

Privacy

Incorporating website terms and conditions

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| Section | Policy Manual Section 01.09 | |
| Version/Date | 6.0 / October 2020 | |
| History | Policy prepared | 2003 |
| | Draft (Updated) Policy prepared | 5 February 2009 |
| | Final Policy adopted | 16 February 2009 |
| | Draft Policy prepared | 14 February 2013 |
| | Revised and expanded Policy adopted | 11 February 2016 |
| | Revised policy | October 2019 |
| | Revised policy adopted | October 2020 |
| Review Schedule | Three-yearly or as required | |
| Purpose | <i>The Privacy Policy describes: the collection, use and disclosure of a range of information regarding trustees, staff and funding applicants or enquirers; the procedures for accessing, checking and correcting personal information held by the Trust; and the role of the Privacy Officer. It includes a statement on website terms and conditions for users.</i> | |

1.0 Privacy Principles

1.1 The Privacy Policy ensures that the collection, use and disclosure of a range of information regarding trustees, staff and funding applicants or enquirers, including the procedures for accessing, checking and correcting personal information¹ held by the Trust (an 'agency'), complies with the Privacy Act 2020 (the Act) and its amendments.

1.2 The twelve principles of the Act are summarised as:

Principles 1-4 - governs the collection of personal information, including the reasons why personal information may be collected, where it may be collected from, and how it is collected.

Principle 5 - governs the way personal information is stored and is designed to protect personal information from unauthorised use or disclosure.

Principle 6 - gives individuals the right to access information about themselves.

Principle 7 - gives individuals the right to correct information about themselves.

¹ Personal information is any information about an individual (a living natural person) as long as that individual can be identified.

Principles 8-11 - place restrictions on how people and organisations can use or disclose personal information, including ensuring information is accurate and up-to-date, and that it isn't improperly disclosed.

Principle 12 – governs disclosure of personal information outside of New Zealand.

Principle 13 - governs how “unique identifiers” – such as IR numbers, bank client numbers, driver’s licence and passport numbers can be used.

For more details on the twelve principles see www.privacy.org.nz

- 1.3 The Trust conducts itself in accordance with the Act primarily through these actions:
- a) Deciding **what information is needed**, and where and how it will be collected.
 - b) Ensuring **information is held securely** and in line with the purposes for which the information was collected, with appropriate protections.
 - c) Complying with any **access or correction requests** received.
 - d) Using or disclosing personal information **with care**.
 - e) Appointing a **Privacy Officer**.

2.0 Appointment of Privacy Officer

2.1 The Trust appoints the Chief Executive to the position of Privacy Officer.

2.2 For Trust Waikato, the Privacy Officer:

- a) will be familiar with the privacy principles in the Privacy Act
- b) will be familiar with any other legislation governing what Trust Waikato can and cannot do with personal information
- c) deals with any complaints about possible breaches of privacy
- d) trains other staff to deal with privacy appropriately
- e) ensures the Trust’s policies and procedures comply with privacy requirements
- f) deals with requests for access to personal information, or correction of personal information
- g) acts as a liaison person for Trust Waikato with the Privacy Commissioner.

Further information about the role of the Privacy Officer is at www.privacy.org.nz/how-to-comply/privacy-officers/

3.0 Trustee and Staff Information

3.1 The Trust collects and holds personal information about trustees and staff. In relation to this information the following points are noted:

- a) Trustees and staff will be advised when private information is being collected and held.
- b) Appropriate staff of the Trust, staff of the Trust's payroll administrators and, if necessary, legal and employment advisors will have access to this information for the purposes of contractual matters, reviewing performance, payment and review of salaries and honoraria, maintenance of leave records and consideration of re-appointment issues.
- c) The Trust will take all reasonable steps to protect a trustee's or staff member's personal and confidential information and to prevent its unauthorised access or use.
- d) Personal and confidential information of trustees and staff will be disposed of securely when no longer legally required.
- e) Staff and trustees have the right to access personal information held about them and have the right to correct any information held. Such requests will be responded to within 20 working days.
- f) Information will not be disclosed to any third party without the express authorisation of the staff member or the trustee concerned.
- g) Staff and trustees are asked to note that email on Trust computers and computer access at the Trust is not private, and that the content and use of these resources can be monitored.
- h) Only information that is required for lawful purpose will be requested from trustees and staff.

