



MAHI MIHINARE
ANGLICAN ACTION

PRIVACY AND PERSONAL INFORMATION POLICY

Category:	Practice
Last Review Date:	October 2021
Next Review Date:	October 2023
Endorsed by:	The Anglican Action Missioner
Approved by:	The Anglican Action Mission Trust Board

Purpose

To provide staff members with clear guidelines regarding the protection of client privacy and personal information.

Statement

Anglican Action is committed to protecting our client's right to privacy of personal information, including the right of a client to access their personal information. These policy guidelines consider requirements as set out in the Privacy Act 2020 (the Act), the Anglican Action Code of Conduct, and any confidentiality clauses within a staff member's individual employment agreement.

Scope

This policy applies to all Anglican Action staff members and Clients as outlined in the Definitions section of this policy.

Definitions

Employer	Employer means 'The Anglican Action Mission Trust Board', referred to as 'Anglican Action' or 'The Mission' in this policy.
Agency	Agency means the Employer or Staff member as applicable.
Client	Client means any individual, family, group of persons, incorporated body, association, or community on whose behalf

	the agency provides or agrees to provide a service or to whom the agency is legally obligated to provide a service.
Collect	Collect, in relation to personal information, means to take any step to seek or obtain the personal information, but does not include receipt of unsolicited information
Correct	Correct, in relation to personal information, means to alter that information by way of correction, deletion, or addition, and correction has a corresponding meaning
Individual	Individual, in relation to personal information, means the client to whom the information relates.
Personal information	Personal information means information about an identifiable individual.
Publicly available information	Publicly available information means personal information that is contained in a publicly available publication.
Publish	Publish means to make publicly available in any manner, including by: <ul style="list-style-type: none"> (a) displaying on any medium (b) printing in a newspaper or other periodical (c) broadcasting by any means: (d) disseminating by means of the Internet or any other electronic medium: (e) storing electronically in a way that is accessible to the public
Staff member	Staff member means all employees (permanent, fixed-term, or casual), consultants, contractors, service providers, students, and volunteers engaged by the Mission.

Policy

1. The agency is expected to be familiar with their obligations for protecting a client's right to privacy of personal information, including the right of a client to access their personal information.
2. Personal information may only be collected if the information is collected for a lawful and necessary purpose connected with a function or an activity of the agency.
3. If the agency collects personal information for an individual, the information must be collected directly from the individual concerned.
4. Personal information may be collected from a third party if the client gives permission to do so, or if the agency believes, on reasonable grounds, that:

- (a) such collection would not prejudice the interests of the client or undermine the purpose of collection
 - (b) they have a legal obligation to do so
 - (c) such collection would prevent or lessen a serious threat to public health or public safety
 - (d) such collection would prevent or lessen a serious threat to the life or health of the individual concerned or any other individual
 - (e) the information is publicly available information
 - (f) the information will not be used in a form in which the individual concerned is identified
 - (g) the information will be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the individual concerned.
5. If the agency collects personal information from a client, the agency must ensure that the individual concerned is aware of:
- (a) the fact that the information is being collected
 - (b) the purpose for which the information is being collected
 - (c) the intended recipients of the information
 - (d) the name and address of the agency collecting the information
 - (e) the name and address of agency that will hold the information
 - (f) whether giving the information is compulsory or voluntary
 - (g) the consequences (if any) if all or any part of the requested information is not provided.
6. If the agency collects personal information from a client, the agency must ensure that the manner of collection is fair and does not intrude to an unreasonable extent upon the personal affairs of the individual concerned.
7. Particular care must be taken when collecting personal information from children and young people.
8. The agency must ensure that all personal information is stored securely and is protected against:
- (a) loss
 - (b) access, use, modification, or disclosure that is not authorised by the agency
 - (c) other misuse
9. The agency must ensure that that should personal client information be shared with another individual or agency, all care is undertaken to prevent unauthorised use or unauthorised disclosure of that information.
10. A client is entitled to receive from the agency upon request:
- (a) confirmation of whether the agency holds any personal information about them
 - (b) access to their personal information.
11. If a client is given access to their personal information, the individual must be advised that they may request the correction of that information.
12. If a client is given access to their personal information, the agency must ensure that releasing that information does not:

- (a) endanger a person’s safety
 - (b) create a significant likelihood of serious harassment
 - (c) prevent the detection or investigation of crime
 - (d) breach a person’s privacy.
13. The agency must ensure that any personal information that is stored or shared is accurate, up to date, complete, and not misleading.
 14. If the agency corrects any personal information, the agency must inform every other person to whom the agency has disclosed the information.
 15. The agency shall not hold information longer than is required for the purposes for which the information may lawfully be used. When a file is closed, the agency shall consult its legal advisor before returning any personal information to the individual.
 16. Information that has been obtained in connection with one purpose shall not be used for any other purpose.
 17. Information shall not be disclosed to another agency unless this is one of the purposes, or directly related to the purposes for which the information was obtained.

Key Accountabilities & Responsibilities

Person / Party	Responsibilities
Governance	Review policy every two years or as required
Management	Ensure that staff members are aware of this policy and processes
Leadership	Ensure that staff members are aware of this policy and processes
Staff	Have access to this policy and understand their obligations under the Privacy Act 2020

Related Policies, Legislation, Regulations and Documents

- [Privacy Act 2020](#)
- [Human Rights Act 1993](#)
- Anglican Action Code of Conduct
- Storage of Information Policy
- Case Recording Policy
- Residency Programme Care Plan Policy
- Social Media Policy