



Privacy Policy

Effective 1 January 2024





Privacy Policy

Purpose

Invercargill City Council (Council) is committed to ensuring that it follows best practice whenever it handles personal information and in doing so maintains the privacy rights of individuals.

Whilst this Policy sets out the responsibilities and procedures for the collection, storage, use, and sharing of personal information and has been prepared in accordance with all of the obligations and rights set out in the Privacy Act 2020 (the Privacy Act). Council's overarching principle is that personal information will only ever be collected for a lawful purpose connected with a Council function or activity, and only when that collection is necessary for that purpose.

This Policy is intended to be a resource for employees and a source of information for members of the public.



Scope

This Policy applies to all employees, elected members, and committee members of Council, including volunteers or people engaged or contracted under a contract for services (Contractors) for Council. The term “employee” will be deemed to mean all persons that are covered by this Policy.

Definitions

Personal Information means information about an identifiable individual, and includes any information which discloses something about a specific individual. The information does not need to name the individual, as long as they are identifiable in other ways, such as through their home address or employee number.

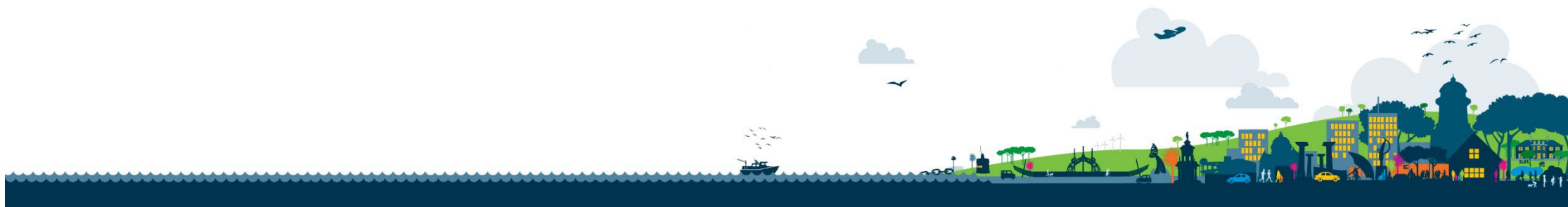
As a result all sorts of things can contain personal information, including notes, emails, recordings, photos, and scans, whether they are in hard copy or electronic form.

Roles and Responsibilities

Privacy Officers

The delegated Privacy Officers for Council are the Chief Risk Officer and Manager – Quality Assurance, and are responsible for:

- the encouragement of compliance, by Council, with the information privacy principles;
- dealing with requests made to Council pursuant to the Privacy Act;
- working with the Commissioner in relation to investigations conducted pursuant to Part 5 of the Privacy Act in relation to Council;
- otherwise ensuring compliance by Council with the provisions of the Privacy Act.



The Chief Executive has the principal obligation to ensure this Policy and the Privacy Act are being complied with.

The Privacy Officers shall ensure compliance with this document. As required, but at least annually, the Privacy Officers shall report to the Chief Executive in accordance with the Governance Document Framework and Governance Framework.

Principles

Section 22 of the Privacy Act sets out 13 privacy principles that specify how information can be collected and used, and people's rights to gain access to that information and ask for it to be corrected.

Council understands that people need to be able to protect information about themselves, and will balance this right with the requirement to collect and hold certain information in order to carry out its functions.

