

PRIVACY

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Controlled document - refer to Intranet for latest version

PURPOSE

All staff and students at Tai Poutini Polytechnic have an expectation of privacy. This policy provides guidelines and procedures to ensure that the privacy rights of students and staff of Tai Poutini Polytechnic are respected and upheld as well as satisfying the requirements of the Privacy Act 1993. This policy provides guidance on how personal information may be collected, stored, used, disclosed and corrected in accordance with the Privacy Act.

DEFINITIONS

Agency any person or body of persons, whether corporate or unincorporated and whether in the public sector or the private sector including TPP departments or faculties.

Information Privacy Principles (IPPs) set by the Privacy Act, IPPs form the basis on which all issues of the privacy of personal information are determined. Everyone who has access to the personal information TPP collects and/or holds must understand and comply with these basic principles. The [twelve IPPs are accessible via the Privacy Commissioner website](#).

Personal / Private/sensitive Information any information about an identifiable living human being. Note that private information can be transmitted in both written and verbal form.

For example: name and address, medical records, bank account details, student identification numbers, NSI numbers, photos, videos and information about a person's likes, opinions and where they work. Dates of birth or postcodes may be enough to identify someone.

Privacy Officer the person identified by the Institute as the Privacy Officer as required by s23 of the Privacy Act. See the scope section for the specific responsibilities for this

POLICY

- The Privacy Act's Information Privacy Principles forms the basis on which all issues regarding privacy of personal information are determined and are to be managed. Everyone who has access to personal information collected or held by Tai Poutini Polytechnic must understand and follow the twelve Information Privacy Principles to minimise the risk of inadvertent disclosure of personal information. (Note: The following is a brief description of these; please refer to [Information Privacy Principles](#) found at the [Privacy Commissioner website](#)).
 - Principles 1-4 govern the collection of personal information. This includes the reasons why personal information may be collected, where it may be collected from, and how it is collected.

- 1.2 Principle 5 governs the way personal information is *stored*. It is designed to protect personal information from unauthorised use or disclosure.
- 1.3 Principle 6 gives individuals the right to *access* information about themselves.
- 1.4 Principle 7 gives individuals the right to *correct* information about themselves.
- 1.5 Principles 8-11 place restrictions on how people and organisations can *use or disclose personal* information. These include ensuring information is accurate and up-to-date, and that it isn't improperly disclosed.
- 1.6 Principle 12 governs how "unique identifiers" such as IRD numbers, student identification numbers, NSI numbers, bank client numbers, drivers' licences and passport numbers can be used.

2. All Tai Poutini Polytechnic information, forms, systems and processes which seek, record, or hold personal information will comply with the [Information Privacy Principles \(IPP\)](#).

3. Only authorised TPP staff members will have access to personal information about students or staff.

3.1 The following staff will have direct access to personnel files for business purposes as follows:

Chief Executive	Management purposes
Chief Financial Officer	For financial and audit matters
Director of Human Resources	For employment related matters
The Executive Assistant to the CEO and Divisional Administrator	In support for the above staff
Line Manager	For managing their direct reports

3.2 In the course of fulfilling their duties, TPP employees will have access to student information. It is expected that a level of professional discretion is applied when dealing with sensitive information, and this information will only be used for the purpose for which it was gathered.

3.3 Prior to gaining access to sensitive information, staff who require access to sensitive information will be trained on the implementation of this policy and the privacy principles so staff responsibilities are clearly understood.

4. Enrolment and employment forms will include statements regarding the collection, purpose and use of personal information under the provisions of the Privacy Act. Such information must only be used for the purpose it was intended.

5. The Public Records Act requires that certain information is held for specified periods of time. Any information collected and/or held by TPP about students or staff members, current and past, must be stored either physically or electronically in a secure manner. Refer to the ITPNZ GDA Disposal Schedule [DA424] and General Disposal Authority 6-Common Corporate Service Public Records [DA558] for when records may be disposed of.

6. Breach of this policy:

6.1 If a staff member believes an electronic process (either by batch or individual processing) has caused or may lead to a breach of this policy, the staff member should immediately notify the IT Helpdesk. IT staff will take steps to identify and where possible prevent a policy breach.

- 6.2 If a student and/or staff member considers that there has been a breach of this policy, the student and/or staff member should first refer the matter to a senior staff member, or Head of Department/General Manager who will endeavour to resolve the matter.
- 6.3 If the complaint is not resolved at that level, the Complaints Resolution policy and process will be followed.
- 6.4 If this policy is found to be breached by a student, the student may be subject to disciplinary action in accordance with the Student Disciplinary Actions within the Academic Statute. Such a breach would be considered serious misconduct and action may include a warning, suspension, expulsion or further decision by the Chief Executive.
- 6.5 If this policy is found to be breached by an employee the procedure for investigation and possible disciplinary actions will follow the Staff Misconduct and Unsatisfactory Performance policy. Depending on the outcome of the investigation, a policy breach may be deemed as serious misconduct.
7. Methods for protecting privacy of sensitive information will be used wherever possible:
- 7.1 Only users with approved login credentials are permitted to access electronic systems. Users are not permitted to share login credentials with others (refer to the Staff Computer Users policy).
- 7.2 The secure print feature (where available) should be used when printing sensitive information to publicly accessible devices.
- 7.3 Hard copies of sensitive information will be shredded or placed in the secure disposal bins.

SCOPE

This policy applies to all personal information collected and/or held by Tai Poutini Polytechnic, including all information about identifiable students or staff members.

Responsibilities

Due to the fact that personal information can inadvertently be misused, **staff who have access to personal information about students and/or other staff** must be aware of and comply with the procedures set out in this policy including the [twelve Information Privacy Principles](#). When in doubt, staff must consult the Privacy Officer before taking action.

