



3.6 Privacy & Record Keeping Policy

Rationale:

All persons have the right to have their privacy respected.

The safety of the Trustees, staff, contractors, volunteers and clients of CILT, including children, young people, the disabled, the elderly and the disadvantaged, is paramount.

Links to CILT Values:

- Kaitiakitanga: our responsibilities
- Whakawhanaungatanga: respectful relationships
- Manaakitanga: care for all people
- We value and respect diversity

Purpose:

- To provide guidelines for procedures associated with personal information.
- To clarify the expected performance/practice standards for CILT staff, Trustees, contractors, volunteers & clients.

Guidelines:

1. The guidelines of CILT's *Privacy & Record Keeping Policy*, apply to CILT staff, Trustees, contractors, volunteers and service participants.
2. Except where concerns of abuse or neglect are held, an individual's permission is sought before information is collected &/or shared.
3. Intake procedures exist for confirming attendance in all programmes.
4. All written permission agreements for collecting and sharing personal information, refer to the Privacy Act (2020), and require the individual's signature.
5. All paper-based information held regarding any individual is held in a locked filing cabinet.
6. All persons have the right to view any information about themselves that is held in their *Individual File*.
7. Staff individual files are also available to both the General Manager and the Human Resources Coordinator.
8. Where a Trustee, staff member, contractor, volunteer or service participant ceases their employment/relationship with CILT, personal information is kept for seven years, then paper records are destroyed by shredding, and all online personnel records are deleted.
9. All CILT staff, contractors, Trustees and volunteers are required to sign, and adhere to CILT's Code of Ethics, which refers to the Privacy Act (2020), as a condition of maintaining their employment relationship with CILT.
10. Where a service participant has High Needs, their delegated whanau/family member as specified on the

participants privacy document may have access to the participant's *Individual File*.

11. The Application Form completed by all employment applicants, informs applicants that their signature gives permission for CILT to contact their listed referees.
12. Curriculum Vitae (CV) belonging to unsuccessful employment applicants are returned (where a stamped, self addressed envelope is provided by the applicant), or shredded.
13. CILT does not usually keep CV forwarded by any persons seeking employment, except by the decision of the Executive Trustee and with permission of the individual.
14. Where photographs are to be used in the public domain, where ever possible, permission is sought from those depicted in the photographs, before they are used.
15. If there is another piece of legislation which says that personal information must, shall, or must not be used in a certain way, this will override the general provisions of the Privacy Act.

3.6.1 Responding to a potential breach of privacy

Where CILT becomes aware of a breach of privacy, there will be an immediate investigation and response as quickly as possible, including contact within 48 hours of the reporting breach of privacy, and response in writing within 14 days. This will help minimise any harm caused to the affected people and CILT.

There are four key steps in dealing with a privacy breach:

1. Contain
2. Assess
3. Notify
4. Prevent

CILT will follow the above steps in line with the Office of the Privacy Commissioner's guidance for dealing with a breach of privacy, found here

<https://www.privacy.org.nz/responsibilities/privacy-breaches/responding-to-privacy-breaches/>

Under the Privacy Act 2020, where the privacy breach has caused or is likely to cause anyone serious harm, CILT must notify the Privacy Commissioner and any affected people as soon as they are practically able.

In this instance, the breach notification will be made to the Office of the Privacy Commissioner no later than 72 hours after CILT is made aware of a notifiable privacy breach.

Following a privacy breach, the Executive Trustee will arrange a meeting with the parties responsible for the project in which the breach occurred, and assess how the breach occurred, the impact of the breach, and develop a process for ensuring the breach does not occur again.

Signed:  Dated: 19/08/2021

Date Approved:	19/08/2021
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