4.0 Information regarding Funding Applicants or Enquirers

4.1 The Trust holds a wide range of information about the operation of groups that apply for grants. In addition to information held about a group the Trust also holds personal information setting out the officers of groups together with their contact details. At times the Trust may also hold personal information about the actions of individuals within groups. In relation to this information the following points are noted:

- a. When groups submit an online application, they acknowledge a number of key statements regarding the collection and disclosure of group and personal information. These statements are:

Note: Organisations and individuals have the right to check and correct any personal information held by Trust Waikato.

Organisation and personal information collected will be held by the Trust for the purposes of assessing applications and may be shared with other parties in the process of assessing the application or in publishing or making available the results of approved grants.

- b. The following statements regarding the purposes of group or personal information collected by the Trust are also contained within the application, which applicants are requested to consider and either 'agree' or 'disagree' with:
 - i. subsequent mailing (postal or electronic mail²) of Trust Waikato information to the group or individual named in the application form
 - ii. the use of group and personal information for research purposes, as approved by the Trust Waikato Privacy Officer.
 - iii. being sent information on behalf of other agencies which, in the opinion of the Privacy Officer, is relevant to the group.

5.0 Privacy Procedures

5.1 The Trust **collects information**:

- a) through registrations, applications and associated/supporting documents,
- b) from the organisation and/or individual through personal contact e.g. through phone calls, letters, the contact form on the Trust Waikato website and/or email,
- c) from third parties for the purposes of assessing applications and decision making.

5.2 **Access to Information**

With reference to Section 4.0, above, organisations and individuals will be entitled to have access to only such information as they themselves have provided to the Trust e.g. funding application forms. In addition they will be entitled to request correction of organisational or personal information.

Requests for access to information held by the Trust will be responded to within 20 working days.

The Trust will not disclose personal information to a third party without the consent of the applicant.

5.3 **Use of Information**

Information collected by the Trust will primarily be used for the purpose of:

- Corresponding with enquirers to provide requested or authorised services,
- Verification of identity in order to provide assistance,
- Assessing funding applications,
- Consultation with other parties³ to discuss draft recommendations,
- Decision making,
- Publishing and making available the results of approved grants,
- Research,
- Establishing the Trust's funding priorities and developing policies and plans.

² As provided for in the Unsolicited Electronic Messages Act 2007

³ Refer to the Grants Policy for a list of parties

With reference to Section 4.0, above, in the case of research, consent will be authorised by the organisation and/or individual(s) concerned through inclusion of a statement in all Trust application forms.

Trustees and staff will take all reasonable steps to protect an applicant's organisational and/or individual's personal and confidential information and to prevent its unauthorised access or use.

Personal and confidential information collected on organisations and individuals will be disposed of securely when no longer legally required.

5.4 Unsolicited Electronic Messages

For those organisations who have agreed to mailing of Trust Waikato or other relevant information as provided for under Section 4.0, above, the Trust will include an unsubscribe option in any electronic messages of a general nature, such as notification of closing round dates, and will remove an organisation and/or person from receiving such emails within five days of receiving notification.

6.0 Data Breach

A data breach is when private and confidential information is released into an unsecured environment. This usually means that the information becomes publicly available and could be used for personal gain, or to cause harm to the Trust.

6.1 Trust Waikato will take steps to minimise the likelihood of a data or privacy breach by having policy in place to comply with all principles of the Privacy Act 2020, including but not limited to, the collection, use and disposal of private and confidential information. The Trust will also engage an external IT provider (i.e. SkyPoint) to advise and ensure our network is secure.

6.2 If a data breach is suspected this should be reported to the Chief Executive, if not possible then the Business Manager. The Business Continuity Plan (BCP) should be referred to for steps when a data or privacy breach is suspected.

6.3 In cases where the breach poses a risk of serious harm, this will be reported to the Privacy Commissioner as required under the Privacy Act 2020.

7.0 Cross-border Protection

7.1 Trust Waikato will only disclose personal information to overseas entities when required for Trust business purposes.

7.2 Trust Waikato will take reasonable steps to ensure that personal information sent overseas is protected by comparable privacy standards. When the Trust engages with an overseas service provider, the Privacy Act 2020 outlines that they should comply with New Zealand Privacy Laws.

