

ST PETER'S TRUST BOARD Privacy Policy

Date: April 2023

1. PURPOSE

- 1.1 The purpose of the Policy is to detail how St Peter's Trust Board protects the privacy of all persons whom personal information is retained/stored as defined by the [Privacy Act \(2020\)](#) and the [New Zealand Privacy Principles](#) and the [Health Information Privacy Code \(2020\)](#)
- 1.2 To make our customers, students and their caregivers aware of what information is being collected, for what purpose and how it will be stored. Ensure individuals are aware of their rights to access personal information stored by the St Peter's, Cambridge

2. SCOPE:

- 2.1 This Privacy Policy details how St Peter's Trust Board protects your privacy and how we comply with the requirements of the Privacy Act, New Zealand Privacy Principles and the Health Information Privacy Code 2020. By outlining:
 - 2.1.1 The New Zealand Privacy legislation;
 - 2.1.2 Who we collect personal information from;
 - 2.1.3 The types of personal information do we collect;
 - 2.1.4 What is the purpose of the personal information collection;
 - 2.1.5 The how we collection personal information;
 - 2.1.6 How we use personal information
 - 2.1.7 How we store and make your personal Information secure
 - 2.1.8 How you can gain access to your personal information and seek its correction;
 - 2.1.9 How you may complain or inquire about our collection, handling, use or disclosure of your personal information and how that complaint or inquiry will be handled; and
 - 2.1.10 Whether we are likely to disclose your personal information to any overseas recipients.
- 2.2 This policy is intended to be made available to students, parents, prospective parents, job applicants, staff, alumni, donors, volunteers and others including past students, contractors, visitors, customers and others that come into contact with the school.

3. DEFINITIONS:

- 3.1 **Personal information:** Any information, whether electronic or hard copy, about an individual whether or not the information directly identifies the individual, and includes but is not limited to contact, demographics, academic information, attendance, pastoral information, CCTV footage, customer bookings/transactions, staff performance information, emails and other correspondence, and opinions about the individual.
- 3.2 **Privacy breach** means any unauthorised or accidental access to, or disclosure, alteration, loss, or destruction of personal information, or an action that prevents the school from accessing personal information.
- 3.3 **St Peter's** means St Peter's, Cambridge.
- 3.4 Health information:
The HIPC defines 'health information' in relation to an identifiable individual as:
 - 3.4.1 Information about the health of that individual, including that individual's medical history.
 - 3.4.2 Information about any disabilities that individual has or had.
 - 3.4.3 Information about any health or disability services that are being provided, or have been provided, to that individual.
 - 3.4.4 Information provided by that individual in connection with the donation, testing, or examination, of any body part or bodily substance, of that individual.

3.4.5 Information about that individual which is collected prior to, or in the course of, and incidental to, the provision of any health or disability service to that individual.

3.5 **Health Information Privacy Code 2020 (Health Code)** This code sets specific rules for agencies in the health sector. It covers health information collected, used, held and disclosed by health agencies and takes the place of the information privacy principles for the health sector. This code is relevant for St Peters due to the medical centre on site.

3.6 **Representative** in relation to an individual, means:

3.6.1 where that individual is dead, that individual's personal representative; or

3.6.2 where the individual is under the age of 16 years, that individual's parent or guardian; or

3.6.3 where that individual, not being an individual referred to in subclauses (a) or (b), is unable to give their consent or authority, or exercise their rights, a person appearing to be lawfully acting on the individual's behalf in the individual's interests.

3.7 **Privacy Officer** deals with all matter's privacy-related, assisting with the management of privacy breaches and oversees privacy law compliance for St Peter's. The Head of School of St Peter's, Cambridge appoints the Privacy Officer. The Privacy Officer will liaise with third parties in respect of privacy matters, including the Privacy Commissioner or other relevant regulators and individuals concerned. Privacy Officer: privacyofficer@stpeters.school.nz.

3.8 **General Data Protection Regulation 2016/679 (GDPR)** is legislation that updates and unifies data privacy laws across the European Union (EU). GDPR was approved by the European Parliament on April 14, 2016, and went into effect on May 25, 2018.

