

KIDD

Property Sales.

De-Identification of Information Policy

1. Purpose and Scope

- 1.1 Michael Kidd Property Sales Pty. Ltd. (A.C.N.91 091 596 600) ("we," "us," and "our") is committed to complying with the Privacy Act, the Australian Privacy Principles, the AML/CTF Act and any other relevant privacy laws.
- 1.2 This Policy sets out the roles, responsibilities, and steps we must take when de-identifying personal information.
- 1.3 This Policy applies to all matters carried out by us.
- 1.4 This Policy does not cover all circumstances that may arise, is not intended to represent a comprehensive statement of the relevant law, and is not legal advice. If you are unsure or have any questions about this Policy, or our obligations, you should consult the Privacy Officer (refer to paragraph 0 below). **DO NOT** de-identify any personal information without written authorisation from the Privacy Officer pursuant to 0.
- 1.5 Failure to comply with any part of this Policy is a serious matter. It may result in disciplinary action, which may include termination of employment or engagement. This Policy does not form part of any employee's contract of employment. Nor does it form part of any other worker's contract for service.
- 1.6 We may vary, replace or terminate this Policy from time to time.

2. Definitions

- (a) **APPs** means the Australian Privacy Principles at Schedule 1 of the *Privacy Act 1988* (Cth).
- (b) **AML/CTF Act** means the *Anti-Money Laundering and Counter Terrorism Financing Act 2006*.
- (c) **de-identified information** means information that is no longer about an identifiable individual or an individual who is reasonably identifiable.
- (d) **Privacy Officer** means the individual responsible for this Policy identified at paragraph **Error! Reference source not found.** below.
- (e) **personal information** has the same meaning as defined in the Privacy Act (and includes "sensitive personal information"). Personal information is information or an opinion, whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
- (f) **Policy** means this De-Identification of Information Policy.
- (g) **Privacy Act** means the *Privacy Act 1988* (Cth)

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3. De-Identification

3.1 De-identified information is not personal information for the purposes of the Privacy Act.

3.2 Section 6(1) of the Privacy Act provides “personal information is *de-identified* if the information is no longer about an identifiable individual or an individual who is reasonably identifiable”. De-identified information is therefore not subject to the Privacy Act.

3.3 However, de-identification of information cannot eliminate all risks associated with a particular use of data. De-identified information will be subject to the Privacy Act if the information is able to be re-identified. Therefore, it is important we take care to properly de-identify information and manage it in a way that prevents breaches of the Privacy Act if the de-identified information were to be re-identified.

Reasonably Identifiable

3.4 It may not always be possible to *completely* de-identify information. Therefore, in most circumstances, we will de-identify information such that an individual is no longer *reasonably identifiable*.

3.5 Whether an individual is reasonably identifiable from de-identified information is an objective test that depends on context and circumstances.

3.6 The following factors should be considered when determining if an individual is reasonably identifiable:

- (a) the nature and amount of information;
- (b) the circumstances in which the information is received;
- (c) who will have access to the information;
- (d) other information either held by or available to us;
- (e) whether it is possible to identify an individual using other available resources; and
- (f) if the information is publicly released, whether a reasonable member of the public who accesses that information would be able to identify the individual.

3.7 An individual will be reasonably identifiable, and de-identification will not have been successful, if:

- (a) it is technically possible to re-identify the individual (whether from the information itself, or in combination with other information (including future information) that may be available); and
- (b) there is a reasonable likelihood of re-identification occurring.

3.8 **Example** – Data that specifies the age range and gender of an individual is unlikely to reasonably identify that person. However, if we provide that same data, together with the individual’s suburb and their occupation, the individual may be identifiable.

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3.9 If you are unsure whether an individual is reasonably identifiable from de-identified information – contact the Privacy Officer.

When we must de-identify information

3.10 We must de-identify personal information when dealing with data for the following purposes:

- (a) advertising and marketing;
- (b) data analytics and business insights;
- (c) sharing data with certain third parties (this is subject to our Privacy Policy);
- (d) using artificial intelligence;
- (e) publishing data publicly (eg media releases, reports or statistics for public consumption); and
- (f) internal training, testing or research.

