



City of Stirling Submission

*Privacy and Responsible
Information Sharing*

Table of Contents

1. Introduction.....	3
2. Background.....	3
3. Functions of Local Government	3
4. City of Stirling position	4
5. Council's decision	5

1. Introduction

The City of Stirling (“City”) acknowledges the opportunity to make a submission to the Public Sector Reform Unit on the proposed Privacy and Responsible Information Sharing legislation. The City supports the proposed framework and approach to protect personal information while establishing clear rules for responsible information sharing for the benefit of the community.

2. Background

The State Government is committed to *Privacy and Responsible Information Sharing* legislation to bring Western Australia (WA) into line with other jurisdictions and is seeking community feedback to develop a model best attuned to the needs of Western Australians.

WA is one of only two Australian jurisdictions without privacy legislation, putting individuals and the State at considerable disadvantage. Currently, a person who holds the view that their information has been incorrectly handled or shared has no clear pathway for complaint and resolution. To protect the privacy rights of individuals, the State Government proposes a Western Australian Commissioner be appointed.

The absence of privacy legislation has also resulted in a reluctance from other jurisdictions to share datasets with WA researchers seeking better outcomes in key areas such as health, planning, education, economic, environmental and social issues.

WA also does not have a clear overarching information sharing framework, meaning members of the public have to provide the same information to multiple agencies when updating simple details like change of address, and government departments not making the best use of their combined knowledge when delivering public services.

For its part, the State Government is proposing to introduce a whole of government framework to meet the twin priorities of protecting Western Australians privacy and enabling information to be safely used for their benefit.

3. Functions of Local Government

It is the City’s view that local government is able to manage its many complex responsibilities effectively and in the best interests of the community. This will ensure the new privacy protection dealing with personal information are supported by clear rules for responsible information sharing and will help protect a person’s privacy while working collaboratively with State Government agencies and local government to deliver better services and outcomes for the community in areas of transport, health, planning, education, economics, environment and social issues.

The City recognises that privacy is very important to Western Australians and is committed to ensuring personal information.

4. City of Stirling position

The City has been and will continue to be an active and cooperative participant in all legislative reform reviews, surveys and analysis of the local government sector and State Government.

The City supports the State Government's proposal to protect people's privacy while unlocking the value of data to deliver better services and outcomes for the community.

The absence of comprehensive privacy and information frameworks in WA means personal information is protected by a patchwork of rules, and public sector agencies must operate in a complex, inefficient system in order to lawfully and responsibly manage and share the information held.

This has contributed to:-

- Fragmented and unclear protections for those whose information is held by the WA public sector, with no specific avenue by which privacy complaints can be resolved;
- Reduced public trust and confidence in how data is stored, used and shared;
- An inconsistent and generally risk adverse approach to information sharing between agencies; and
- Reduced collaboration and evidence based decisions.

It is the City's view that the discussion paper is structured by an extensive review of the State Government and its agencies requirements in Phase 1 followed by local government sector in Phase 2.

The City recognises that its response to the discussion paper is but one element of the consultation process but would be willing to broaden its position on the following key elements at a later date if and when options become available.

The City supports the following key principles:

Stronger protections for privacy

- Ensure non-negotiable standards for the collection, management, use and disclosure of personal information.
- Give clarity for the circumstances in which personal information can or cannot be shared.

Improved accountability and transparency

- Provides or independent oversight and a mechanism where public complaints can be addressed.
- Ensures accountability within the Western Australian public sector for the handling of personal information.
- New governance and reporting arrangements for data sharing to improve accountability and transparency.

Better services and outcomes for the community

- Make it easier and more convenient to interact with government which will enable services to be better tailored or designed to meet the community needs.

- Enable better decisions and planning for the future about the services that it provides, including but not limited to prioritising transport, health, planning and education investments.
- Enable new insights into how best to tackle complex, economic, environmental and social issues creating a safer and fairer society for all.

5. Council's decision

That Council ENDORSES and FORWARDS the City of Stirling submission, including a request that the implementation of any changes be phased, to the Public Sector Reform Unit, Department of the Premier and Cabinet by 1 November 2019.