3.9 **Royal Commission's moratorium** The Royal Commission has powers under the [Inquiries Act 2013](#) to require any person to produce documents or provide information to the Inquiry. Public offices are receiving notices to produce documents. On March 28 2019 the Chief Archivist issued a [General Notice](#) under Section 20 of the [Public Records Act 2005](#) (PRA) to put in place a moratorium on the disposal of any records relevant to the Abuse in Care Royal Commission of Inquiry as set out in its [Terms of Reference](#). St Peter's is not a public office, therefore, doesn't need to comply, but as an organisation, we will follow the best practice provided by the public record Act 2005 as we created many records that need to meet a variety of legislation.

3.10 **Surveillance Monitoring Policy** The purpose of the Surveillance Monitoring Policy is to govern Surveillance monitoring systems of St Peter's, Cambridge (St Peter's) is managed in such a way that:

3.10.1 Maintain and enhance the health, safety and security of students, staff and the school community;

3.10.2 Keep the school's buildings and assets safe and secure;

3.10.3 Ensure that the privacy rights of the school's community and the public are respected;

3.10.4 Complies with the Privacy Act 2020.

This is an internal school policy. (Our Privacy Procedure document as a copy of the public Surveillance and Monitoring notice'.)

3.11 **Data Breach Policy and guideline** This data breach policy sets out procedures and clear lines of authority for St Peter's Cambridge staff in the event of a suspected data breach. This is an internal school policy only.

4. NEW ZEALAND PRIVACY LEGISLATION

4.1 St Peter's must comply with the relevant New Zealand legislation including:

4.1.1 Privacy Act 2020

4.1.2 Health Information Privacy Code 2020

4.1.3 Health Act 1956.

4.2 Procedures within the school must comply with the 13 privacy principles contained in Part 3 of the Privacy Act 2020 which have specific requirements in terms of:

- 4.2.1 Principle 1 Purpose of collection of personal information
- 4.2.2 Principle 2 Source of personal information – directly from the person where possible
- 4.2.3 Principle 3 Collection of information from subject
- 4.2.4 Principle 4 Manner of collection of personal information
- 4.2.5 Principle 5 Storage and security of personal information
- 4.2.6 Principle 6 Access to personal information
- 4.2.7 Principle 7 Correction of personal information
- 4.2.8 Principle 8 Accuracy of personal information to be checked before use or disclosure.
- 4.2.9 Principle 9 School is not to keep personal information for longer than necessary.
- 4.2.10 Principle 10 Limits on use of personal information
- 4.2.11 Principle 11 Limit on disclosure of personal information
- 4.2.12 Principle 12 Disclosure of personal information outside New Zealand.
- 4.2.13 Principle 13 Taking reasonable steps to protect unique identifiers.

4.3 As St Peter's has an onsite Medical Centre it must comply with the Health Information Privacy Code 2020. This is a code of practice issued by the Privacy Commissioner and replaces the 13 privacy principles with 13 rules that apply to health agencies:

- 4.3.1 Rule 1 Purpose of collection of health information
- 4.3.2 Rule 2 Source of health information
- 4.3.3 Rule 3 Collection of health information from individual
- 4.3.4 Rule 4 Manner of collection of health information
- 4.3.5 Rule 5 Storage and security of health information
- 4.3.6 Rule 6 Access to personal health information
- 4.3.7 Rule 7 Correction of health information
- 4.3.8 Rule 8 Accuracy, etc., of health information to be checked before use or disclosure.
- 4.3.9 Rule 9 Retention of health information
- 4.3.10 Rule 10 Limits on the use of health information
- 4.3.11 Rule 11 Limits on disclosure of health information
- 4.3.12 Rule 12 Disclosure of health information outside of New Zealand
- 4.3.13 Rule 13 Unique Identifiers.

4.4 Also, the Health Act 1956 section 22f covers disclosure of information to the individual, their representative and or a health provider.

5. WHO DO WE COLLECT PERSONAL INFORMATION FROM?

- 5.1 At St Peter's, we collect personal information from students, parents, prospective parents, job applicants, staff, alumni, donors, volunteers and others including past students, staff residents, staff resident's families, contractors, customers and visitors.
- 5.2 St Peter's recognises that the individuals concerned will only surrender their personal information if they trust St Peter's to use the information responsibly as outlined in our disclosure clause.

