

Date: August 2007

Reviewed: September 2016

TOPIC: 5.1 Privacy Policy

Rationale

The Board of Governors of King's College is required to comply with the Privacy Act 1993.

Purpose

The purpose of this privacy policy is to promote and protect individual privacy with regard to:

- i. the collection, use and disclosure of information relating to individuals
- ii. access by each individual to information relating to that individual held by the College.

Guidelines

1. In complying with the provisions of the Privacy Act 1993, the Board will appoint at least one Privacy Officer.
 - 1.1 This will be the Director of Human Resources.
2. The procedure will be designed to comply with the principles contained in the Privacy Act 1993 which specify requirements in terms of:
 - i. Purpose of collection of personal information
 - ii. Source of personal information
 - iii. Collection of information from subject
 - iv. Manner of collection of personal information
 - v. Storage and security of personal information
 - vi. Access to personal information
 - vii. Correction of personal information
 - viii. Accuracy, etc. of personal information to be checked before use
 - ix. Agency not to keep personal information for longer than necessary
 - x. Limits on use of personal information
 - xi. Limits on disclosure of personal information
 - xii. Unique identifiers.
3. **Checklist for Privacy Officers**
 - 3.1 Does the College hold personal information about individuals?
 - 3.2 Does the College need to collect that information?
 - 3.3 What is the purpose for which the information will be used?
 - 3.4 Is it necessary for that purpose?
 - 3.5 Has the personal information the College holds, which was collected after 1 July 1993, been collected directly from the person concerned? If not, which exemption to Principle 2 applies?
 - 3.6 Where the College has collected information directly from the person after 1 July 1993, have we informed them:
 - i. that the College is collecting the personal information;
 - ii. why the College is collecting it,
 - iii. who will receive it; and
 - iv. the name and address of the College collecting it and who will hold it? If not, which exemption to Principle 3 applies? If not, has the College collected similar information from the same individual recently?
 - 3.7 Has this information been collected by:
 - i. unlawful means; or
 - ii. means that intrude to an unreasonable extent on the person's personal affairs?
 - 3.8 Is the personal information the College holds stored in a reasonably secure way?
 - i. Is it stored so that only authorised people have access to it?
 - ii. Do authorised people know of their obligations under the Privacy Act?
 - iii. Is it safe from vandalism and theft?
 - iv. Are VDU screens of files positioned so that they may not be seen by the public or unauthorised staff?
 - v. Are there procedures in place to monitor access to sensitive data?
 - vi. Are external agencies used to collect, process, hold or dispose of personal information?
 - vii. If so, what steps are taken to ensure they are complying with the Privacy Principles?
 - 3.9 Is the personal information the College holds accurate, up-to-date, complete, relevant and not misleading?
 - i. What steps have been taken to ensure that it is?
 - ii. When personal information was received from a third party, what steps have been taken to make sure it is accurate, up-to-date, complete, relevant and not misleading?
 - iii. At what point(s) is it checked to ensure accuracy? When first recorded, during storage, before use, periodically?
 - 3.10 Does the College still need to keep this information to carry out a function?
 - 3.11 Is the College using the information for purposes other than the one for which it was collected?

- 3.11.1 If yes, which exception to Principle 11 applies?
 - 3.11.2 If no exception applies, does the College have an exemption from the Privacy Commissioner?
- 3.12 Does the College disclose personal information it holds about individuals to other agencies?
 - 3.12.1 If yes, which exception to Principle 10 applies?
 - 3.12.2 If no exception applies, does the College have an exemption from the Privacy Act?
- 3.13 Does the College assign unique identifiers to individuals?
 - 3.13.1 If yes, is it necessary in order to be able to carry out the function of the College?
- 3.14 Is the unique identifier assigned by the College the same as the one assigned to that person by another agency?
 - 3.14.1 If yes, is the College “associated persons” within the meaning of s.8 of the Income Tax Act 1976?
- 3.15 Does the College take reasonable steps to ensure that unique identifiers are only assigned to people whose identity is clearly established?
- 3.16 Does the College assign the same unique identifier to a person that is used by another agency?
 - 3.16.1 If yes, is this one of the purposes for which that unique identifier was assigned or a directly related purpose?