

Privacy Policy

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Status	Draft Final <input checked="" type="checkbox"/>	Approved by	Chief Executive
Date for review	1 December 2023		

Name	Role	Signature	Date
Brook Barrington	Chief Executive		10 December 2020

Objective

This Privacy Policy describes how the Department of the Prime Minister and Cabinet (DPMC) will ensure that our staff, members of the public and the government retains the highest level of confidence in our ability to safeguard the personal information we hold.

Applies to

This policy applies to everyone in DPMC, including seconded, contracted and temporary staff (together referred to in this policy as 'staff'), regardless of position or seniority.

Application to NEMA: For the purposes of the application of this policy to NEMA, all references to DPMC should be read as a reference to NEMA, and all functions of the:

- Executive Director, Strategy, Governance and Engagement (Executive Director) are to be carried out by the Deputy Chief Executive - Strategic Enablement, NEMA.
- Privacy Officer shall be carried out by the NEMA Privacy Officer (with the exception of review of this policy).
- Executive Leadership Team (ELT) should be read as a reference to NEMA Chief Executive and Deputy Chief Executives.

Principles

DPMC's management and protection of personal information will be guided by the following principles:

- All personal information we hold will be managed and used in accordance with the Privacy Act 2020.
- DPMC will embody a culture in which personal information is protected and respected.
- We respect and uphold the mana and dignity of the people, whānau, communities or groups who share their data and information with DPMC.

IN CONFIDENCE

- Individuals will be confident that DPMC is a trusted guardian of their personal information.

Related policies, guidance and information

- Privacy Act 2020
- DPMC's Guide to Managing Privacy Breaches

Definition - What is personal information?

Personal information is any information which is about an identifiable individual.

DPMC holds personal information about staff, contractors and individuals who interact with us in relation to the services we provide.

The Privacy Act is concerned with the content of personal information, rather than the specific form that content is in. This means that all sorts of things can contain personal information, including notes, emails, recordings, photos and scans, whether they are in hard copy or electronic form.¹ For example, the information does not need to name the individual, as long as they are identifiable in other ways, like through their home address.

Commitment to privacy:

Our commitment to ensuring privacy will be shown by:

- Only collecting personal information which is necessary to undertake our functions.
- Being transparent and open about what personal information is being collected.
- Giving individuals the opportunity to make an informed choice about the personal information they provide, or how much personal information they provide.
- Ensuring all individuals have the right to access personal information we hold about them and the right to seek correction if that information is wrong.
- Establishing a clear and lawful purpose for collecting personal information, and only using and disclosing personal information in accordance with that purpose.
- Taking reasonable steps to make sure that personal information is accurate before we use it.
- Protecting personal information from loss, misuse, and unauthorised access.
- Using reasonable endeavours to ensure that personal information being sent offshore will be subject to comparable privacy safeguards as those that apply in New Zealand.
- Disposing of personal information held when it is no longer required.
- Responding quickly and appropriately if a privacy breach occurs or is suspected.

¹ Definition of personal information from the Office of the Privacy Commissioner 'Ask Us' tool.

IN CONFIDENCE

To achieve this, DPMC will:

- Implement best practice end-to-end privacy management processes. We will do this by:
 - Embedding privacy by design principles into service design so that privacy protection is at the forefront of any systems and business processes that contain personal information.
 - Using privacy impact assessments in all new business process development where personal information is involved.
 - Testing and reviewing our current systems and processes to actively identify risks to privacy and apply treatments when risks are identified.
 - Notifying the Office of the Privacy Commissioner and affected individuals as soon as possible if DPMC believes a privacy breach has caused (or is likely to cause) serious harm.
- Ensure our staff are confident and knowledgeable in their approach to managing personal information. We will do this by:
 - Providing resources and training on privacy practices.
 - Developing and publishing guidance on how privacy is managed at DPMC.
 - Using our privacy communication strategy to focus and raise awareness of privacy with our staff.
- Regularly assess the state of our privacy health. We will do this by:
 - Reviewing and refreshing our privacy programme to continually lift our performance as measured against the Government Chief Privacy Officer annual privacy self- assessment report.
 - Monitoring how we manage privacy requests, complaints and breach responses and implementing changes to our processes if deficiencies are identified.
- Provide effective leadership on privacy across DPMC. We will do this by:
 - Empowering our Privacy Officer to undertake effective monitoring and oversight of our compliance with the requirements of the Privacy Act 2020.
 - Equipping our people leaders and staff with privacy skills and knowledge so they can 'walk the talk' on privacy.
- Ensure that members of the public understand how privacy is managed at DPMC. We will do this by:
 - Publishing our privacy policy on the DPMC website to ensure the public understand DPMC's commitment to privacy.
 - Ensuring that all our websites contain accurate privacy notices and information about how individuals can access information held by DPMC.

Responsibilities

Role	Responsibilities
Staff	are all individually responsible for protecting personal information entrusted to DPMC
ELT	<p>is responsible for:</p> <ul style="list-style-type: none"> • Ensuring all staff within their business unit are aware of this policy • ensuring the DPMC has appropriate policies and processes to safeguard the personal information entrusted to DPMC • creating and nurturing a respectful privacy culture at DPMC • assuring the Chief Executive that each Business Unit complies with departmental policies and processes to safeguard the personal information entrusted to DPMC
Executive Director	<p>is responsible for making decisions on:</p> <ul style="list-style-type: none"> • information privacy requests received by DPMC • whether a breach has caused (or is likely to cause) serious harm • whether a breach is notifiable <p>The Executive Director will consult with the Privacy Officer prior to making any decision.</p>
Privacy Officer	<p>is responsible for</p> <ul style="list-style-type: none"> • ensuring the Privacy Policy and related guidance is up to date and fit for purpose • encouraging and monitoring DPMC's compliance with the Privacy Act • advising ELT about any risks to DPMC's ability to protect and manage the personal information it holds
Ministerial Services	is responsible for providing administrative support for coordinating requests for personal information under the Privacy Act 2020.