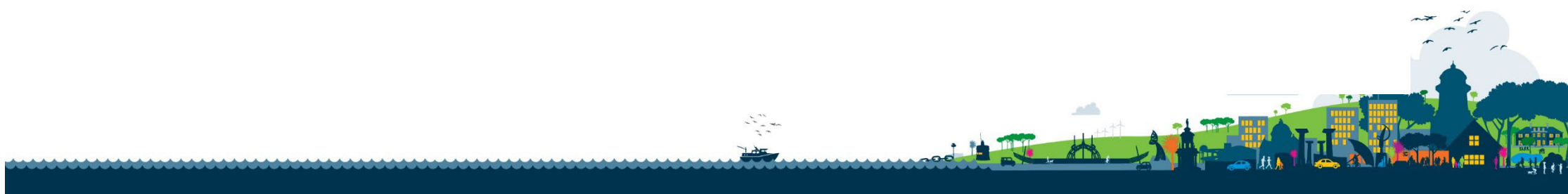
These principles do not apply to public registers including the rating database (Section 11 Local Government (Rating) Act 2002), nor does it apply to the electoral roll required for Local Elections (as required by the Local Electoral Act 2001 – noting the ability for people to be on the unpublished roll).

Appendix A lists the 13 privacy principles and how Council applies them.

Customer Privacy Policy

What kind of personal information does Council collect?

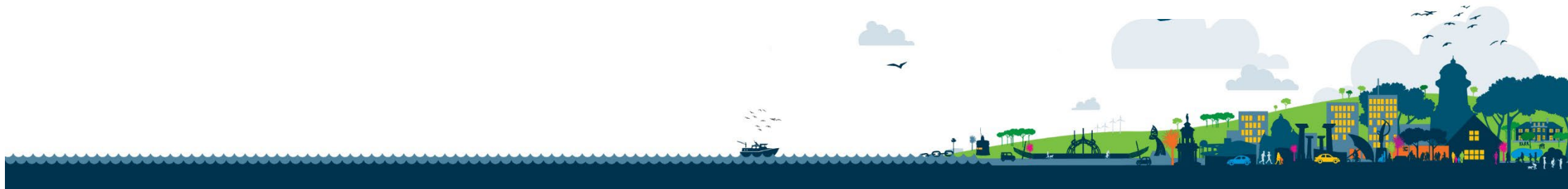
The personal information we collect may include an individual's name, date of birth, address(es), email address, telephone number(s), gender, information on their use of our services or facilities and any other information provided by an individual in connection with, or specifically related to, their communications with us or their use of our services or facilities.



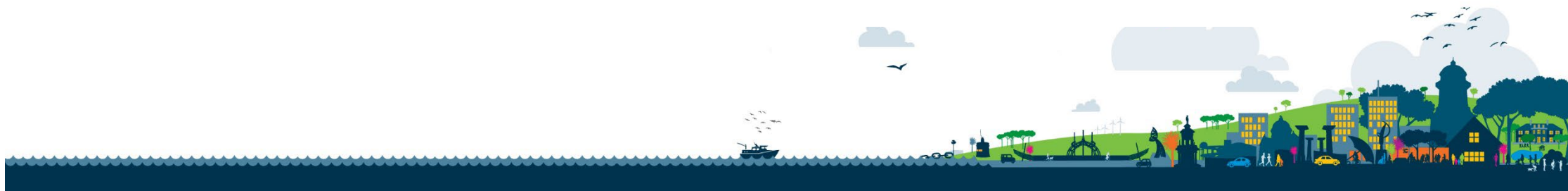
Collecting your information

We may collect personal information about an individual as set out below:

- Personal information may be collected when an individual or someone authorised by an individual to act on their behalf provides information to us directly. For example when they:
 - Apply for employment with us.
 - Correspond with us, whether in person, by letter, phone, text, email, instant messages or other means of electronic communication.
 - Complete and submit forms we provide for applications for consents, licences, approvals, permits, funding or other authorisations or for the use of any of our services or facilities, including signing up for and using our online services and apps.
 - Prepare and submit a written submission, request or other feedback in relation to applications for consents, licences, approvals, permits, funding or other authorisations, or in relation to any form of draft or proposed plan, policy, bylaw or other document.
 - Use any of our services or facilities.
 - Subscribe to any of our newsletters or update services.
 - Follow or post comments in response to our social media or other facilities, including but not limited to, Facebook, Instagram, TikTok, YouTube, etc.
- We may keep a record of any information that an individual acquires from us.
- We may monitor and record phone calls made to or by us for quality control or staff training purposes. If a call is to be monitored and/or recorded, the participants will be informed of this at the time of the call.