3.11 APP 11 requires us to de-identify or destroy data when it is no longer required (subject to legislative requirements). In most circumstances, we will destroy data instead of de-identifying it. Refer to our Data Retention and Destruction Policy for more information. Do not destroy data without consulting the Privacy Officer.

4. De-Identification process

4.1 Risk Management

4.2 De-identification is a risk-management exercise. In all cases, we must de-identify information such that the risk of re-identification is very low and there is no reasonable likelihood of re-identification.

4.3 In assessing whether the risk of re-identification is low, we shall consider:

- (a) the information we are de-identifying (eg is it high risk data?);
- (b) the environment in which the data will be released (eg will the data be published publicly?);
- (c) whether a person in the environment in which the data is released (eg a member of the public if the data is published online) could identify the relevant individual from the information being disclosed, either:
 - (d) on its own; or
 - (e) in combination with other available or future information; and
- (f) the harm that could occur if the data were to be re-identified. We must consider the harm to both us and the individual.

4.4 De-identified information may be re-identified from information that becomes available in the future. The Privacy Officer will therefore regularly assess the ongoing risk of re-identification, including assessing



whether disclosing further de-identified information carries a re-identification risk of other previously published de-identified information.

- 4.5 If we are releasing de-identified information publicly, we must make significant alterations to the data and carefully consider whether any member of the public (including the relevant person themselves) could identify the person the subject of the information.
- 4.6 If there is any risk that an individual may be re-identified – we must not release the information.

De-Identification process

4.7 De-identification is a process which involves the removal or alteration of personal identifiers, followed by the application of any additional techniques or controls required to remove, obscure, aggregate, alter and/or protect data in some way so that it is no longer about an identifiable (or reasonably identifiable) individual.

4.8 The following process must be followed to de-identify any personal data:

(1) Notify the Privacy Officer in writing before de-identifying any data. The Privacy Officer must be provided with the following information:

- (a) the reason for de-identification; and
- (b) the environment to which the de-identified information will be shared (eg publicly or to a third party service provider).

You must receive the Privacy Officer's approval in writing before de-identifying any information.

- (2) Remove direct identifiers from the relevant data (eg name, date of birth and address).
- (3) Remove or alter information that could be used to re-identify the relevant person (eg a rare characteristic or a combination of characteristics that enable identification).
- (4) Test the de-identification. Could a reasonable person identify the person through the information provided and other materials available to them (including future materials)?
- (5) Send the de-identified information to the Privacy Officer for approval. The Privacy Officer must review and approve the de-identified information before it may be published or provided to another party.
- (6) Depending on the environment to which the de-identified information is published, the Privacy Officer may implement controls and safeguards to prevent re-identification.

4.9 We must seek specialist expertise for more complex de-identification matters. This may involve engaging external technology professionals.

Privacy Officer

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Functions and Delegations

Principal	<p>Oversee agency's compliance with Privacy Act</p> <p>Allocate resources for de-identification processes and tools</p> <p>Oversee business divisions integrating de-identification into workflows where required</p>
Privacy Officer	<p>Review and approve requests for de-identification</p> <p>Regularly assess the ongoing risk of re-identification, including assessing whether disclosing further de-identified information carries a re-identification risk of other previously published de-identified information</p> <p>Conduct ongoing and regular re-identification risk assessments (to check that methods used are still effective and appropriate at managing risks involved)</p> <p>Audit data recipients to ensure that they are complying with the conditions of any data sharing agreements</p> <p>Handle requests for subpoenas</p> <p>Monitor compliance with this Policy</p> <p>Remain abreast of privacy law changes, practices and industry standards</p> <p>Maintain secure systems for storing and processing de-identified information</p> <p>Test technology systems for re-identification risk and implement safeguards</p> <p>Apply technical measures for de-identification</p>

Related policies

- (a) Privacy Policy

- (b) Data Retention and Destruction Policy

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