Privacy Policy Review

Strategic Alignment - Our Corporation

Public

Friday, 15 August 2025
Audit and Risk Committee

Program Contact:
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Approving Officer:
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EXECUTIVE SUMMARY

The purpose of this report is to seek feedback from the Audit and Risk Committee on the revised Privacy Policy (the Policy), prior to presenting it to Council for adoption.

The Policy establishes the Privacy Governance Framework (the Framework) for the practices and procedures of the City of Adelaide (the CoA) in relation to the collection, use, storage and disclosure of personal information.

Council adopted the current Policy in March 2016 with minor amendments in February 2019, October 2021 and July 2022.

A review of the existing policy was completed following the conclusion of the Data Protection and Privacy Internal Audit (the Audit) in May 2024, which highlighted several areas for improvement, including the need to improve and streamline the Framework.

The current Policy is provided at Link 1. A version of the updated Privacy Policy with changes tracked is shown at Link 2, and a clean version is shown in **Attachment A**.

RECOMMENDATION

THAT THE AUDIT AND RISK COMMITTEE

1. Notes the updated Privacy Policy as contained in Attachment A to Item 7.3 on the Agenda for the meeting of the Audit and Risk Committee held on 15 August 2025 and provides the following feedback:
   1.1. _____
   1.2. _____

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Corporation Create, maintain and integrate plans and policies that reflect, and guide decision making and support our city and our community to thrive.
Policy	This report proposes an update to the Privacy Policy, following the Data Protection and Privacy Internal Audit.
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Not as a result of this report
25/26 Budget Allocation	Not as a result of this report
Proposed 26/27 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
25/26 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Background

1. The Privacy Policy (the Policy) establishes the Privacy Governance Framework (the Framework) for the practices and procedures of the City of Adelaide (the CoA) in relation to the collection, use, storage and disclosure of personal information.
2. Council adopted the current Policy in March 2016, with minor amendments made in February 2019, October 2021, and July 2022.
3. A fulsome review of the Policy has been completed following the conclusion of the Data Protection and Privacy Internal Audit (May 2024), which highlighted several areas for improvement, including the need to improve and streamline the Framework.
4. It is important to highlight that the provisions of the *Privacy Act* 1988 (Cth) (the Privacy Act) do not apply to the CoA or any other South Australian council, however it is the intention of the CoA that its policies and practices in relation to privacy should be, so far as is reasonably practicable, consistent with the Privacy Principles as set out in the Privacy Act, reflecting a best practice approach.
5. The CoA is, however, bound by the *Privacy (Tax File Number) Rule 2015* (the Ruling) issued under the Privacy Act. The Ruling requires an organisation in possession or control of a record that contains TFN information, to protect that information as it relates to individuals.
6. As part of the 2023–2024 Internal Audit Plan for the CoA, an internal audit was conducted to assess the design of the CoA's privacy compliance framework and to test the operating effectiveness of key controls against relevant privacy legislation.
7. The Data Protection and Privacy Internal Audit (the Audit) was performed by KPMG in May 2024 and the report presented to the Audit and Risk Committee at its meeting on 14 June 2024.
8. The Audit identified two findings, rated high and low respectively, and one process improvement opportunity. A summary of the Audit findings are:

Finding 1 – The CoA's Privacy Governance Framework should be improved and streamlined	
High	
Recommendation: 1. Define the roles and responsibilities of individuals from executive leadership to end-users. 2. Develop the privacy governance framework structure to include an operating charter that defines the roles, responsibilities and expectations of individuals. 3. Assign a dedicated Privacy Officer to assist with privacy related issues.	Action: 1. Roles and responsibilities are defined in the Privacy Policy. 2. The privacy governance approach has been developed in the Privacy Policy defining the roles and responsibilities of staff. 3. The Associate Director Governance & Strategy has been appointed as the Privacy Officer.

Finding 6 – Privacy Impact Assessments are not conducted on systems/applications processing personal information	
Low	
Recommendation: Develop and document Privacy Impact Assessment (PIA) policy and/or methodology along with supporting templates to ensure that PIAs are considered for new initiatives or projects that may have privacy impacts.	Action: The Privacy Impact Assessment Tool was already in the Privacy Policy; however, this has been further defined in the Policy.
PIO 1 – Frequency of review of privacy framework documentation to be reassessed.	
Improvement opportunity	
Recommendation: It is recommended that the CoA annually review the Privacy Policy to ensure compliance with the Privacy Act and any additional regulatory requirements, along with changes to those requirements.	Action: The Privacy Policy review frequency was scheduled for every three years. Administration has taken into consideration the recommendation and confirmed that the frequency of review should be set at every four years, in line with CoA's policies, unless legislative or operational change occurs beforehand.

Privacy Policy

9. The Policy currently provides for a review to be undertaken every three years. The most recent review of the Policy was undertaken in July 2022 (current policy at Link 1.

10. It is proposed that the Policy be scheduled for review every four years, aligned with the Council term, unless earlier review is required due to legislative or operational changes. A desktop review will be conducted annually. The main amendments to the Policy are as follows:

    10.1. Insertion of the Privacy Governance Framework.

    10.2. Insertion of Roles and Responsibilities for CoA staff.

    10.3. Appointment of a Privacy Officer being the Associate Director, Governance & Strategy.

11. A table outlining the changes and corresponding explanations is provided below.

Privacy Policy (2025) table of Key Changes and Comments

No.	Page	Item	Explanation
1	1	Statement	Inclusion of the **Privacy Governance Approach** which provides guidance and helps local government agencies to comply by - • Understanding of privacy risks and opportunities • Addressing roles and responsibilities • Maintaining the interests of the individual • Embedding a proactive approach • Implementing robust personal information lifecycles • Prompt notification of eligible data breaches • Ensuring up-to-date privacy policies and procedures • Ensuring there is privacy by default and a transparent and open governance approach • Embedding a culture of protecting personal information

2	2	Statement	**Roles and Responsibilities** – • key functions within CoA • appointment of a Privacy Officer (Associate Director Governance & Strategy)
3	3	Statement	**Collection of Personal Information** – • CoA will take reasonable steps to inform the individual whose personal information it collects.
4	4	Statement	**Collection of Sensitive Information** - • removal of COVID-19 vaccination status and proof of vaccinations requirements • insertion of information that is considered sensitive information about individuals
5	6	Statement	**Disclosure to Third Parties** – • removal of paragraph stating where the third-party provider is not subject to provisions of the Privacy Act
6	8	Statement	**Privacy Impact Assessment Methodology** – • inclusion of steps to follow in identifying risks to privacy and develop appropriate solutions.
7	9	Statement	**Freedom of Information** – • removed as a sub-heading as already included in Access to Personal Information.
		Overall	Other changes relate to the format of the report.

12. The updated Policy showing tracked changes is at Link 2 with a clean copy of the Policy provided as **Attachment A**.
13. Following the consideration by the Audit and Risk Committee, the Policy will be presented to the City Finance and Governance Committee and Council in September for adoption.
14. Once the Policy has been adopted by Council, the two findings and the process improvement opportunity will be marked as completed internal audit actions.

DATA AND SUPPORTING INFORMATION

Link 1 – Current Privacy Policy
Link 2 – Privacy Policy – Tracked changes

ATTACHMENTS

Attachment A – Privacy Policy – no tracked changes

- END OF REPORT -