

# STRATFORD DISTRICT COUNCIL

<b>SECTION:</b> Corporate Services	
<b>POLICY: <u>PRIVACY</u></b>	
<b>RESPONSIBILITY:</b> Chief Executive, Director Corporate Services	<b>REVIEW DATE:</b> October 2020
<b>VERSION:</b> 3	<b>APPROVED DATE:</b> 13 July 2021
<b>FILE NUMBER:</b> D16/16748v3	<b>NEXT REVIEW:</b> 2023/24
<b>DELEGATIONS:</b> Chief Executive	

## **BACKGROUND**

The Stratford District Council respects and protects the privacy of all people Council deal with and who provide council with information. This policy sets out Council's approach to the privacy of personal information in accordance with the obligations under the Privacy Act 2020 ("the Act").

## **PURPOSE**

This Policy provides guidance for the collection, use, retention and disclosure of personal information collected by the Council. Specifically, that only necessary personal information is collected and managed in a manner to protect from potential privacy breaches.

## **POLICY**

### **1. What kind of personal information does Council collect?**

Council only collects personal information it requires to provide its services including, but not limited to, customers names, date of birth, addresses, email addresses, telephone numbers, gender, information on use of services or facilities, including payment services and any other information provided in connection with, or specifically related to communications with council or, use of services or facilities. Council may also keep a record of any information requested in accordance with the Act.

### **2. Where Council collects personal information from**

Council may collect personal information directly from the customers themselves or from someone acting on their behalf, and may be by the following means:

- a) communication through Council's Website;
- b) sign up to, and use, any of the online services or facilities available, including online payment services;
- c) subscribe to any newsletters or updating services;

- d) indirectly provide information through the use of Council Website and the services and functionality offered through it;
- e) complete and submit forms provided for applications for consents, licences, approvals, permits, funding or other authorisations; and
- f) 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.

Council may also collect information from the agents and service providers that Council may engage to assist with the provision of products or services to you, or to carry out any of the functions mentioned above.

### **3. How Council uses personal information**

Council may use personal information for the following purposes:

- a. to provide customers with online services or facilities;
- b. to positively confirm an individual's identity to avoid inappropriate release or use of information;
- c. to respond to correspondence or to provide information that has been requested;
- d. to process an application for any consent, licence, approval, permit or other authorisation;
- e. to process online payments received by, or made by council;
- f. to respond to requests, enquiries or feedback, or for customer care related activities;
- g. to provide to agents and service providers that Council engages to assist with the provision of online products or services, or to carry out any of the functions mentioned above;
- h. to comply with relevant laws and regulations;
- i. to carry out activities connected with the running of normal business operations such as personnel training, or testing and maintenance of computer and other systems; and
- j. for general administrative and business purposes.

### **4. Sharing personal information**

Council may disclose personal information to third parties in the following circumstances:

- a) to any person engaged by council to provide products or services, where the personal information is necessary for the provision of those products or services;
- b) a third party if Council are required to do so under any laws or regulations, or in the course of legal proceedings or other investigations;
- c) a third party if Council determine that disclosure is necessary in connection with any complaint regarding use of Council's website;
- d) any person authorised to disclose personal information; and
- e) any person, if that information is held in a public register, e.g. information held on property files or the rating information database.

## **5. How long Council holds personal information**

Council will retain personal information only for as long as necessary to achieve the purpose it was collected. When personal information is no longer required, and legislation does not require the document to be held, the information will be removed from the system.

The Public Records Act 2005 requires council to retain "protected records" indefinitely. In some circumstances, personal information may be included within a protected record, including submissions made in relation to bylaws, annual plans, and district or regional planning instruments. This information may be held onto indefinitely.

## **6. How Council stores personal information**

Personal information is stored electronically and in paper form. The personal information is kept safe and secure using generally accepted standards of security. In some cases, third party service providers may store personal information on Council's behalf.

No data transmissions over the internet can be guaranteed as being completely secure. Accordingly, Council cannot warrant or guarantee the security of this information. However, Council will take such precautions to ensure the security of that information, as are reasonable to take in the circumstances, against loss, access, use, modification or disclosure except with the appropriate authority.

Council have processes, guidelines and policies for managing personal information that align with guidance from the Privacy Commissioner. In accordance with the requirements of the act, Council will notify all parties involved if a serious breach occurs.

## **7. Cookies and log files**

Council may use "cookies" on the website to provide customers with access to tailored information and services.

A cookie is a small data file that the Website sends to the customer's browser, which may then store it on their system for later retrieval by the Website. Cookies track movements through different Websites; they do not record any other personal information. Cookies are widely used on Websites to help with navigation and to help personalise Website experiences.

Council do not use cookies to track internet activity before or after customers leave the Website, however any activity on the Website may be monitored. No other company has access to the Council Website cookies.

Council may also gather certain information automatically and store it in log files. This information may include internet protocol (IP) addresses, browser type, referring/exit pages, operating system, date/time stamp, and clickstream data.

Council may use non-personalised statistics about the use of the Council Website to monitor site traffic, analyse trends, to gather demographic information about the user base as a whole, improve the Website and to improve customer service. These statistics do not comprise personal information.

## **8. Third Party Websites**

The Council Website may contain links to third party Websites. These Websites have not been prepared by and are not controlled by Council. They are provided for customer convenience only and do not imply that Council check, endorse, approve or agree with the privacy practices of the third party Websites. Council encourage customers to be aware when they leave the Website and to read the privacy statements of each and every Website that collects personal information.

## **9. Accessing and correcting your personal information**

Customers may access personal information Council hold about them by emailing [stratforddc@stratford.govt.nz](mailto:stratforddc@stratford.govt.nz). Requests under the Act will require identity verification and access will be given unless one of the grounds for refusal to do so under the Act applies. An organisation can refuse requests for personal information if another statute says that the organisation does not have to provide access, or one of the reasons in Sections 27-29 of the Act below:

- Security or defence
- Exchanges between governments
- Maintaining the law
- A danger to safety
- Breach of another's privacy
- Risk to mental health
- Evaluative material
- Harm to people under 16
- Legal professional privilege
- Vexatious, frivolous, trivial
- Information cannot be found or retrieved
- Neither confirm nor deny

Customers may request that the personal information Council hold about them be corrected by emailing council at [stratforddc@stratford.govt.nz](mailto:stratforddc@stratford.govt.nz). If Council agree that the personal information is to be corrected Council will provide an updated record of the personal information upon request. There may be a charge for providing the updated record.

Customer rights of access to and correction of any personal information Council hold about them are subject to the procedures set out in the act.

## **10. Who you can contact for further information**

For any queries about this Online Privacy Policy or personal information, Council have collected please contact:

**Privacy Contact Person:** Privacy Officer  
**Email address:** [stratforddc@stratford.govt.nz](mailto:stratforddc@stratford.govt.nz)  
**Address:** 61-63 Miranda Street,  
STRATFORD 4332  
**Postal Address:** PO Box 320  
STRATFORD 4352