The **Privacy Officer** encourages compliance with the Privacy Act, trains staff in privacy matters, monitors the agency's policies to check compliance, handles requests for and general issues about personal information, and works with the Privacy Commissioner when investigating a privacy complaint against the organisation. The Privacy Officer is appointed by the Chief Executive. The current Privacy Officer is Darcy Liddell ext. 7754.

RELATIONSHIPS

Internal

- Student Rights and Responsibilities (within [Academic Statute](#))
- Assessment (within [Academic Statute](#))
- Moderation (within [Academic Statute](#))
- [Protected Disclosure policy](#)

- [Complaint Resolution policy](#)
- [Staff Misconduct and Unsatisfactory Performance policy](#)
- [Consolidated Code of staff Ethics policy](#)
- Electronic Document and Records Management policy (TBC)
- [Staff Computer Use policy](#)
- [Reporting and Results policy](#)

External

- [Information Privacy Principles](#)
- [Office of the Privacy Commissioner](#)
- [Privacy Act 1993](#)
- [Public Records Act 2005](#)
- [Bill of Rights Act 1990](#)
- [The Education Act 1989 s226-226B](#)
- [Official Information Act 1982](#)
- [The Universal Declaration of Human Rights](#)

PROCEDURES

4.11 A How to honour requests for personal information

FORMS

4.11A(i) [Disclosure of Personal Information Request Form](#)

4.11A(ii) [Authority to Disclose Specific Personal Information](#)

APPENDIX

4.11.1 Tips for keeping your privacy safe online (office of the Privacy Commissioner)

How to honour requests for personal information

PROCEDURE

1. As a general rule, Tai Poutini Polytechnic will not disclose personal information that it holds about any individual to any person, body or agency unless one of the exceptions in Principle 11 of the [Information Privacy Principles](#) applies.
2. Where there is any question about the request for information, the Privacy Officer must be consulted prior to any disclosure occurring.

The following information are guidelines for staff that have access to student or employee personal information, however in all instances, the Privacy Officer and/or a senior manager should be engaged should there be a request for access to personal information held by Tai Poutini Polytechnic.

3. Requests for Addresses or Other Means of Contact
 - 3.1 Occasionally requests are received from parents, relatives, friends and others wanting to get in touch with staff or students. Addresses and other contact details should **NOT** be disclosed except in emergencies as indicated below.
 - 3.2 General enquiries about staff contact information can be dealt with by providing the relevant details available on the public website. Other general enquiries should be politely declined with a brief explanation that '*TPP Privacy Policy protects the information requested from being disclosed.*'
 - 3.3 Students' personal information, including contact information, is private and TPP is responsible to ensure this right is upheld.
 - 3.3.1 Not all such requests are innocent or well intentioned, for example a company wishing to market to individuals in a personal manner by using their private information.
 - 3.3.2 Specific enquiries from parents, relatives or friends can be handled by offering to deliver the message to the person concerned and asking the student or staff member to contact the person concerned. This can be done by obtaining the contact details of the enquirer and forwarding these to the person concerned.
4. Emergency Messages
 - 4.1 In a *genuine* emergency, messages should be relayed as quickly and calmly as possible through a senior staff member or the Privacy Officer, to the individual involved.
5. Requests from Parents and Employers for Progress Reports
 - 5.1 TPP requires parents or legal guardians of students less than 18 years of age to co-sign the student's acceptance letter. This allows TPP to discuss details of the student's progress with the parents.
 - 5.2 For students over the age of 18, parents and employers have NO special rights to a child or employee's personal information even if they paid the fees or allowed time off employment to study. In these cases, every effort should be made to persuade parents and children and employers and employees to deal

directly with each other. If that is not possible, the student's authorisation can be sought either by the parent/employer of TPP. Form 4.11A(i) must be completed by the Privacy Officer.

6. Student Information/Results

- 6.1 Student attendance, records and marks, assessments, grades, and results are personal information. Care must be taken to communicate them only to the individual concerned unless there is a clear statutory requirement to disclose the information, for example, providing results to NZQA.
- 6.2 All requests for student related information must be in writing and will be actioned by the Registrar. If a request is from an agency, all requests should be accompanied by authorisation from the student.
- 6.3 Where materials are chosen for moderation purposes, any identifying information should be removed before copying and using the material, unless the identity of the student is required for the purpose undertaken.

7. Police Requests

- 7.1 The Information Privacy Principles apply to requests from the Police except in some circumstances such as investigation, prevention, detection or prosecution of an offence against the law. Therefore, a request for personal information regarding a staff or student does not automatically mean the disclosure should be made.
- 7.2 The Privacy Officer or a senior manager should be contacted in all instances of requests from police.
- 7.3 While every endeavour is made to cooperate with the Police when they ask to contact a student or staff member on campus, the following principles must be followed:
 - 7.3.1 The prior approval of a member of the Management Team is required for a student or staff member to be interviewed on Polytechnic premises.
 - 7.3.2 Any person being interviewed has the right to be accompanied by another person including a lawyer or student support person if s/he wants that support.
 - 7.3.3 Should a Police Officer wish to interview or discuss a matter with a student or staff member, this should be done in a private room. A staff member should discreetly ask the student to accompany them from the class/office/premises to a suitable venue to meet with the Police Officer.

Tips for keeping your privacy safe online

The office of the Privacy Commissioner's website has an excellent resource for all individuals to help protect themselves while online. See the link below for this information:

<http://privacy.org.nz/your-privacy/keeping-safe-online/protect-yourself-online/>