

**Neighbourhood Support Waitakere Inc  
Policy**

<b>Policy area</b>	Provision of services	
<b>Policy title</b>	<b>Privacy and confidential information</b>	
<b>Legislative background</b>	Neighbourhood Support Waitakere (the organisation)'s policy and procedures relating to privacy, confidentiality and disclosure of and access to personal information held by the organisation have been developed in line with the legislative requirements of the Privacy Act 1993, the 12 privacy principles that form the basis of that Act and the Health Information Privacy Code/ Code of Practice 2008.	
<b>Context</b>	<p>The legislation applies because the organisation itself collects, stores, discloses and uses personal information in relation to identifiable individuals (members, staff and volunteers), and is also the recipient and user of such information collected by other agencies and passed to the organisation.</p> <p>This policy covers all personal information relating to identifiable individuals that is held by the organisation in whatever form, including information in the data base, minutes of meetings, financial information, and personnel files.</p> <p>This information is collected, stored, disclosed and used in accordance with this policy and only in relation to the provision of authorised services that contribute to the delivery of strategic goals and service agreements.</p> <p>This Policy applies to all persons including members, employees and volunteers, who access, use and disclose information collected and stored by the organisation.</p> <p>The Health Information Privacy Code applies to any person or organisation that provides health or disability services. "Health services" are goods, services and facilities provided to people for health or related purposes. "Disability services" include goods, services and facilities provided to people with disabilities for, or incidental to, their care or support or to promote their independence. The organisation collects, stores, discloses and uses information about health and medical conditions and information about disabilities in relation to identifiable individuals.</p>	<b>Use:</b> See statement at end of Policy
<b>Policy detail</b>	<p>The organisation applies the following principles and implements them established procedures and good practice:</p> <ol style="list-style-type: none"> <li>1. We only collect personal information about members, staff and volunteers for lawful purposes connected with our activities and where that information is necessary for these activities</li> <li>2. We collect personal information directly from the individual concerned unless the member is a minor</li> </ol>	Other

