**Privacy Policy**

# Policy Statement

## Personal privacy is important to [Insert Company Name]. [Insert Company Name] is committed to ensuring staff’s privacy, and the privacy of [Insert Company Name]’s clients, is protected and only used for appropriate purposes.

## This policy aims to help people working with [Insert Company Name] understand how personal information may be used, stored and shared by [Insert Company Name].

# Application

## This policy applies to all [Insert Company Name] employees and contractors. In applying this policy ‘employee’ or ‘staff’ includes contractors.

# Collection, Use and Storage of Personal Information

# Collecting Personal Information

## Personal information is any information about an identifiable individual, it includes things such as a person’s name, contact details and any other information about an individual.

## When becoming a staff member of [Insert Company Name], [Insert Company Name] will need to collect personal information. [Insert Company Name] may also collect other information needed to perform their functions, or where required by law.

## [Insert Company Name] will collect personal information in the following ways:

1. Directly from the individuals whom the personal information relates to or from third parties acting on the individual’s authority who approve [Insert Company Name] to contact the individual, including:
	* when people contact [Insert Company Name] seeking information from [Insert Company Name], products or services;
	* when conducting client enquiries;
	* when providing products and services;
	* when people apply to work at [Insert Company Name]; or
	* as part of people’s employment with [Insert Company Name].
2. Through publicly available information searched as part of the provision of [Insert Company Name] products or services to clients;
3. Indirectly through public use of the [Insert Company Name] website and the services and functionality offered through it;
4. Through agents and service providers that [Insert Company Name] may engage to assist with fulfilling any of the purposes recorded in this policy; or
5. Through third parties connected with the substance of the matter(s)/purpose(s) for which clients have engaged [Insert Company Name], or contact [Insert Company Name] in respect of.

# Using Personal Information

## [Insert Company Name] will never sell any personal information.

## Employees of [Insert Company Name] may have access to personal information to do their work. This access is limited to what is necessary.

## Agents and subcontractors of [Insert Company Name] may have access to personal information needed to do their work but may not use it for any other purposes.

## Personal information may be used:

* For the provision of [Insert Company Name]’s products and services;
* To consider an employment application;
* To amend records to remove or update personal information;
* For employment related decisions and actions;
* For other everyday business purposes that involve use of personal information;
* To comply with the law; or
* To protect their rights, property, or safety, or that of [Insert Company Name] staff, or others.

# Storage and Disclosure of Personal Information

## [Insert Company Name] will maintain all reasonable protections against the loss, misuse, or inappropriate disclosure of personal information, and maintain processes to prevent unauthorised use or access to that information.

## [Insert Company Name] may store personal information in different forms, including hardcopy and electronic. [Insert Company Name] will keep all physical documents secure, both inside and outside its premises.

## [Insert Company Name] will keep electronic personal information secure by making sure its data storage is protected from external sources, maintaining regular back up, and applying good security practices.

## [Insert Company Name] may use cloud computing. Where used, [Insert Company Name] will ensure that cloud computing solutions meet good practice security requirements.

## [Insert Company Name] will not disclose personal information to people other than the person whose information it is, unless they have authorised such disclosure or if such a disclosure is permitted under the Privacy Act 2020.

## [Insert Company Name] will not retain personal information for longer than is necessary.

# Requests for Personal Information

## Staff have rights to access and correct their personal information in accordance with the Privacy Act 2020. If staff want to access or correct their personal information, please contact [Insert Company Name]’s Privacy Officer.

## When receiving such a request [Insert Company Name] will consider whether it is appropriate and [Insert Company Name] will communicate with the person whose personal information the request concerns about it.

## Any questions about [Insert Company Name]’s compliance with the Privacy Act should be referred to the [Insert Company Name]’s Privacy Officer. Staff can also call the Privacy Commissioner’s hotline, 0800 803 909, or visit the website, [www.privacy.org.nz](http://www.privacy.org.nz).

# Protecting the privacy of others

## Staff must respect the security and confidentiality of personal information [Insert Company Name] has about any other person. [Insert Company Name] may take the unauthorised disclosure of personal information about a colleague or client very seriously, and this may result in a disciplinary process. [Insert Company Name] is also very serious about the careless use of personal information, such as leaving private material open and unsecured on staff’s desk, or on organisation computers or laptops. Staff must secure all confidential information.

## An official agency with the legal authority to require personal information may be provided with information (e.g. IRD). All such requests should be checked with a Manager.

# References or acting as a referee

## [Insert Company Name] has a policy of providing former employees with a certificate of service rather than a detailed reference. Only a Manager may give a reference on behalf of [Insert Company Name].

## Other staff may give personal references, but not on [Insert Company Name] letterhead. The express consent of a current or former employee of [Insert Company Name] is required whenever a reference is requested by a potential employer.

## Managers seeking information about prospective employees must have the express consent of the person concerned before approaching anyone for a reference.

# Breach

## Breaches of this policy include breaches of any of the Privacy Principles under the Privacy Act 2020.

#  Reporting a Breach

## Where [Insert Company Name] becomes aware of a privacy breach that has caused or is likely to cause serious harm, it will notify the Privacy Commissioner as soon as is practicable.

## If staff have any questions or concerns about any collection, use or disclosure of personal information about themself or anyone close, talk to a Manager or [Insert Company Name]’s Privacy Officer.

# General Data Protections Regulations

## [Insert Company Name] will ensure compliance with the General Data Protection Regulation (**GDPR**) as part of their role providing goods or services to customers in the European Union.

## [Insert Company Name] will comply with the general principles of the GDPR, these are:

* Lawfulness, fairness, and transparency of data processing.
* Purpose limitation: personal data should be collected for specific, explicit and legitimate purposes.
* Data minimisation: only personal data relevant to the specific purpose should be saved and processed.
* Accuracy of data: any inaccurate personal data should be corrected or deleted. Where necessary, data must be kept up to date.
* Retention of data: data must be kept in an identifiable format and no longer than necessary.
* Integrity and confidentiality: data must be kept secure.

## Under the GDPR [Insert Company Name] will only process data when one of the following conditions applies:

* consent is given by the individual;
* data processing is necessary for the performance of the contract;
* legal obligations;
* vital interests, for instance processing needed for medical emergencies;
* public function or interest; and
* processing is necessary for the purposes of the legitimate interests pursued by the controller or a third party.