6. WHAT TYPE OF PERSONAL INFORMATION DO WE COLLECT?

- 6.1 St Peter's must collect only necessary personal information, for a lawful purpose, connected with the function or an activity in relation to the school.
- 6.2 Personal Information includes:
 - 6.2.1 Biographical details.
 - 6.2.2 Addresses and other contact details.
 - 6.2.3 Addresses and other contact details of next of kin
 - 6.2.4 Relationship to staff / students
 - 6.2.5 Dates of birth.
 - 6.2.6 Occupation.
 - 6.2.7 Emergency details.
 - 6.2.8 Financial information.
 - 6.2.9 Identification documents.
 - 6.2.10 Media including audio visual images.

- 6.2.11 Vehicle registration details
- 6.2.12 Bank account details
- 6.2.13 Attendance records.
- 6.2.14 CCTV surveillance recording.
- 6.2.15 Biometrics e.g fingerprints.
- 6.2.16 Your location (including whether you are accessing our systems from on or off- campus and your location on campus).
- 6.2.17 Device Identification (when you use a device to connect to our systems) e.g IP addresses.
- 6.2.18 your image (including, through campus surveillance footage and for student/staff ID cards).
- 6.2.19 Professional memberships.
- 6.2.20 Education records and academic/research history.
- 6.2.21 Police vetting status including criminal records if relevant.
- 6.2.22 family court orders.
- 6.2.23 Health and Safety incident information
- 6.2.24 Other items we collect (particularly in relation to student and parent records) include religious beliefs, government identifiers, nationality, country of birth, languages spoken at home, visa details.

6.3 Health Information student records includes:

- 6.3.1 Health information including diagnosed medical conditions.
- 6.3.2 Medical records.
- 6.3.3 Medical incident reports.
- 6.3.4 Disabilities.
- 6.3.5 Immunisation details.
- 6.3.6 Individual health care plans.
- 6.3.7 Counselling information.
- 6.3.8 Nutrition tracking.
- 6.3.9 Dietary requirements.

6.4 Health Information Staff records includes:

- 6.4.1 Health information including diagnosed medical conditions.
- 6.4.2 Medical records.
- 6.4.3 Workplace medical incident reports.
- 6.4.4 Disabilities.
- 6.4.5 Individual health care plans.
- 6.4.6 Nutrition tracking.
- 6.4.7 Health monitoring
- 6.4.8 Dietary requirements.

7. WHAT IS THE PURPOSE OF PERSONAL INFORMATION COLLECTION?

7.1 The purposes for which personal information is collected and used by St Peter's, may include but are not limited to:

- Providing education, pastoral care, extra-curricular and health services.
- 7.1.1 Satisfying our legal obligations including our duty of care and child protection obligations.
- 7.1.2 Keeping parents informed as to St Peter's community matters through correspondence, newsletters and publications.
- 7.1.3 St Peter's marketing, promotional and fundraising activities.
- 7.1.4 Supporting the activities of the St Peter's Foundation.
- 7.1.5 Supporting the activities of the St Peter's Alumni.
- 7.1.6 Supporting the activities of St Peter's Swim School.
- 7.1.7 Supporting the activities of Owl Farm.
- 7.1.8 Supporting the activities of St Peter's Facilities Hire.
- 7.1.9 Supporting the activities of any St Peter's based holiday programmes or clubs that are open to the general public.
- 7.1.10 Supporting community-based causes and activities, charities and other causes in connection with the school's functions or activities.
- 7.1.11 Compliance with requirements as a landlord.

- 7.1.12 Helping us to improve our day to day operations including training our staff; systems development; developing new programs and services; undertaking planning, research and statistical analysis.
- 7.1.13 Compliance with the Health & Safety at Work Act 2015 and other relevant and applicable, legislation, regulations and best practice requirements
- 7.1.14 Complying with visitor procedures and requirements.
- 7.1.15 School administration including for insurance purposes.
- 7.1.16 The employment of staff.
- 7.1.17 The engagement of volunteers.

8. HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

- 8.1 Personal information should be collected from individuals directly, unless an exception can be relied upon to collect it from a third party (or agent) in accordance with the Privacy Act 2020.
- 8.2 The health and safety of our students at St Peter's is paramount. We ensure that all personal information that is collected from students is done so in a fair manner and does not intrude to an unreasonable extent upon the personal affairs of the individual concerned. Note: Exceptions are listed in Principle 2 of the Privacy Act 2020. The usual basis on which we collect information from a third party is with the authorisation of the individual.'
- 8.3 St Peter's has monitoring capabilities at multiple locations throughout the campus. Signage advising of the surveillance monitoring system gives notice of areas covered by such equipment. The surveillance cameras are movement activated and will record any movement in the areas covered by individual cameras 24 hours per day.

9. HOW WE USE PERSONAL INFORMATION

- 9.1 Staff members of St Peter's, Cambridge are required access to personal information, by the purpose of their roles. e.g.
 - 9.1.1 To be able to access personal student and staff information in our Student Management Systems and/or the HR databases and/or any of the school's information systems; and/or to work with, or be aware of personal student and staff information in a wide range of contexts e.g., administration relating to student assessment or staff appointments.
- 9.2 Personal information may be shared with third-party contractors/suppliers to the extent necessary for them to administer or work on behalf, or to work on special projects with us.
- 9.3 The provision of staff members' names as referees by students and former students is considered to be authorisation for the release of information relating to the academic performance of those students and former students, in terms of this policy.

10. STORAGE AND SECURITY OF PERSONAL INFORMATION

- 10.1 We store personal information when we collect it under our obligations under the New Zealand Privacy Act and will take all reasonable steps to ensure the security of your personal information.
- 10.2 We store personal information in a variety of formats including on databases and systems, in systems in hard copy files, on tape, in cloud storage and on personal devices including laptop computers, mobile phones, cameras and other recording devices.
- 10.3 St Peter's, Cambridge takes all reasonable steps to protect personal information against loss, manipulation, misuse and unauthorised access. These steps include:
 - 10.3.1 Ensuring all staff are aware that they are not to reveal or share personal passwords.
 - 10.3.2 Ensuring where personal and health information is stored in hard copy files that these files are stored in lockable filing cabinets in lockable rooms. Access to these records is restricted to staff on a need to know basis.
 - 10.3.3 Implementing physical security measures around the school buildings and grounds to prevent break-ins.

- 10.3.4 Access to personal information, which is to be granted in accordance with the established approval processes for each system and/or data set, should only be granted if required by a staff member's role.
 - 10.3.5 Certain staff members undertaking specific roles in the school involving reporting to external agencies are authorised to release particular information relating to students and staff to the relevant agencies.
 - 10.3.6 A student or staff member may authorise a staff member to release their personal information to a particular individual or agency however such authorisation must be provided in writing.
 - 10.3.7 Undertaking due diligence with respect to third party suppliers who may have access to personal information, including cloud service providers, to ensure as far as practicable that they are compliant with New Zealand Privacy Act and the Privacy Principles or a similar privacy regime.
 - 10.3.8 Implementing ICT security systems, policies and procedures, such as email and internet usage, confidentiality and document security policies, designed to ensure that staff follow correct protocols when handling personal information.
- 10.4 St Peter's retains personal information for the period of time required to meet legislative obligations, alumni communications, performance monitoring and other legitimate purposes.
- 10.5 We usually retain surveillance footage for a period of 21 days. We may retain surveillance footage for longer if required by law, or if we think doing so is appropriate to help us with any of the purposes outlined above, obligations and perform our contracts with individuals.
- 10.6 St Peter's endeavour to follow best practices relating to the [Public Records Act 2005](#), support our record obligations with Royal Commission's moratorium, [Education and Training Act 2020](#) and any other legislation related to our purposes.
- 10.7 A privacy breach occurs when there is unauthorised or accidental access to someone's personal information or disclosure, alteration, loss or destruction of personal information. It can also include situations where the school is stopped either temporarily or permanently from accessing personal information.
- 10.8 If you become aware of a privacy breach, immediately notify: The school's Privacy Officer. St Peter's has a Data Breach Policy and guideline in place. Even minor privacy breaches must be notified. If there is a privacy breach, further information will be provided on actions required.