	<p>or has given consent for someone else to provide the information or the information is publicly available</p> <p>3. When collecting the personal information directly from the individual concerned we inform that person that the information is being collected and the purpose for this, where it will be held, to whom else it is usually disclosed, their rights to access and correct personal information held by us. We only collect sensitive personal information, such as health or disability information, with the informed consent of the individual</p> <p>4. When collecting the information we ensure that only legal and fair means of collection are used and that these do not intrude unreasonably on the privacy of the individual concerned.</p> <p>5. We ensure that any personal information we hold is kept secure against loss, misuse, and unauthorised access, modification and disclosure and will ensure that it is disposed of appropriately and securely.</p> <p>6. We will inform individuals how they can get access to personal information held about them and if requested, we will make available to an individual any personal information that we hold about them. In doing this we will ensure that any personal information relating to any other identifiable person is deleted</p> <p>7. We will allow individuals to correct any wrong, incomplete or misleading personal information we hold relating to them. If correction is not possible we will note the denied request.</p> <p>8. We will not use or disclose personal information without taking reasonable steps to ensure that the information is accurate, complete, relevant, up-to-date and not misleading</p> <p>9. Personal information held will not be kept longer than needed for the purpose for which it was collected</p> <p>10. We will not use personal information for any other purpose than that for which it was obtained except with consent of the individual or where its use or disclosure is necessary to prevent harm to life or health</p> <p>11. We will not disclose personal information to any other person or organisation without consent unless disclosure is to the individual themselves, or is in connection with for a purpose for which the information was obtained or the information was obtained from a public source, or disclosure is necessary to prevent harm to life or health</p> <p>12. We only use identifying codes in relation to marking place on the database and do not use the same codes as other agencies nor do we require an individual to disclose any identification number that may have been given to them by another agency. (Staff and IRD number)</p> <p>13. We will take all reasonable steps to de-identify health and disability information before it is disclosed for data collection or research purposes</p> <p>14. We will treat private or confidential information</p>	<p>exclusions apply</p> <p>Other requirements apply</p> <p>Exclusions apply</p> <p>i.e. voluntary</p> <p>Exclusions apply</p> <p>Other exclusions apply</p> <p>Other exclusions apply</p>
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	<p>received from other agencies in the same way we treat our own data and respect any limitations put on its use by the other agency</p> <p>15. We will ensure that the use of PSD's, electronic, written and verbal communication and operation of the website complies with this policy</p> <p>16. As required by the Act we will appoint a person who is a volunteer or staff member to be our Privacy Officer whose duties will be to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> encourage compliance with the Privacy Act</li> <li><input type="checkbox"/> deal with requests made to our organisation relating to personal information</li> <li><input type="checkbox"/> help the Privacy Commissioner investigate any complaint</li> </ul> <p><b>Collection and use of personal information</b></p> <p>To enable NSW fulfil its goals and aims and meet its obligations to members, partner organisations, funding bodies and the national body we collect, hold, use and disclose data on households and individuals, including contact details and health or disability needs so that we:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> have a record of the individuals who are members of the NSW network,</li> <li><input type="checkbox"/> can pass this information to Police and Civil Defence and Emergency Management for use in a civil emergency or natural disaster</li> <li><input type="checkbox"/> provide these individuals with relevant information relating to community safety and wellbeing, and activities and events being undertaken by the organisation</li> <li><input type="checkbox"/> to enable local coordinator to maintain contact and support as appropriate</li> <li><input type="checkbox"/> provide statistics to NSNZ and funding bodies</li> </ul> <p><b>Exceptions allowing disclosure of information</b></p> <p>The Privacy Act states a number of grounds that allow personal information to be disclosed. Examples of permitted disclosure include where:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the information was already publicly available, or the disclosure is to the individual concerned, or the disclosure was authorised by that individual.</li> <li><input type="checkbox"/> Disclosure is necessary to avoid prejudice to the maintenance of law, for the conduct of Court proceedings, or to prevent a serious or imminent threat to public health and safety or to the life and health of an individual.</li> <li><input type="checkbox"/> The Privacy Commissioner may also authorise disclosure even if this would be contrary to the privacy principles but they must be satisfied that the public interest outweighs the privacy of the individual.</li> </ul> <p><b>Informed consent</b></p> <p>The organisation only shares and exchanges personal information relating to health and disability with the individual's informed consent. Informed consent means that the individual:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> understands the need to exchange personal information about them</li> </ul>	<p>Office of Privacy Commissioner will provide support and training</p>
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	<ul style="list-style-type: none"> <li><input type="checkbox"/> knows what personal information will be exchanged</li> <li><input type="checkbox"/> knows with whom or what agency the information will be exchanged</li> <li><input type="checkbox"/> agrees to the exchange</li> </ul> <p>Consent may be verbal or written. If verbal, the consent is noted on the relevant file. Written consent is recorded on our Registration form or on a Consent Form held in the relevant file.</p> <p><b>Breaches of the privacy principles</b> The 12 privacy principles in the 1993 Act cannot be directly enforced in Court. However, if a person believes that there has been an interference with his or her privacy, the person may complain to the Privacy Commissioner. If the Privacy Commissioner is unable to settle the complaint, the Commissioner may refer the complainant to the Director of Human Rights Proceedings, who will decide whether to take the matter to the Human Rights Review Tribunal. The Review Tribunal may make a number of orders, including ordering compensation.</p> <p><b>Dealing with requests for personal information</b> As a private agency the Privacy Act permits NSW to make a reasonable charge for the provision of information to any individual making an information privacy request for any of the individual's personal information held by NSW. NSW may also make a reasonable charge for correcting the information held, at the request of the individual. However in general this charge cannot be made in respect of health and disability information.</p>	
<b>Procedures giving effect to policy</b>	<p>Attached are procedures dealing with:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> collecting information, including information passed on from other parties</li> <li><input type="checkbox"/> storing information and keeping it secure</li> <li><input type="checkbox"/> ensuring information held is accurate</li> <li><input type="checkbox"/> using information</li> <li><input type="checkbox"/> disclosing information</li> <li><input type="checkbox"/> disposal</li> <li><input type="checkbox"/> complying with requests for information</li> </ul>	
<b>Effective date</b>	29 July 2010	
<b>Version number</b>	One	
<b>Review date</b>	29 July 2011	
<b>Links</b>	Principles of the Privacy Act 1993 Health Information Privacy Code/Code of Practice 2008 Relevant policies and procedures of NZ Police, Waitakere City Council, Civil Defence and Emergency Management and NZ Fire Service	