

Appendix A – Privacy Act Principles

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PRINCIPLE 1

PURPOSE OF COLLECTION OF INFORMATION

No personal information shall be collected by The Parent and Family Resource Centre Inc. trading as Disability Connect staff or unpaid workers unless that information is necessary to enable a lawful function or activity of Disability Connect. to be carried out.

PRINCIPLE 2

SOURCE OF PERSONAL INFORMATION

Personal information can only be obtained directly from the individual concerned unless:

- the individual concerned authorises collection of the information from someone else, **or**
- the individual concerned is unable to give his/her authority, and that Disability Connect, having made the principal caregiver aware of Principle 3, collects the information from the principal caregiver.
- This means that information can be obtained from the principal caregiver of a child with special needs if that child is unable to give that information itself.

PRINCIPLE 3

COLLECTION OF INFORMATION

When Disability Connect staff and unpaid workers collect personal information direct from the individual concerned or from the principal caregiver, they must ensure that the person supplying the information is made aware of:

- the fact that the information is being collected.
- the purpose for which the information is being collected.
- the intended recipients of the information.
- the name and address of the office collecting the information, and the officer who will hold that information.
- the right of access to, and correction of, that information.

With regard to item (c) above, the intended recipient will generally be Disability Connect rather than an individual within the organisation.

PRINCIPLE 4

MANNER OF COLLECTION OF PERSONAL INFORMATION

Disability Connect cannot collect personal information:

- by unlawful means
- by unfair means
- by means which intrude to an unreasonable extent on the personal affairs of the individual concerned.

"Unreasonable intrusion" includes consideration of:

- Physical privacy (e.g. public area), especially when sensitive information is being collected.
- Streamlining the collection process so that sensitive questions are not repeatedly asked.
- Ensuring that people who collect information have training about privacy issues.
- Others present. Some individuals may specifically wish members of their family or whanau to be present (or absent) when information is being collected.
- Cultural sensitivities of the individual concerned.
- Particular concerns or preferences expressed by the individual.

PRINCIPLE 5

STORAGE AND SECURITY OF INFORMATION

Disability Connect staff and volunteers must ensure that:

- Personal information held is kept in secure storage.
- Reasonable safeguards are taken to protect personal information against loss, unauthorised access, use, modification or disclosure.
- That destruction of unnecessary data ensures that the information cannot be retrieved or used again.

That information stored will be reviewed every two years to ensure that only relevant and current data is held.

Where information is no longer necessary, it must be disposed of in a manner that preserves the privacy of the individual. Destruction must be total.

PRINCIPLE 6

ACCESS TO PERSONAL INFORMATION

Principal caregivers and individuals concerned are entitled to access to information held about them.

This information must be provided as soon as practicably reasonable, and in no case longer than 20 working days after the request was made.

When providing personal information, ensure that access is not given to personal information held on any other individual.

There are some legitimate reasons for declining to provide personal information to the individual concerned:

- If disclosure would involve the unwarranted disclosure of the affairs of another individual.
- If disclosure would involve a breach of promise to the person who supplied the information.
- If disclosure would be likely to prejudice the physical or mental health of the individual.
- If, in the case of an individual under 16, disclosure would be contrary to that persons interests.
- If disclosure would breach legal professional privilege.
- If the request is frivolous, or the information requested is trivial.

PRINCIPLE 7

CORRECTION OF PERSONAL INFORMATION

Principal caregivers or the individuals concerned may request Disability Connect to correct information held about them. If Disability Connect declines to change the information held, the principal caregiver or individual concerned may request that a statement setting out their version of the facts be attached to the information held.

Disability Connect should only decline a request for change of information held if they believe that the change requested is not accurate, up to date, complete, or is misleading.

Disability Connect will need to advise the person requesting the change of the reasons for refusal, and of their right to complain to the Privacy Commissioner.

PRINCIPLE 8

ACCURACY OF PERSONAL INFORMATION TO BE CHECKED BEFORE USE

Disability Connect staff and volunteers must not use any personal information held without taking reasonable steps to ensure that the information held is accurate, up to date, complete, relevant, and not misleading.

PRINCIPLE 9

RETENTION OF PERSONAL INFORMATION

Personal information must not be kept any longer than the purpose for which the information was collected in the first place.

Information held regarding a family being supported must be destroyed when it becomes obvious that, the family no longer requires support.

PRINCIPLE 10

LIMITS ON USE OF PERSONAL INFORMATION

Personal information cannot be used for any purpose other than that for which it was initially collected except where:

- the principal caregiver or individual concerned authorises use for other purposes
- the information will not identify the individual concerned

This effectively allows personal information held and to be used for statistical and research purposes provided information is not published in a form that could reasonably be expected to identify the individuals.

PRINCIPLE 11

LIMITS ON DISCLOSURE OF PERSONAL INFORMATION

Personal information held must not be disclosed to any other person or agency unless:

- the disclosure is one of the purposes for which that information was obtained. This allows for information from a parent requesting support to be passed on to a an appropriate Support Group or person.
- the disclosure has been authorised by the individual concerned or their representative.
- the disclosure is necessary to prevent or lessen a serious threat to the life or health of the individual concerned or another individual.

You will need to positively identify the person requesting information to establish their entitlement to it. Special care will need to be taken with requests for information by telephone.

PRINCIPLE 12

UNIQUE IDENTIFIERS

Disability Connect shall not use unique identifiers unless it is necessary to carry out its functions efficiently.
