



Privacy of Information Policy and Procedures

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Summary of Policy

This policy give effect to the requirements of the Privacy Act 1993 including the twelve Information Privacy Principles which must be applied when managing personal information at Unitec. The associated procedures have been developed to enable staff to make informed decisions about privacy issues they are likely encounter in their day-to-day employment, and to take whatever action is appropriate without the need to seek further advice from the Privacy Officer.

The policy includes sections on the types of personal information (relating to both students and staff) that are held at Unitec, as well as sections on the storage, security, access, correction, use, retention, disposal and disclosure of such information. Reference is also made in the policy to other applicable privacy codes and legislative requirements.

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Policy

1. Purpose

The purpose of this policy and associated procedures is to ensure that Unitec complies fully with its obligations under the Privacy Act 1993 ("the Act").

2. Organisational Scope

This policy applies to all staff and students at Unitec.

3. Definitions

Act	means the Privacy Act 1993 .
class records	means the information required by academic staff to carry out formative and summative assessment.
direct manager	in relation to a staff member, means the person who is responsible for the performance management (including performance reviews) of that staff member, and to whom that staff member reports.
evaluative material	has the meaning given that phrase by section 29(3) of the Act.
Head of Department	for the purposes of this policy, includes the Dean, Research and Postgraduate Studies.
HR Staff File	means the record of information (in both hard and electronic copy) in relation to an individual staff member retained by Human Resources in accordance with this policy. The personal information held on an HR Staff File includes, but is not limited to, information concerning: <ol style="list-style-type: none">(a) the staff member's appointment and terms and conditions of employment, including application, CV, employment agreement, variations to agreement, changes to salary, verified copies of qualifications and personal information, changes to account details, superannuation, redundancy situations, and bonds;(b) the requirements of the position and the staff member's ability to carry out those requirements, including position description, training and development, delegated authorities, reclassification of position, medical certificates;(c) the staff member's performance on the job, including performance appraisals, promotions, performance recognitions, testimonials, records of disciplinary action, leave management;

- (d) any correspondence between the staff member and Unitec; and
- (e) any correspondence between Unitec and a third party that relates to the staff member.

IPPs	means the twelve information privacy principles described in section 6 of the Act.
Manager's Staff File	means the hard copy record of information in relation to an individual staff member retained by that staff member's direct manager in accordance with this policy and for the purposes of dealing with current day to day management activities.
Privacy Officer	means the member of staff at Unitec appointed by the Chief Executive to this role.
Department	for the purposes of this policy, includes the Research and Postgraduate Centre.
SEQUAL	means Unitec's Student Evaluation of Quality, a system designed to gather feedback from students on courses and how they are taught, through confidential evaluation surveys processed by an independent party, who sends summary reports back to Departments.
Staff File	means both the HR Staff File and the Manager's Staff File in relation to an individual staff member.
Student File	means the record of information in relation to a student retained in accordance with this policy (in whole or in part) in hard copy in a central place within a Department and (in part) in electronic form on a Unitec-wide computerised information management system. The information held on an hard-copy Student Files includes, but is not limited to: <ul style="list-style-type: none"> • Applications forms • References • Interview sheets • Assessment information • Enrolment forms • Special Assessment requests • Correspondence between Unitec and the student • File notes, where appropriate, in accordance with Unitec's Student Complaints Policy;

4. Policy Statement

4.1 All staff at Unitec shall ensure that, when using or dealing with personal information relating to staff members, students, contractors or any other individuals, they comply fully with the IPPs and the other provisions of the Act. The primary objectives of the Act are:

- to promote and protect individual privacy;

- to establish certain principles with respect to the collection, use, and disclosure, by public and private sector agencies, of information relating to individuals; and
 - to establish certain principles with respect to the access by each individual to information relating to that individual and held by public and private sector agencies.
- 4.2 The Chief Executive shall ensure that at all times Unitec has a duly appointed Privacy Officer, who will be the first point of contact for any questions and complaints in relation to privacy issues. The name of the Privacy Officer, who shall be appointed from time to time, shall be notified to the Unitec community in a suitable manner.

