

Privacy Charter

March 2025



LOWER MURRAY
WATER

Privacy Charter

1.1 Introduction

We appreciate the importance of protecting the personal information of our customers and the trust placed in us when you supply your personal information to us.

We are bound by the Information Privacy Principles (**IPPs**) under the *Privacy and Data Protection Act 2014* (Vic) (**PDP Act**) in the way that we handle personal information. We are also bound by the Health Privacy Principles (**HPPs**) under the *Health Records Act 2001* (Vic) in the way that we handle health information.

The aim of privacy legislation (such as the PDP Act) is to give customers and individuals more control over the way organisations such as ours collect, use, secure and disclose personal information. It also gives customers the right to know what information we hold about them. To assist with this, Lower Murray Water (LMW) has developed this Privacy Charter that explains how LMW handles personal information.

All references in this Privacy Charter to “we”, “us” and “our” are to LMW.

1.2 Collection

We collect personal information that we require for the purpose of our business activities and to perform our functions as a water corporation under the *Water Act Victoria 1989* (Vic). These include, for example, so we can contact you for billing purposes or in relation to your account, for the purpose of providing water and sewerage-related services, if we detect a leak, and where you make a request to us or require our assistance.

The types of personal information that may be collected by us for these purposes include, without limitation, name, address, telephone, e-mail and facsimile numbers, date of birth, driver licence details, pension card numbers, credit information and health information. We may also be required to collect some personal information in accordance with occupational health and safety laws. The types of personal information we collect depends on the circumstances in which that information is collected. These may include:

- (a) identity details (i.e. your name, date of birth, driver licence details, pension card numbers, concession card details, credit information);
- (b) contact details (i.e. current and previous addresses, email and telephone details);
- (c) health or special needs information for the purposes of applying payment concessions and identifying customers who may, because of their special needs, be affected by service outages (e.g. customers who require water for the operation of a life support machine);

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- (d) information about your employment (such as your place of work, position, authority to transact with us, information included in a job application, information required by occupational health and safety laws);
- (e) information on prior dealings with us;
- (f) information necessary for the purpose of minimising harm to, and protecting the health and safety of, our personnel, the public or the environment;
- (g) information on your personal circumstances e.g. if you are experiencing payment difficulty ([Customer Support Policy](#)) or if you are affected by or experiencing family or domestic violence ([Customer Family Violence Policy](#));
- (h) payment card information collected as part of a transaction;
- (i) images and videos of individuals from CCTV footage captured from cameras on our buildings and assets. Signage is in place at all our locations where CCTV cameras are installed; and
- (j) information regarding the use of our websites, including the domains from which website users visit, IP addresses, the dates and times of visits, activities undertaken on our website, cookies and other clickstream data.

We may collect personal information in a number of ways. Where possible, we will collect your personal information directly from you including, without limitation, over the counter and using forms, the telephone and internet.

However, in some cases we may collect personal information about you from someone else, such as:

- (a) other government agencies and authorities;
- (b) publicly available sources of information (such as title documents and the Australian Business Register);
- (c) other third parties (such as real estate agents or rental providers, authorised representatives and third-party data providers).

If you do not provide us with the personal information we request then we may not be able to supply you the assistance, services or products requested.

LMW provides notice to individuals that by using our website at lmw.vic.gov.au, personal information may be collected by us, and in some instances our Internet Service Provider, and that this personal information may be used for monitoring use of our website and for the purpose of promoting water and sewerage related services and products and market research.

We may use cookie technology on our website to provide information and services to website visitors. Cookies are small data files stored on your web-enabled device via your web browser for record keeping purposes and are a necessary part of facilitating online transactions.

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They allow servers hosting website content to recognise visitors and remember their activity. Cookies may last for the duration of your visit or persist across multiple visits, enabling the server to recognise returning users. Most cookies do not collect information that personally identifies you. Instead, they gather general data such as how users arrive at and interact with our websites, or a user's approximate location.

Most web browsers are set to accept cookies by default. You can adjust your browser settings to notify you when a cookie is received, giving you the option to accept or reject it. If you choose to block cookies entirely, some features of our website may not function as intended.

Use and Disclosure

1.3

Personal information collected is used for providing water and sewerage related services and products, so we can contact you for billing purposes or in relation to your account, if we detect a leak, where you make a request to us or require our assistance and otherwise to conduct our business activities.

We may need to disclose some personal information to our contractors and to other third parties for these purposes. We will use reasonable efforts to ensure our contracted service providers comply with the IPPs when providing services to us or on our behalf. Where practicable, we do this by contractually requiring service providers to comply with the IPPs.

We may also use and disclose personal information to facilitate our compliance with relevant statutory and other legal obligations and we may, on request by other statutory agencies, local government and the Victorian Government, disclose personal information to facilitate their compliance with their statutory and legal obligations and to facilitate their enforcement of applicable laws.

The personal information we collect will not be used or disclosed for any other purpose without your consent, unless permitted under privacy legislation.

We do not sell, rent, trade or otherwise make available customers' personal information.