- We may collect personal information from other organisations, entities or persons, such as:
 - Our related organisations including Council Controlled Organisations.
 - Our suppliers which include organisations such as:
 - Land Information New Zealand
 - QV
 - Solicitors/conveyancers.
 - The New Zealand Police, credit reporting agencies and other organisations, entities and persons where individuals have expressly authorised them to provide us with information.
- When anyone visits one of our websites, we may utilise technology solutions such as browser cookies to collect non-identifying information about how our websites are being used. This information is only analysed on a bulk basis for aggregate website traffic usage and geolocation purposes. Additionally, internet service providers may record visits and log the information for statistical purposes. We do not attempt to identify individual users or analyse their browsing activities unless they choose to give us personal information while using our website.
- “Closed Circuit Television” (CCTV) and “wearable cameras” are used by Council for various purposes. See Council’s CCTV Policy for a detailed overview of how Council handles personal information obtained in this way.



Using the information we collect

The personal information that we collect may be used for any of the following purposes:

- To provide you with services or facilities, including:
 - those that have been requested; and
 - assisting our Council Controlled Organisations to provide such services or facilities to individuals.
- To positively confirm an individual's identity. This is to avoid inappropriate release or use of information.
- To respond to correspondence or to provide individuals with information that they have requested.
- To process applications for any consent, licence, approval, permit or other authorisation.
- To process applications to use or to register for any of our services or facilities, including our online services.
- To respond to your requests, enquiries or feedback, or for customer care related activities.
- To provide individuals with information about our events, news, services or facilities, or the events, news, services or facilities of our Council Controlled Organisations that we consider may be of interest. Individuals will have the option of unsubscribing from these communications.
- To comply with relevant laws and regulations, including by commencing proceedings in Court.
- To carry out activities connected with the running of our operations such as personnel training, or testing and maintenance of computer and other systems.
- For any specific purpose which we notify you of at the time the personal information is collected.
- For general administrative and business purposes.



Sharing your information

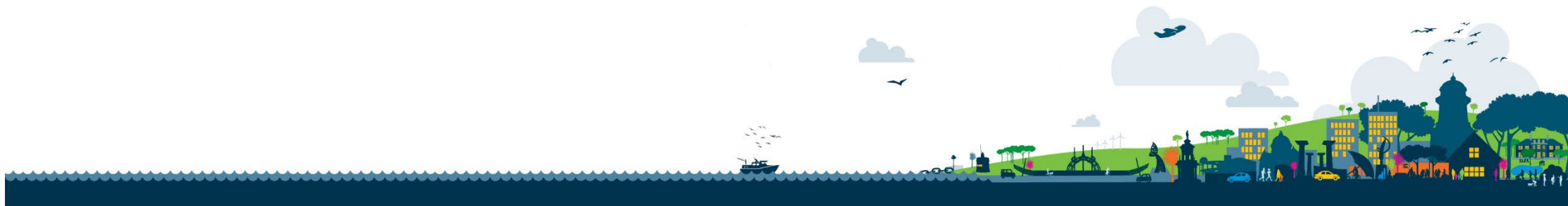
We may disclose personal information about individuals to:

- Any person engaged by Council to provide products or services on our behalf, where that personal information is necessary for the provision of those products or services.
- Council Controlled Organisations, in order to assist with the functions and services that they provide.
- A third party if we are required to do so under any laws or regulations, or in the course of legal proceedings or other investigations.
- Any person who an individual authorises us to disclose their personal information to.
- Any person, if that information is held in a public register, e.g. information held on the rating information database.

What if an individual does not provide us with the personal information requested?

If an individual does not provide us with all of the personal information that we have requested, we may not be able to adequately respond to their correspondence, process any applications they have submitted, provide the services or facilities they have requested, process payments or otherwise deal with any requests or enquiries they have submitted.