Procedures

5. Categories of Personal Information Held at Unitec

5.1 Personal Information Relating to Students

5.1.1 Student Files

Heads of all Departments shall ensure that all hard-copy Student Files are maintained in the Department that delivers the programme in which the relevant students are enrolled or, alternatively, in an archiving space approved by the Manager, Information and Policy.

5.1.2 Other

The Student Services Counselling Centre, Te Puna Ako, Unitec International, Student Affairs, the Office of the Executive Director Organisational Development, the Health Centre, the Conciliator, the Library, the Sports Centre and other units/staff at Unitec may also maintain personal information relating to students, as required for work purposes. All units/staff maintaining personal information relating to students must do so in accordance with the provisions of the Act, the principles of this policy, the [Health Information Privacy Code 1994](#) (where applicable) and any other applicable Privacy Code.

5.2 Personal Information Relating to Staff

5.2.1 HR Staff Files

Human Resources creates and maintains HR Staff Files relating to each person employed at Unitec. The Manager, Human Resources shall ensure that HR Staff Files contain only originals of documents except where any original has been sent to the staff member concerned.

5.2.2 **Manager's Staff Files**

Managers may maintain Manager's Staff Files relating to staff whom they manage. Information that may be maintained on these files is limited to duplicate copies of material, on paper or computer, required for ease of reference and for reasonable operational use only, about staff who report directly to them.

5.2.3 **Other**

The Office of the Executive Director Organisational Development, the Health Centre, the Conciliator, the Research and Postgraduate Office, the Library, the Sports Centre and other units/staff at Unitec may also maintain personal information relating to staff, as required for work purposes. All units/staff maintaining personal information relating to staff must do so in accordance with the provisions of the Act, the principles of this policy and the Health Information Privacy Code 1994 (where applicable) and any other applicable Privacy Code.

6. Collection of Personal Information

6.1 Principles Relating to Collection

The principles relating to collection of personal information are set out in IPPs 1-4 inclusive. Section 6 of this policy should be read together with those principles.

6.2 Privacy Declarations

A privacy statement/declaration should be included on, hyperlinked or attached to all Unitec forms that collect personal information. Any person preparing application/enrolment forms should consult with the Privacy Officer to ensure that the wording of the privacy declaration meets the requirements of the Act.

6.3 Research

6.3.1 The Dean, Research and Postgraduate Studies shall implement a research ethics policy that complies with the requirements of the Act.

6.3.2 Staff or students who undertake research projects involving human subjects should ensure they comply with [Academic Policy 13A, Research Ethics Committee Policy and Procedures](#).

6.3.3 The Dean, Research and Postgraduate Studies shall ensure that the Quality Categories allocated to particular individual staff members as part of the Performance Based Research Funding ("PBRF") assessments carried out by the Tertiary Education Commission will be made available only to the individual being assessed, their direct manager, and the Research Office for the purposes of managing Unitec's PBRF assessment.

6.5 Recruitment of Staff

The Manager, Human Resources shall ensure that, in the process of recruitment:

- (a) all data collected from applicants conform to Human Rights legislation and Unitec's Human Resources policies, and are directly related to the position advertised;
- (b) permission is sought from applicants to contact referees nominated on any application form or associated correspondence; and
- (c) no other person is asked to provide information about the applicant without the applicant's consent. Where the applicant is a current or past employee of Unitec, the applicant's HR Staff File may be consulted.

6.6 Performance Review

Managers shall ensure that any staff member whose performance they are reviewing is fully aware that the review is being carried out and of the contents of any documentation being used in relation to that review. The staff member concerned shall not be denied access to any information relied on in that review. This clause should always be read in conjunction with Unitec's [Performance and Development Management Policy](#).

