



Protection of privacy



"My privacy is respected and I understand why my information may be shared."

Intent

We collect and manage a range of personal information. We treat it respectfully and carefully, are open with people about why we collect it, how it is held and stored, what we do with it and rights of access.

We comply with regulatory standards and only release and share information in accordance with our policies and the law. Wherever possible, we forewarn and seek consent from people about when their information may have to be disclosed.

Responsibilities

Management will:

- act as or delegate the responsibilities of Privacy Officer to kaimahi/staff
- monitor and manage our information management system
- monitor and manage our privacy and data breach risks with appropriate safeguards
- manage privacy and data breach incidents.

The Privacy Officer(s) will:



- monitor the organisation's compliance with this policy and the Privacy Act 2020
- assist with privacy-related training of staff/volunteers
- liaise with the Office of the Privacy Commissioner as necessary.
- support staff and volunteers when dealing with privacy-related issues.

Staff/kaimahi and volunteers will comply with this policy.

Definitions

"Personal information" is information about an identifiable, living human being. It includes [health information](#) and all other types of information whether paper, digital, or electronic which identifies a person.

"Privacy Officer"- see [here](#) for role of Privacy Officer.

Requirements

Collecting personal information

Wherever possible and appropriate, personal information will be collected directly from the person to whom it relates. This helps the quality of information, gives the person the chance to ask questions and exercise their right to consent or not consent.

Scope of information

Personal information will only be collected if we require identifying information for a particular purpose. If non-identifying information would achieve the same purpose, we will collect and use that in preference to collecting personal information.

No one will be asked to disclose a unique identifier that has been assigned to them by another organisation unless it's needed for the purpose for which it was originally assigned.

How we collect



Personal information will be collected in a fair, reasonable and lawful way.

We will take reasonable care to:

- respect a person's/whānau cultural beliefs and values relevant to collecting their personal information
- apply [Informed consent](#) and help the person/child we are collecting the information from to understand:
 - why we're collecting the information
 - what we will do with it
 - when their information will be shared with another person or agency (eg for safety reasons, auditing, supervision)
 - their right to access and correct the information
 - the consequence of not giving us the information
 - that it is not mandatory to supply the information
 - their right to make a complaint.
- use collection methods that do not unduly intrude on personal privacy.

Collecting personal information from tamariki/rangatahi

Generally, personal information will not be sought from a rangatahi unless their parents/legal guardians have consented.

The collection of information must be in the best interests of the rangatahi eg help us be responsive to them.

The information must be collected in an age and stage-appropriate way (eg using diagrams; plain language, parent/legal guardian or other support involved etc).

Collecting information from a third party

As a general rule, we will not collect a person's information from a third party unless that person consents.

The [Information sharing](#) policy will apply when personal information is collected from a third party without the person's consent.



A request for information from a third party will state:

- authority to make the request
- why the information is being sought
- the scope of information being sought (ie only information necessary to the purpose).

A copy of the request will be kept on file.

Use for agreed purpose

Personal information will only be used for the purpose for which it was collected (eg our mahi/work with a person; payment of wages/salaries) unless the person whose information it is authorises that it can be used for another purpose or if another purpose is allowed by law, such as:

- it relates to the original purpose for collecting the information
- the other purpose is a family violence or child protection purpose (see [Sharing information without consent](#))
- it is needed to prevent or lessen a risk of serious harm to a person
- for court proceedings
- to not prejudice the maintenance of law.

If the reason for collecting the information is no longer applicable, we will dispose of the personal information in a secure way unless we are legally required to keep it (eg as a health and disability record; wage record.)

Accuracy

Reasonable care will be taken to ensure the personal information we obtain, disclose and use is accurate, complete and up-to-date:

- information obtained from third parties will be checked for accuracy with the person whose information it is and/or other sources
- people will be informed they can correct the personal information we hold by putting the correction in writing and giving it to us. If we don't make the correction, their correction will be held on file with the personal information they want corrected.



Access to personal information

People will be informed in writing about who will have access to their personal information. They will be kept informed about when access is given to the extent this is safe and practicable (see [Sharing information without consent policy](#))

A person may request access to their own or their child's personal information. Unless there is [good reason to refuse](#), we will facilitate access as follows:

- enable access within 20 working days of receiving the request for access
- remove information about another person on their file beforehand (under the oversight of management/their delegate)
- encourage the person to have support while viewing their record (ie for sensitive information)
- inform the person of their right to seek a correction to their personal information.

If a parent requests access to their child's personal information, we will allow access unless we reasonably believe it would be contrary to the young person's best interests after considering:

- the young person's views about the access
- the nature of the personal information to be accessed
- the parent's reasons for wanting access
- the importance of privacy to the rangatahi's wellbeing.

If we [deny access](#), we will inform the parent or person of our reasons and their right to complain to the Privacy Commissioner.

A record will be kept of:

- the request for access and date when received
- a copy of the information accessed
- the person's authorisation allowing access by their representative (if relevant)



- the reasons for delay or refusal (if applicable)
- safeguards implemented to action the request
- other steps taken for the request (eg in relation to parental access).

Privacy officer

We have a Privacy Officer to support our compliance with the law and policies and to support our interactions with the Office of the Privacy Commissioner (eg about [privacy breaches](#); complaints etc.)

Compliance

Social Sector Accreditation Standards – Level 2 Client services and programmes 5.0; Governance and management structure and systems

Social Sector Accreditation Standards – Levels 3 & 4, Governance and management structure and systems 2.0

NZS 8134:2021 Criteria 2.5, 1.4

Helpful links

[Sharing personal information without consent](#)

[Safeguarding personal information](#)

[Privacy breach](#)

[Privacy is about building trust](#)

[Privacy statement generator](#)

[Privacy Act 2020](#)

[Health Information Privacy Code 2020](#)

Review

Date: October 2020



Next review: by September 2022