11. WHEN WE DISCLOSE PERSONAL INFORMATION

- 11.1 We may disclose your personal information to government agencies, other Schools, recipients of School publications, visiting teachers, counsellors and coaches, our service providers, agents, contractors, business partners and other recipients from time to time, only if one or more of the following apply and you have provided consent:
- 11.1.1 Disclosure is one of the purposes for which the organisation collects the information.
 - 11.1.2 The person concerned authorises the disclosure.
 - 11.1.3 The information is to be used in a way that does not identify the person concerned.
 - 11.1.4 Disclosure is necessary to avoid endangering someone's health or safety.
 - 11.1.5 Disclosure is necessary to uphold or enforce the law.
- 11.2 Health information
- 11.2.1 The Privacy Act 2020 governs the disclosure and use of personal information. If that personal information relates to a person's health and any health services that are being, or have been, provided to that person, the Health Information Privacy Code 2020 applies to the disclosure and use of that information.
 - 11.2.2 Section 22F of the Health Act 1956 provides that health information must be disclosed, on request, to the individual's representative or any person providing health or disability services to the individual.

- 11.2.3 The parent or guardian of a child under 16 years is their representative. Where the person holding the information reasonably believes that a disclosure of health information about a child under 16 to his or her parent or guardian would be against the child's wishes or interests, the request may be refused. Requests may also be refused on the withholding grounds in [section 24](#) and sections [49\(Protection, etc, of individual as reason for refusing access to personal information\)](#)-[53\(Other reasons for refusing access to personal information\)](#) of the Privacy Act. Children under 16 do not have a veto over disclosure of information to their parents or guardians. Whether a health provider will accede to a child's request that health information about them not be disclosed is within their discretion. In considering the request they should take into account the relative maturity of the child and the severity of the health matter under discussion.
- 11.2.4 When a young person is 16 years and older - Under the law a child is deemed competent from the age of 16 onwards (unless factors determine otherwise). At that point the parent or guardian no longer has the right to see their child's health record without their authorization.

12. PERSONAL INFORMATION OF STUDENTS

- 12.1 Privacy Principle 4 (Manner of collection) highlights that we need to take extra care when collecting information from young people; it may not be fair to collect it in the same manner. St Peter's is fully aware that the student may not have the capacity to do so, and St Peter's may seek parent or guardian authorisation for the collection.
- 12.2 There may also be occasions where parents or guardians are denied access to information with respect to their children, because to provide such information would have an unreasonable impact on the privacy of others or result in a breach of the St Peter's duty of care to the student.

13. DISCLOSURE OF PERSONAL INFORMATION TO OVERSEAS RECIPIENTS

- 13.1 We may disclose personal information about an individual to overseas recipients in certain circumstances, such as organising an overseas excursion, facilitating a student exchange, or storing information with a "cloud computing service" that holds data outside New Zealand. We will, however, take all reasonable steps not to disclose an individual's personal information to overseas recipients unless:
- 13.1.1 We have the individual's consent (which may be implied); or
 - 13.1.2 We have satisfied ourselves that the overseas recipient is compliant with the New Zealand Privacy Principles and Health Information Privacy Code 2020 or a similar privacy regime; or
 - 13.1.3 We form the opinion that the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public health or safety; or
 - 13.1.4 We are taking appropriate action concerning a suspected unlawful activity or serious misconduct.

14. HOW TO GAIN ACCESS TO YOUR PERSONAL INFORMATION WE HOLD

- 14.1 You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong (and you are unable to update it yourself through a relevant online service). If you would like to do this, please email the Privacy Officer, privacyofficer@stpeters.school.nz. You may need to provide specific details about the nature of your relationship with St Peter's and the information you are seeking so that we can easily locate it for you.

15. PRIVACY COMPLAINTS

- 15.1 If you wish to make a complaint about a privacy breach by us, you may do so by providing your written complaint by email, letter, or by personal delivery to our Privacy Officer, details are noted below.

15.2 You also have the right to make a complaint to the Office of the Privacy Commissioner if you think we have breached, or may have breached, this privacy.

15.3 You can contact the Office of the Privacy Commissioner at www.privacy.org.nz.

16. HOW TO CONTACT US:

The Privacy Officer
St Peter's School.
Private Bag 884,
Cambridge
or email privacyofficer@stpeters.school.nz

Trust Board Chairperson Name: John Macaskill-Smith



Trust Board Chairperson Signature: _____ **Date:** _____

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