6.7 Equal Employment Opportunities Reporting

The means of collection of information for any equal opportunities reporting required by law shall ensure anonymity and the associated statistical reporting shall not be published in any form that could reasonably be expected to identify the individual(s) concerned.

7. Storage and Security of Personal Information

7.1 Principles

The principles relating to storage and security of personal information are set out in IPP5. Section 7 of this policy should be read together with those principles.

7.2 Electronic Management System

7.2.1 The Director, Information Technology shall:

- (a) be responsible for the security of any electronic management system used to collect and manage personal information relating to students and staff;
- (b) ensure that managers are given access only to such parts of the electronic management system containing details of the staff for whom they are responsible; and

- (c) permit certain managers to have access to specific Unitec-wide information in order to meet Unitec business requirements, provided that such access will be generic in nature and not identify staff unless necessary for the business transaction.

7.2.2 When accessing personal information about students or staff, all staff must make every effort to ensure that personal information displayed on the computer screen is not able to be viewed by unauthorised individuals.

7.3 Hard Copy Files Containing Personal Information

7.3.1 All hard copy files containing personal information must at all times be kept in a secure locked storage space.

7.3.2 Where individuals hold any personal information they are responsible for the security of that information.

8. Access to Personal Information

8.1 Principles

8.1.1 The principles relating to access to personal information are set out in IPP 6 and Parts 4 and 5 of the Act. Section 8 of this policy should be read together with those principles.

8.1.2 No person shall access any Student File or Staff File (or part thereof or personal information contained therein) except in accordance with the provisions of this policy.

8.1.3 Any person requesting access to any personal information (whether relating to that person or to another person) shall, if requested by the person holding that information, produce suitable identification to enable the person holding the information to determine whether such access should be given.

8.2 Access to Student Files

8.2.1 Unitec staff may access only such personal information relating to students as is necessary for the purposes of carrying out their employment duties.

8.2.2 The Director, Student Services shall, in consultation with the Heads of all Departments, devise a system to ensure that at any given time it can be ascertained which Student Files have been issued and to whom they have been issued. Except as approved by the Head of Department, or as required by law, no Student File is to be removed from the campus on which the Student File is held.

8.2.3 Individual students who wish to view their own Student Files shall make arrangements to do so with the Head of Department or Department Administration Manager and under the supervision of a Unitec staff member. Under no circumstances may a student remove any part or all of their Student File from the Department office in which the file is held.

- 8.2.4 Any evaluative material given in confidence by the writer (e.g. references/reports) should be dealt with in accordance with the provisions of the Act.
- 8.2.5 The Director, Information Technology shall ensure that the student's name and student ID number are the only means of accessing the personal information of any student record retained and managed in any computerised management information system at Unitec.

8.3 Access to Staff Files

8.3.1 Access and correction by staff members

Every staff member has the right to access their own Staff File. If a staff member wishes to access their HR Staff File, the staff member shall request permission for such access from the Manager, Human Resources. If a staff member wishes to access their Manager's Staff File, the staff member shall request permission for such access from their Manager.

Staff shall not alter or remove any information from their Staff File but may request a copy of any document or extract.

Any evaluative material given in confidence shall be dealt with in accordance with the provisions of the Act.

8.3.2 Access by other Unitec staff

The following personnel are authorised to access Staff Files on request for the purpose of carrying out their employment duties:

- Heads of Departments/Units – Staff Files of staff in their respective Departments/Units
- Executive Directors and Executive Deans
- Managers – Staff Files of staff they manage
- Chief Executive
- Staff employed in Human Resources
- Any other staff authorised by the Chief Executive or the Executive Director, Organisational Development

8.3.3 Access to SEQUAL information

- (a) Staff shall have access to any SEQUAL evaluation survey reports and evaluation summary reports containing personal information relating to them provided that the anonymity of the student(s) evaluating them is preserved. Any evaluative material provided in confidence shall be dealt with in accordance with the provisions of the Act.
- (b) Any requests by students for access to SEQUAL evaluation survey reports or evaluation summary reports is deemed to be a request under the Official Information Act 1982 and shall be

referred to the Office of the Executive Director, Finance and Infrastructure, to be dealt in accordance with that legislation.

