

PRIVACY POLICY

Policies and Procedures



The Kind
Foundation™

Mō tātou katoa. For all of us.

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1 PURPOSE

This policy describes how The Kind Foundation Christchurch collects, uses, and shares personal information, and explains rights and obligations in relation to those activities including compliance with the Privacy Act 2020.

2 POLICY SCOPE

The document applies to any The Kind Foundation staff member, volunteer or contractor who deals with personal information relating to other staff, customers, or members of the public, or who are responsible for making policy decisions about the way The Kind Foundation Christchurch manages personal information.

3 POLICY CONTENT

3.1 Information collection

- 1) The Kind Foundation will only collect personal information that is necessary and required for a lawful purpose connected with a function or an activity of The Kind Foundation. Reasonable steps must be taken to ensure that individuals understand:
 - What information is being collected.
 - Why the information is being collected.
 - How the information will be used.
 - Who the information will be shared with.
 - What rights they have to access and correct that information.
- 2) Individual The Kind Foundation departments and/or areas will have a Privacy Statement that is relevant to the individuals and the information that will be collected. This statement will be made available to individuals before or during information collection. See Appendix 1 – Privacy Statement Template.

3.2 Access to information

- 1) An individual, or their authorised representative, is entitled to request a copy of the information The Kind Foundation holds on them and has the right to have that information corrected if it is inaccurate, incomplete, or out of date.

3.3 Use and Disclosure

- 1) Personal information must not be disclosed unless The Kind Foundation reasonably believes that the disclosure is authorised by the individual and is in connection with the purpose for which it was obtained. Before using or disclosing personal information in new ways, The Kind Foundation must ensure that this is necessary for a lawful purpose or is otherwise permitted or required by law.
- 2) No personal information relating to disabilities/medical conditions is shared without the informed consent of the individual or their caregiver/legal guardian unless it is necessary to prevent or lessen a serious and imminent threat to individual or public safety. In these circumstances only, this information may be provided to the relevant authority. This may include authorities such as the Police or other emergency responders.
- 3) The Kind Foundation staff must take reasonable steps to ensure that personal information is accurate and up to date before using or disclosing it, particularly where this use or disclosure could impact on the rights or interests of the person.

3.4 Security and Retention of Information

- 1) The Kind Foundation has a responsibility to protect the personal information they handle against loss, misuse, or unauthorised access, modification, or disclosure.
- 2) The Kind Foundation should not keep information for longer than is required for the purposes for which the information was collected.
- 3) The Kind Foundation staff must only access or use personal information – whether within an information system or in hard copy – when this is necessary for a legitimate business purpose.
- 4) The Kind Foundation staff must ensure that any privacy breach they become aware of is reported promptly to the COO or CEO.

3.5 Privacy Complaints or Breaches

- 1) If an individual wishes to lodge a complaint about a potential breach of privacy or has any privacy queries a complaint can be made to The Kind Foundation via the complaints process.
- 2) An individual also has the right to make a complaint to the Office of the Privacy Commissioner where they think The Kind Foundation has breached, or may have breached, an individual's privacy. The Office of the Privacy Commissioner can be contacted in this case.

3.6 Privacy Officer

The Kind Foundation Christchurch will have at least one staff member who fulfils the role of Privacy Officer.

The Privacy Officers responsibilities will include:

- having a general understanding of the Privacy Act and its principles;
- ensuring The Kind Foundation complies with its privacy obligations;
- dealing with customer complaints about privacy breaches;
- handling customer information access requests relating to privacy;
- liaising with the Privacy Commission; and
- aiding the Privacy Commission in any investigations.

4 DEFINITIONS

Personal information:

Any information which is related to an identified or identifiable person, and includes but is not limited to contact, demographic, health information, CCTV footage, staff performance information, emails and other correspondence.

Lawful purpose:

A purpose that is directly connected with any of The Kind Foundation's lawful functions, and includes, but is not limited to considering applications for admission to, or employment with, The Kind Foundation; administering programmes and activities; managing staff and ensuring the health and safety of clients and staff members; and meeting The Kind Foundation's reporting requirements.

Privacy breach:

An event (whether intentional or unintentional) in which personal information is lost or is accessed, altered, disclosed, or destroyed without authorisation, or is at increased risk due to poor security safeguards

5 RELATED DOCUMENTS

5.1 The Kind Foundation Documents

- Personal Policies and Procedures Manual

5.2 Legislation

- Privacy Act 2020

5.3 Standards and Codes of Practice

- Privacy Commissioner Guidelines

5.4 Other

- NA

6 DOCUMENT CONTROL

6.1 Policy Owner

- Health and Safety Officer

6.2 Parent Policy

- Personal Policies and Procedures Manual

6.3 Date of Implementation

- November 2023

6.4 Review Date

- August 2024

6.5 Document Control Procedure

This document is considered a 'living document' and as such, regardless of the review date, this document remains relevant until such time as a new version is produced or it is retired.

Documents will be identified by a header and footer that states the version number and total number of pages within the document.

Any previous versions or copies will be removed from circulation if obsolete or marked clearly that they are not current. Archived copies and other safety-related records will be kept for seven years and archived accordingly.

Once printed, documents are uncontrolled.

6.6 Version Table

Version	Amendments made	Approved by	Date
1.0	<ul style="list-style-type: none">• Original version	Josie Ogden Schroeder	May 2023
1.1	<ul style="list-style-type: none">• Added Section 3.6 Privacy Officer	Josie Ogden Schroeder	Aug 2023
1.2	<ul style="list-style-type: none">• Updated for change in organisation name and branding	Crispian Hills	Nov 2023