

PRIVACY POLICY



1. Purpose

Yes Disability strive to protect the privacy and confidentiality of clients and all involved in the organisation. IT will adhere to the Privacy Act 2020 and any subsequent updates.

2. Scope

This procedure applies to participants / clients in Yes Disability, workshops, events and services, supporters, donors, individuals and staff. For the purposes of this procedure, “staff members” will include:

For the purposes of this policy, “staff members” will include:

- Yes Disability Employees
- Yes Disability Volunteers including student placements;
- Contractors/ sub-contractors/ consultants and their employees whilst engaged with Yes Disability.

3. Responsibilities

The CEO and Board will ensure that all information stored and released complies with this policy and the Privacy Act 2020

4. Policy Statement

Yes Disability will comply with the Privacy Act principals and set guidelines and all staff will comply with the Privacy Procedure in relation to:

- a. The collection, use and disclosure of personal information
- b. The storage and protection of personal information
 - Access by each individual to personal information held by Yes Disability
 - Yes Disability may be required to collect personal information from individuals in order to inform them of services available, provide relevant service and to ensure health and safety needs are met.
 - All records are kept in secure systems in which only relevant staff have access to within CRM and or paper files.
 - Personally, identifiable information will not be made available to other organisations without prior consent by the individual except in the event of medical or emergency situation.
 - Personal information can be released to the individual with a written request.
 - All Yes Disability policies, procedures and processes will have due regard to the Privacy Act.

5. Privacy Act Principles:

Principle 1

Personal information must only be collected when:

- the collection is for a lawful purpose, connected with what the agency does, and
- it's necessary to collect the information for that purpose.

Principle 2

Personal information must usually be collected from the person the information is about. But sometimes it is all right to collect information from other people instead - for instance, when:

- getting it from the person concerned would undermine the purpose of the collection
- it's necessary so a public sector body can uphold or enforce the law
- the person concerned authorises collection from someone else.

Principle 3

When an agency collects personal information from the person the information is about, it has to take reasonable steps to make sure that person knows things like:

- why it's being collected
- who will get the information
- whether the person has to give the information or whether this is voluntary
- what will happen if the information isn't provided.

Sometimes there are good reasons for not letting a person know about the collection, for example, if it would undermine the purpose of the collection, or it's just not possible to tell the person.

Principle 4

Personal information must not be collected by unlawful means or by means that are unfair or unreasonably intrusive in the circumstances.

Principle 5

It's impossible to stop all mistakes. But agencies must ensure that there are reasonable safeguards in place to prevent loss, misuse or disclosure of personal information.

Principle 6

People usually have a right to ask for access to personal information that identifies them. However, sometimes, agencies can refuse to give access to information, for instance because giving the information would:

- endanger a person's safety
- prevent detection and investigation of criminal offences
- involve an unwarranted breach of someone else's privacy.

Principle 7

People have a right to ask the agency to correct information about themselves, if they think it is wrong. If the agency does not want to correct the information, it does not usually have to. But people can ask the agency to add their views about what the correct information is.

Principle 8

Before it uses or discloses personal information an agency must take reasonable steps to check that information is accurate, complete, relevant, up to date and not misleading.

Principle 9

An agency that holds personal information must not keep that information for longer than is necessary for the purposes for which the information may be lawfully used.

Principle 10

Agencies must use personal information for the same purpose for which they collected that information. Other uses are occasionally permitted (for example because this is necessary to enforce the law, or the use is directly related to the purpose for which the agency got the information).

Principle 11

Agencies can only disclose personal information in limited circumstances. One example is where another law requires them to disclose the information. Also, an agency can disclose information if it reasonably believes, for example, that

- disclosure is one of the purposes for which the agency got the information
- disclosure is necessary to uphold or enforce the law
- disclosure is necessary for court proceedings
- the person concerned authorised the disclosure
- the information is going to be used in a form that does not identify the person concerned.

Principle 12

Some agencies give people a "unique identifier" instead of using their name. Examples are a driver's licence number, a student ID number, or an IRD number. An agency cannot use the unique identifier given to a person by another agency. People are not required to disclose their unique identifier unless this is one of the purposes for which the unique identifier was set up (or directly related to those purposes).

6. Related Documents

Privacy Procedure
Complaints Policy
Code of Conduct

7. References

- Privacy Act

8. Definitions

Term	Definition
Privacy Policy	Explains what information we collect and why, how we use it, and how to review and update it
Personal Information	information about an individual who is reasonably identifiable, whether true or not and whether recorded in a material form or not, and includes “sensitive information”.

9. Review and authorisation

The Executive will review bi-annually to ensure the policy keeps pace with industry and legislative standards and regulations

10. Record of review

Date	Comment – reason for review	Created / revised by
8/5/2020	Drafted	Shona Ballinger
10/9/2020	Approved	Sonia Thursby
8/12/2020	Reviewed	Susi Burke