1.4

Data Quality

We will make every effort to ensure that the personal information we collect, use and disclose is accurate, complete, up to date and relevant for the purposes of our use and disclosure.

If you tell us that the personal information we hold about you is not accurate, complete or up to date we will seek to correct that information.

Because we generally collect your personal information directly from you, we rely on you to provide accurate and current information to us in the first

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instance and to help us to keep your information up to date by telling us when your circumstances or details change. For example, we rely on you to let us know when you vacate a property, so we can update our records and send bills and other communications to the right person.

1.5 Data Security

We take reasonable steps to protect the information we hold from unauthorised use, disclosure, access, modification, loss or misuse and our employees are bound by a Code of Conduct.

We have appropriate procedures to safeguard and help prevent unauthorised access to personal information, to maintain data security and ensure we use and disclose the information we collect appropriately.

Where we hold personal information in conjunction with others (e.g. where an account is a joint one), we will allow each individual access to their own personal information and to the joint information (e.g. account balance and transaction details) but not to the personal information of other individuals.

Other individuals will not be given account balances, transaction details or other personal information relating to someone else's account, unless the account holder gives us express permission to disclose the information to individuals not listed on an account. Customers can contact us if they wish to arrange for someone else to have access to their account details.

We take all reasonable steps to securely store and protect the information we hold from interference, unauthorised use, disclosure, access, modification, loss or misuse. This includes complying with the Victorian Protective Data Security Standards, implementing confidentiality requirements for employees and contractors and having in place document storage security, policies, systems and site access restrictions.

We take steps to safeguard and help prevent unauthorized access to personal information, to maintain data security and ensure we use and disclose the information we collect appropriately. This includes ID verification and authentication requirements on your account. In the event of any unauthorised access to, use or disclosure of your personal information, we will respond in accordance with our obligations under the PDP Act, relevant guidelines and our internal breach procedures.

We retain records that contain personal information for the minimum periods required under the *Public Records Act 1973* (Vic). We will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose.

1.6 Openness

On request by an individual, we will take reasonable steps to let the individual know what sort of personal information we hold, for what purposes, and how we collect, hold, use and disclose that information.

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1.7 Access and Correction

We will update and correct our records when customers advise us that their personal information has changed. If customers notify us that the personal information we hold is not accurate, complete or up to date then we will correct the information.

Customers may request access to their personal information held by us by contacting us. We may not provide access to personal information where we are permitted to refuse to provide such access in accordance with privacy legislation. Examples include, without limitation, where providing access would have an unreasonable impact on the privacy of other individuals or the request for access is frivolous or vexatious.

Customers may request access to their personal information that we hold, by writing to:

The Privacy
Officer Lower
Murray Water PO
Box 1438

Mildura Vic 3502

Alternatively, customers may email their request to the Privacy Officer at privacy@lmw.vic.gov.au.

Customers are requested to provide us with as much detail as possible about the particular information sought in order to help us retrieve it. Please note we may charge for the reasonable cost of processing a request and in some instances customers may need to make an application under the *Freedom of Information Act 1982* (Vic).

1.8 Unique Identifiers

We will not assign unique identifiers to individuals unless the assignment of unique identifiers is necessary to enable us to carry out any of our functions efficiently. Further, we will not require an individual to provide a unique identifier unless provided for in privacy legislation.

1.9 Anonymity

Wherever it is lawful and practicable, we will provide individuals with the option of not identifying themselves when entering into transactions with us.

If you choose to remain anonymous, this may limit the actions we are able to take or the services and information we are able to provide. There are circumstances in which we will require you to identify yourself before transacting with us. For example, we will only allow you to make changes to your account after we have verified your identity.

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1.10 Trans-border Data Flows

We may transfer personal information about an individual to someone who is outside Victoria only if we reasonably believe that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the Information Privacy Principles, the individual consents or as otherwise provided for in privacy legislation.

1.11 Sensitive Information

We will not collect sensitive information about an individual unless the individual has consented, the collection is required under law, the collection is necessary to lessen or prevent a serious and imminent threat to the life or health of an individual, or the collection is necessary for a legal or equitable claim.

Sensitive information is a subset of personal information under the PDP Act that is generally afforded a higher level of privacy protection than other types of personal information.

1.12 *Charter of Human Rights and Responsibilities Act 2006 (Vic)* – Section 13 – Privacy and Reputation

LMW and its officers will respect the right of privacy conferred on persons under Section 13 of the *Charter of Human Rights & Responsibilities Act 2006 (Vic)*.

A person has the right –

- (a) Not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and
- (b) Not to have his or her reputation unlawfully attacked.

1.13 Enquiries and Complaints

Customers can contact LMW's Privacy Officer if they have questions about our Privacy Policy or other privacy concerns. The Privacy Officer can be contacted via email at privacy@lmw.vic.gov.au or by telephoning (03) 5051 3400.

We will encourage customers that have a privacy complaint to tell us so that we can act quickly. We will investigate the complaint, answer questions and



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