death, wills</li> <li>• Customer survey and research activities</li> <li>• Campaign and marketing records – customer preference management and unsubscribes, campaign correspondence, segmentation data</li> </ul>
<p><b>Employee and Recruitment</b></p>	<p>During the recruitment process and throughout employment, information (including personal and/or health information) is collected from applicants and employees for various reasons.</p>	<ul style="list-style-type: none"> <li>• Recruitment records - applications from prospective applicants not subject to the suitability of employment exemption (see section 4(3)(j) of the PIPP Act) including applicant personal information and resume, records of the recruitment process - selection committee notes, background, reference and qualification checks</li> <li>• Employee details – name, contact details, address, date of birth, bank account, tax file number, superannuation fund, proof of identity documents, union membership (if applicable), next of kin, diversity, and inclusion information</li> <li>• Employee service records - summary records of roles, tenure and entitlements</li> <li>• Employee timesheets, payslips, higher duties applications, salary sacrifice and donation records</li> <li>• Leave records (including annual, sick, carers, maternity/paternity, compassionate leave which may contain the personal information of other individuals)</li> <li>• Performance and training records</li> </ul>

Source	Description	Types of information
		<ul style="list-style-type: none"> <li>Disciplinary and misconduct information including allegation and investigation records</li> <li>Injury, accident, incident records (where applicable)</li> <li>Fleet booking and telematics data</li> <li>Alcohol and other drug testing records</li> <li>Booking information for desks, rooms and other Sydney Water resources</li> <li>IT records including user account credentials and access controls</li> <li>Fitness for duties and wellbeing records</li> <li>Surveillance records - CCTV, computer monitoring, GPS, site access data</li> <li>Call recordings to our Business Connect and Digital enquiry lines</li> </ul>
<b>Community engagement and external stakeholders</b>	<p>Sydney Water is required to consult and engage with the community on certain activities.</p> <p>We also provide the community with the opportunity to correspond with us, seek access to government information and learn about the water sector through educational and site visits.</p>	<ul style="list-style-type: none"> <li>Community relations and consultation information: contact lists of community and stakeholders, feedback from customers and the community on water and wastewater initiatives and developments (major projects and other projects)</li> <li>Personal information about the administration of grants, funding, events, giveaways and prizes</li> <li>General or specific enquiries (GIPA applications, school student enquiries)</li> <li>Visitor information to Sydney Water sites from schools, students, interest groups including site induction records</li> <li>Images and footage from Sydney Water events, or events where Sydney Water has a presence</li> <li>Correspondence from elected members of government making representations on behalf of constituents</li> </ul>
<b>Procurement</b>	We collect and manage supplier information as part of a supplier doing business with us.	<ul style="list-style-type: none"> <li>Supplier representative name and contact details</li> <li>SAP Ariba account details including name, email address</li> <li>Call recordings to our enquiry line</li> <li>Contract management records</li> <li>Payment claim information and purchase orders that may include personal information</li> </ul>
<b>Research and innovation</b>	Sydney Water performs research and analysis on activities relating to our operations.	<ul style="list-style-type: none"> <li>Datasets containing personal information used in research and analytics activities</li> <li>Information about innovation initiatives, including registration to our Innovation Festival</li> </ul>
<b>Laboratory Services</b>	We offer water quality monitoring services.	<ul style="list-style-type: none"> <li>Client name, email, contact details for water sampling, testing, reporting and invoicing</li> </ul>

Source	Description	Types of information
<b>Development of land and property</b>	We assess developments, building plans and provide Section 73 compliance certificates under the Sydney Water Act.	<ul style="list-style-type: none"> <li>Personal information to register for our developer portals including name, email address, contact information</li> <li>Development applications including property ownership, proposals to develop land, plans, assessment determinations</li> <li>Information about the purchase of diagrams and drawings to locate our assets</li> <li>General enquiries and correspondence about building and developing</li> </ul>
<b>Heritage Collection</b>	Our Heritage Collection contains historical records of our former employees.	<ul style="list-style-type: none"> <li>Former employee information, including service history</li> <li>Enquiries and responses from the public about Sydney Water Heritage Collection</li> </ul>
<b>Work Health and safety</b>	We are required to keep a safe working environment for our employees.	<ul style="list-style-type: none"> <li>Health and wellbeing program records</li> <li>Incident and hazard reporting , including incident cause analysis method (ICAM) and root cause analysis</li> <li>Site induction records</li> <li>Fatigue management – heavy vehicles</li> </ul>
<b>Claims and insurance management</b>	We manage claims for personal injury, damage or loss to property. If an event occurs that impacts your property, you can make a claim for damages against us.	<ul style="list-style-type: none"> <li>Workers compensation records including employee name, type of injury, medical and rehabilitation services received</li> <li>Incident notification information including claimant's name, property address, contact details, details of the incident, property damaged, insurance information, images</li> <li>Claims management information – claimant information, investigation records, claim correspondence and determination</li> <li>Insurance policy/product information – summaries of current and past claims</li> </ul>
<b>Contractor records (onboarding)</b>	When we engage contractors to perform work, we need to provide them with access to information, our systems and sites.	<ul style="list-style-type: none"> <li>Contractor details including name, email address, contact details, user account information (SW Connect)</li> <li>Contractor site induction records, time sheeting</li> </ul>
<b>Website, publishing, etc</b>	<p>Sydney Water owns and maintains the websites:  sydneywater.com.au  sydneywatertalk.com.au</p> <p>Sydney Water manage its social media profiles on Facebook, LinkedIn, YouTube, Instagram and Twitter.</p> <p>We also produce publications in online and hard copy format.</p>	<ul style="list-style-type: none"> <li>Website data</li> <li>Images, footage, other documented material</li> <li>Summary information about our Members of the Board and Executive Team</li> </ul>