- (c) Other than as set out above or in Unitec's [SEQUAL Policy](#), access to SEQUAL Lecturer Evaluation Survey Reports and SEQUAL Lecturer Evaluation Summary Reports shall be restricted to:
- the subject's Head of Department
 - the subject's direct manager (if different from the Head of Department)
 - the Dean, Teaching and Learning
 - the relevant Executive Dean (Faculty)
 - the staff in the Institutional Research Office
 - the Chief Executive
 - the Executive Director, Organisational Development
- (d) Other than as set out above or in Unitec's [SEQUAL Policy](#), access to SEQUAL Course Evaluation Survey Summary Reports and SEQUAL Course Evaluation Summary Reports shall be restricted to
- the Dean, Teaching and Learning
 - the relevant Executive Dean (Faculty) responsible for the programme of which the course is a part
 - the relevant Programme Director(s)
 - the Executive Dean, Academic Development
 - the staff in the Institutional Research Office
 - the Chief Executive
 - the Executive Director, Organisational Development
- (e) Other than as set out in this policy or in Unitec's [SEQUAL Policy](#), no other third party shall access SEQUAL reports or evaluation surveys except with the consent of the subject.

9. Correction and Accuracy of Personal Information

9.1 Principles Relating to Correction and Accuracy

- 9.1.1 The principles relating to correction and accuracy of personal information are set out in IPPs 7 and 8. Section 9 of this policy should be read together with those principles.

- 9.1.2 Staff responsible for the maintenance of files containing personal information must ensure that all personal information recorded therein is accurate, up to date, complete, relevant, and not misleading.
- 9.1.3 All students and staff shall ensure that their current name and contact details are provided to Unitec (either directly into the student information management system, or to Department administration staff or Human Resources staff, as appropriate).

9.2 Corrections to files

Students and staff may at any time request any person at Unitec, identified in this policy as maintaining a file containing personal information, to correct personal information relating to them.

If the person maintaining the file does not agree to the correction, then that person should ensure that any statement provided by the student or staff member is able to be viewed alongside the original information to which the statement relates.

10. Retention and Disposal of Personal Information

10.1 Principles Relating to Retention and Disposal

- 10.1.1 The principles relating to retention and disposal of personal information are set out at IPP9. Section 10 of this policy should be read together with that IPP.
- 10.1.2 This section 10 is also subject to the requirements of the Public Records Act 2005 and any retention and disposal authority that may be approved by the Chief Archivist under the provisions of that Act.

10.2 Retention and Disposal of Personal Information relating to Students

- 10.2.1 The qualifications, courses studied and final assessment results of all Unitec students must be retained permanently.
- 10.2.2 Each Student File must be kept in hard copy and/or digital form for no less than ten years after the student has ceased to be a student of Unitec, and shall then be disposed of in a secure manner. The Director of Student Affairs shall approve the method of disposal of student records.
- 10.2.3 Scholarship applications, examination scripts and other similar documents may be disposed of 12 months after the end of the semester to which they relate.
- 10.2.4 Any electronically-stored personal information shall be backed up in an appropriate manner, as approved by the Director, Information Technology.

