Environment Network Manawatū

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Privacy Policy

Policy Status

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	Signed by: (Rebecca Bell, Co-Chairperson)

Purpose

The purpose of this policy is to ensure that Environment Network Manawatū (ENM) follows accepted practice and meets its legislative responsibilities for the privacy of its employees and volunteers as defined by the Privacy Act 2020 (Privacy Act).

The purpose of the Privacy Act is to promote and protect individual privacy by providing a framework for protecting privacy of personal information, including access by individuals to their information, while also recognising other rights and interests.

Scope

The Privacy Act governs how organisations can collect, store, use and share information. It ensures that:

- you know when your information is being collected
- your information is used and shared appropriately
- your information is kept safe and secure
- you can get access to your information.

This policy concerns the personal information ENM processes and manages for its employees and volunteers. Images, video and audio will be treated the same as text and numerical data where the individual can be identified. Any information which can identify an individual or lead to identification is regarded as personal data, and ENM will be guided by and comply with the Privacy Act.

In the Privacy Act, personal information is defined as information about identifiable, living people. It is our intention for ENM to also treat the data of the deceased in the same way.

At the heart of the Privacy Act are the privacy principles, these can be found here. https://www.privacy.org.nz/privacy act 2020/privacy-principles/. These principles have informed ENM's policy and procedures.

Our Policy and Procedures

ENM will follow the principles of the Privacy Act when processing personal information for its employees and staff.

Collection of Personal Information (Principle 1)

ENM will only collect personal information if it is for a lawful purpose connected with their functions or activities, and the information is necessary for that purpose. This principle is about data minimisation.

Online, individuals providing personal information will be required to accept website terms and conditions and ENM's privacy statement.

Offline, a consent form collecting personal information via images, video and audio will be completed and kept on file. Attention will be drawn to ENM's privacy statement online.

The following documents relate to how ENM gathers personal information and obtains consent:

- Website terms and conditions
- ENM's Privacy Statement
- Offline consent form for images, video and audio.

Source of Personal Information (Principle 2)

ENM will collect personal information directly from the person it is about. Collecting information from the person concerned means they know what is going on and have some control over their information.

Where it is not possible to collect information directly from the person concerned, ENM may collect it from other people in certain situations. For instance:

- if the person concerned authorises collection from someone else
- if collecting the information in another way would not prejudice the person's interests
- if the information is collected from a publicly available source
- if collecting information from the person directly would undermine the purpose of collection.

Collection of information – what to tell the individual (Principle 3)

When ENM collects personal information, it will take reasonable steps to make sure that the person knows:

- why it's being collected
- who will receive it
- whether giving it is compulsory or voluntary
- what will happen if the information isn't provided.

ENM will not let the person know about the collection only where there are good reasons for not letting the person know e.g. if it would undermine the purpose of the collection to protect law enforcement investigations, or it's just not possible to tell them.

Manner of collection (Principle 4)

ENM will only collect personal information in ways that are lawful and seen as fair and reasonable in the circumstances.

What is fair depends a lot on the circumstances like the individual concerned (age and capacity) and the natural sensitivity of the information. Note that threatening, coercive, or misleading behaviour when collecting information from an individual could well be considered unfair.

Storage and security of information (Principle 5)

ENM will ensure that there are reasonable security safeguards in place to prevent loss, misuse or disclosure of personal information.

Serious privacy breaches will be notified to the Office of the Privacy Commissioner as soon as possible (within 72 hours).

Access to Personal Information (Principle 6)

ENM will provide access to the personal information it holds about someone if the person in question requests to see it.

The information will only be about themselves. The Privacy Act does not allow a person to request information about another person, unless that person is acting on that person's behalf and has written permission.

ENM will refuse a request for access to personal information only where there are good reasons to do so. For example, the information may involve an unwarranted breach of someone else's privacy or releasing it may pose a serious threat to someone's safety.

Correction of personal information (Principle 7)

ENM will respect a person's right to ask for their information to be corrected if they think it is wrong. Where ENM does not agree that the personal information needs correcting, we will take reasonable steps to attach a statement of correction to the information to show the person's view.

Accuracy of personal information (Principle 8)

Before using or disclosing personal information, ENM will take reasonable steps to check that it is accurate, complete, relevant, up to date and not misleading.

Retention of personal information (Principle 9)

ENM will not keep personal information for longer than is required for the purposes it may lawfully be used.

Limit on use of personal information (Principle 10)

ENM will generally only use personal information for the purpose it was collected.

ENM will only use the personal information for other uses in limited circumstances i.e. where use is directly related to the original purpose, or if the person in question gives their permission for their information to be used in a different way.

Disclosure of personal information (Principle 11)

ENM will only disclose personal information when:

- disclosure is one of the purposes for which the organisation got the information
- the person concerned authorises the disclosure
- the information is to be used in a way that does not identify the person concerned
- disclosure is necessary to avoid endangering someone's health or safety
- disclosure is necessary to uphold or enforce the law.

Disclosure outside New Zealand (Principle 12)

ENM will not send information overseas.

Unique identifiers (Principle 13)

ENM will only assign unique identifiers to individuals where it is necessary for operational functions.

Unique identifiers are individual numbers, references, or other forms of identification allocated to people by organisations as a way to uniquely identify the person to the organisation assigning the identifier. Examples include driver's licence, passport or IRD numbers.

Handling Questions and Complaints

All questions and complaints regarding privacy will be directed through ENM's Privacy Officer. In the Privacy Officers absence, a member of the ENM Board will act in the Officer's absence. Questions and complaints will be handled promptly, as follows:

- All questions or complaints will be documented to ensure they are fully understood by all parties. (the "making a complaint" form at www.privacy.org.nz/ will be used as the basis to ensure all information is captured)
- Create a written record within five (5) days, where required
- Have the written record confirmed and agreed in writing by both parties
- Where there a complaint is involved, go through the ENM's complaint process.

Complaint Process

As complaints may vary in nature, the process may vary. Below is a broad outline of ENM's complaint process.

- Receive and review the complaint
- Investigate the complaint
- Settle the complaint or refer the complaint to an independent body
- Take any action required to remedy the cause of the complaint and any similar future complaints.

Receiving Alerts of a Privacy Breach

All privacy related alerts from any organisation providing services to ENM or holding data on behalf of ENM will be directed through the Privacy Officer. The officer will:

- Understand and document the nature of the alert and proposed action to be taken (or already taken by the organisation).
- Assess the seriousness of the alert. (Note, at this point the office of the Privacy Commissioner may be contacted for advice if necessary).
- Advise the Management Committee of the alert, seriousness and recommended next steps.
- Advise affected individuals.

Roles and Responsibilities

The ENM Coordinator is responsible for managing the privacy process in accordance with this policy and is ENM's designated Privacy Officer.

ENM's Board is responsible for providing oversight of this policy.

Related Environment Network Manawatū Policy Documents

- Policy on Confidential Information
- Conflict of Interest Management Policy
- ENM Employment Agreements
- Volunteer Policy
- Website Terms and Conditions
- ENM Privacy Statement/s
- Advocacy Policy
- Archives Policy
- Management Committee Meetings and Minute Taking
- Staff Recruitment Policy