In some circumstances, failure to provide information when requested may be unlawful, and / or result in legal consequences. These circumstances and the potential consequences will be explained to individuals when their personal information is collected.



Security and accuracy

We take reasonable steps to ensure personal information is:

- protected against loss, damage, misuse and unauthorised access. We restrict access to personal information to those individuals who need access to this information in order to assist us in performing our duties and obligations;
- accurate, up to date, complete, relevant, and not misleading.

How long we hold personal information

We may retain all personal information that we collect (on both our active systems and our archive systems), for as long as administratively necessary, in accordance with Council's information retention and disposal schedule.

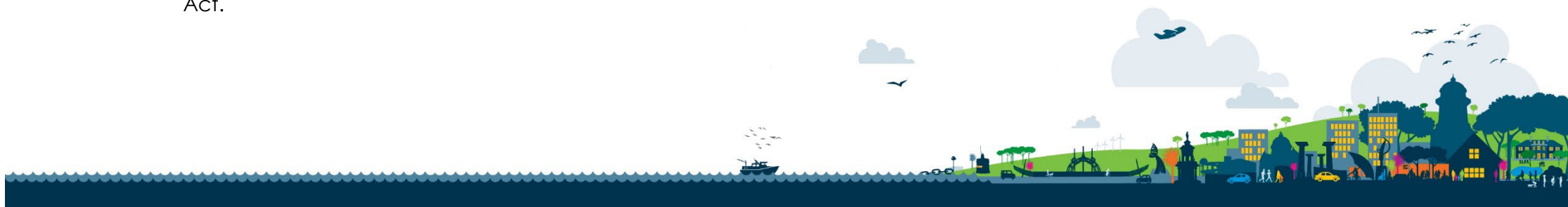
The Public Records Act 2005 requires us to retain "protected records" indefinitely. In some circumstances, personal information may be included within a protected record, including submissions that an individual makes in relation to bylaws, annual plans, and regional planning instruments.

Accessing and correcting your personal information

Individuals may request confirmation of whether or not we hold any personal information about them and they may request access to any personal information that we hold by emailing us at service@icc.govt.nz, or otherwise contacting us at the addresses provided below. Once we have verified their identity we will provide them with such confirmation and access unless one of the grounds for refusal to do so under the Privacy Act applies.

Individuals may request that the personal information we hold about them be corrected by emailing us at service@icc.govt.nz. If we agree that their personal information is to be corrected we will provide them with an amended record of their personal information if requested.

Rights of access to and correction of any personal information we hold are subject to the procedures set out in the Privacy Act.



Compulsory notification of breach

Section 114 of the Privacy Act requires that the Commissioner must be notified of a notifiable privacy breach. A notifiable privacy breach is a privacy breach where it is reasonable to believe it has or is likely to cause serious harm. A privacy breach is defined as unauthorised access to, disclosure, alteration or loss of personal information.

When assessing whether a privacy breach is likely to cause serious harm the following must be considered:

- any action taken to reduce the risk of harm;
- the sensitivity of the information;
- the nature of the harm;
- any recipient of the information as a result of the breach;
- whether the information is protected by a security measure; and
- any other relevant matters.

Who you can contact for further information

If you have any queries about this Privacy Policy or personal data Council has collected, please contact Council's Privacy Officer.

Email address: service@icc.govt.nz

Postal address: Invercargill City Council
101 Esk Street Private Bag 90104
Invercargill 9840



AUTHORISED BY:

Michael Day, Chief Executive

DATE: 1 January 2024



Revision History:

Effective Date:

1 January 2024

Review Period:

This Policy will be reviewed every six (6) years, unless earlier review is required due to legislative changes, or is warranted by another reason requested by Council.

New Review Date:

1 January 2030

Associated Documents / References:

Civil Aviation Rules
Public Records Act 2005
Privacy Act 2020
CCTV Policy 2023.

Supersedes:

Privacy Policy 2021

Reference Number:

A4783866

Policy Owner:

Chief Risk Officer