10.3 Retention and Disposal of Personal Information relating to staff

- 10.3.1 The Manager, Human Resources is responsible for disposing of Staff Files after the appropriate period in accordance with any relevant approved retention and disposal authority approved under the Public Records Act 2005.
- 10.3.2 Managers will ensure that any original documents in Manager's Staff Files are transferred to Human Resources. Upon receipt of such original documents, Human Resources shall assess whether the document should be filed in the HR Staff File or disposed of in a secure manner.
- 10.3.3 All materials relating to a staff member that is held in a Manager's Staff File must be sent to Human Resources at the time that the staff member ceases their employment at Unitec. Upon receipt of such materials, Human Resources shall assess whether the document should be filed in the HR Staff File or disposed of in a secure manner.
- 10.3.4 The Manager, Human Resources shall ensure that
- (a) Staff Files for employees who have left Unitec are placed in inactive secure storage for a period of no less than 7 years after their employment ceases;
 - (b) at the end of the period of inactive storage, Staff Files (with the exception of those noted in paragraph (c) below) are securely disposed in accordance with the current records disposal processes, unless litigation or another dispute involving the staff member is currently in progress; and
 - (c) Staff Files relating to former Chief Executives, second-tier managers and files of staff who received significant honours or achieved high distinction (where easily identifiable) are retained permanently.
- 10.3.5 SEQUAL forms, surveys and reports shall not be kept longer than three years.
- 10.3.6 Personal information stored by the Conciliator should usually be retained for no more than three years, unless there is an ongoing need to retain the information.
- 10.3.7 Equal Employment Opportunity information, because of its nature, shall be kept separate from Staff Files and shall only be kept for as long as is necessary to prepare the annual data and maintained in statistical form only.

11. Disclosure of Personal Information

11.1 Principles Relating to Disclosure

- 11.1.1 The principles relating to disclosure of personal information are set out in IPP11 and Part 4 of the Act. Section 11 of this policy should be read together with those principles.

- 11.1.2 Any staff member who receives a request for personal information relating to a person other than the person making the request should, if in doubt about the application of this Policy and/or the Act, consult with and seek the advice of the Privacy Officer.
- 11.1.3 No person shall disclose any personal information relating to any student or staff member to any other person or agency (other than authorised Unitec staff), including parents, partners and employers of that student or staff member, except:
- (a) in accordance with the provisions of this policy; or
 - (b) as required by law; or
 - (c) with the written consent of the student or staff member concerned.
- 11.1.4 Any disclosure of personal information shall be limited to that which is for whatever reason required or permitted to be disclosed.

11.2 Disclosure of Personal Information Relating to Students

- 11.2.1 Information as to whether a student has obtained a Unitec qualification may be provided to a third party if the qualification was awarded at a public graduation ceremony. In all other instances, the written permission of the student will be required before such information is released to a third party.
- 11.2.2 Examination results shall be published only by using student ID numbers.
- 11.2.3 Any student applying to graduate will be required to consent to their name and any honours or other special award to be published in the graduation programme.
- 11.2.4 Material issued for teaching purposes must not contain any personal information about a student unless the consent of that student concerned is first obtained.
- 11.2.5 Unitec will provide personal information relating to students to Government departments and agencies when required by law to do so.

11.3 Disclosure of Personal Information Relating to Staff

- 11.3.1 Notwithstanding the above provisions, staff details, including the name, work contact details, title and areas of expertise of that staff member may be included in publications including promotional brochures and the Unitec website.
- 11.3.2 Unitec will provide personal information relating to staff to Government agencies such as the Tertiary Education Commission and Inland Revenue when required by law to do so.
- 11.3.3 Unitec will provide such information as is necessary to meet its obligations as a party to its staff insurance policy.

References

[Archives New Zealand. General Disposal Authority 1. Human Resources Crimes Act 1961](#)
[Health Information Privacy Code 1994](#)
[Privacy Act 1993](#)
[Public Records Act 2005](#)
[Tertiary Education Commission. Funding Guide.](#)
[Unitec Student Complaints Policy](#)
[Unitec Policy HR5 Code of Conduct](#)
[Unitec Academic Policy 7 SEQUAL](#)

Revision History

Initial approval: August 1997

Amendments (date and substance)

May 2006 - Revision – substantially to reflect changes to obsolete processes or organisational structure, to revise the staff files section (s9), to remove the full text of the student declaration from the policy and to give effect to the Public Records Act 2005;

July 2009 - to reflect position title nomenclature changes due to new org structure (effective 1Feb09) and changes to identify correct policy owner and responsible manager in line with new org structure;