8.0 Website Privacy

- 8.1 The Privacy policy will be included on the Trust Waikato website, including a link on all pages. Website terms and conditions are included in Appendix One.
- 8.2 This is intended to help website visitors understand the information collected through their use of the website and to reassure them that the principles of the Privacy Act will be applied.

9.0 Related Policies and Procedures

- 9.1 For Trustees and staff, the following Trust Waikato policies and procedures should be read in conjunction with this Privacy Policy:

Trust Waikato Governance Manual
 Section 9.0 Disclosures of Interest
 Section 10 Code of Conduct
 Appendix Four Electronic Media Guidelines
Human Resources Policy
 Staff Code of Conduct
 Internet and Email Policy
Complaints Policy
Risk Management Policy
Business Continuity Policy
Whistleblower Policy

| Policy | Privacy | |
|-----------------|---------------------------------|------------------|
| Version Control | | |
| Draft | Draft Policy | ? |
| 1.0 | Original Policy adopted/amended | ?/2003 |
| 2.0 | Policy (updated) adopted | 16 February 2009 |
| 3.0 | Policy revised | 14 February 2013 |
| 4.0 | Policy expanded and adopted | 11 February 2016 |
| 5.0 | Policy revised | October 2019 |
| | Revised policy adopted | October 2020 |
| Review Schedule | | |
| A | Three-yearly | 2019 |

Appendix One

Website Terms and Conditions

Privacy Policy

The Privacy Policy describes: the collection, use and disclosure of a range of information regarding trustees, staff and funding applicants or enquirers; the procedures for accessing, checking and correcting personal information held by the Trust; and the role of the Privacy Officer. It includes a statement on website terms and conditions for users.

The Trust will safeguard your personal information and your rights under the Privacy Act 2020 with regard to the collection, storage and use of, and access to, any personal information.

Use of this Website

- You can access and browse our site without disclosing your personal information. Users will be advised that the website uses cookies and will be asked to agree to cookies use.
- If you visit our website to read or download information, our web server makes a record of your visit and logs the following information for statistical purposes:
 - your server IP address,
 - the date and time of your visit,
 - the pages accessed and documents you downloaded,
 - the browser you are viewing the site with,
 - the referring URL/website, for example a search engine.

We use an analytical tool to collect and view non-personal visitor statistics so we can discover what information is most and least accessed, and to help make our site more useful.

We collect personal information when you:

- Fill in an online form through our website, register in the grantee portal (Fluxx) or enquire about using a community room through the 'new user request form'.
- Communicate with us through an email address.

Your details will only be used for the purpose for which you have provided them and will never be added to any mailing list without your prior permission. We will not use or disclose your details to a third-party without your consent.

This website uses cookies (text files placed on your computer to collect standard internet log and visitor behaviour in an anonymous ie non-personal form) to temporarily store information to assist your browsing experience. You have the ability to accept or decline cookies by modifying the settings on your computer or mobile device. If you disable cookies then you may not be able to subscribe to a service. Users will be advised that the website uses cookies and will be asked to agree to cookies use.

The website is hosted on Wix.com and their privacy policy is available here:
<https://www.wix.com/about/privacy>.

This website may provide links and pointers to internet sites maintained by third parties, which are not under our control. We are not responsible for the contents and operation of any linked sites.

Online Funding Application

Trust Waikato only accepts online grant application requests and provides this facility through Fluxx.

The online application process begins with an online registration. Each group/individual combination will need an individual registration. On receipt of your registration request we will confirm your username and password and activate your account. You should keep this information safe not disclose it. If you require assistance with your account then contact the Trust Waikato office. Disclosure of your password to the staff member is NOT required.

Fluxx also has a Privacy Policy which can be viewed at <https://www.fluxx.io/privacy-policy>.

Online Room Bookings

Trust Waikato uses a third party online system 'Skedda' to manage community room bookings. Following an individual completing the 'new user request form' on the website they will be registered to use the 'Skedda' booking system.

The 'Skedda' system will hold the following personal information about an individual.

- Name
- Organisation
- Type of organisation
- Email
- Phone Number

Skedda also has a Privacy Policy which can be viewed at
<https://support.skedda.com/en/articles/663120-privacy-policy-for-venues>

By using this website you are agreeing to these terms and conditions.

If you do not wish to use this website please contact the Trust Office:

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| Trust Waikato | 4 Little London Lane | P O Box 391 |
| | Hamilton | Hamilton 3240 |
| | Phone 0800 436 628 or 07 838 2660 | |