

# Privacy

## Introduction

### When to use

This policy sets out expectations for those that handle personal information so that Fire and Emergency New Zealand complies with the responsibilities set out in the [Privacy Act 2020](#). That is, we treat the personal information we hold lawfully, respectfully and with care. This purpose of this policy is also to ensure that privacy incidents and complaints are managed appropriately.

It is important to read this policy when managing any privacy incident or making a privacy complaint. (See [Managing privacy incidents](#) guidelines or [Making privacy complaints](#) guidelines.)

**Note:** You should read this policy in conjunction with the [Code of Behaviour](#).

### Contents

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## About this policy

### Purpose

This purpose of this policy is to set expectations for ensuring personal information that Fire and Emergency New Zealand collects and holds is not used for unauthorised purposes. It is also to ensure individuals are protected from any harm that could result from breaches of the Privacy Act 2020.

### Who it applies to

We expect the following groups of people to comply with this policy:

- permanent and temporary employees
- casual employees
- volunteers
- contractors (individuals, employees of contractors, subcontractors, or persons affiliated with third parties)
- anyone working on behalf of Fire and Emergency (e.g. service providers).

In some cases, our providers will have their own privacy policy, however, when these providers are delivering services on our behalf, the requirements of this policy will apply instead.

Everyone has a duty to meet the [commitment](#) and [requirements](#) statements below.

### Table of responsibilities

Individual and collective responsibilities are assigned in the following table:

Role	Responsibilities
Fire and Emergency Executive Leadership Team	<ul style="list-style-type: none"> <li>Lead and model best practice behaviours to ensure privacy is core to all aspects of the culture within Fire and Emergency</li> </ul>
Deputy Chief Executive, Office of the Chief Executive	<ul style="list-style-type: none"> <li>Consider privacy matters escalated from the Privacy Officer to the Deputy Chief Executive, Office of the Executive</li> <li>If matters are not resolved, then escalate the matter to the Chief Executive for consideration</li> </ul>
Privacy Officer	<ul style="list-style-type: none"> <li>Work with relevant business units to ensure effective privacy risk management is fully embedded within the risk management activities of Fire and Emergency</li> <li>Ensure resource is available to support compliance activities with this policy and associated guidelines</li> <li>Ensure organisational controls are in place to support the implementation of this policy</li> <li>Develop and provide training and communications to raise awareness of this policy and build capability in good privacy practice</li> <li>Oversee privacy investigations and complaints</li> <li>Regularly report on privacy incidents, investigations and complaints</li> <li>Notify any notifiable privacy breaches to the Privacy Commissioner and the individuals affected</li> </ul>
Legal Directorate	<ul style="list-style-type: none"> <li>Provide legal advice in relation to compliance with the Privacy Act 2020 and associated codes and regulations</li> <li>Provide legal advice in relation to information sharing arrangements</li> <li>Assist with investigations and complaints involving privacy issues</li> <li>Prepare privacy impact assessments (as and when that is appropriate and necessary)</li> </ul>
Information and Communications Technology Directorate	<ul style="list-style-type: none"> <li>Ensure privacy has been appropriately considered before making or allowing technology changes</li> <li>Address privacy concerns within their capability and capacity</li> </ul>
Managers and Supervisors at all levels and all locations	<ul style="list-style-type: none"> <li>Identify privacy risk in own teams and ensure appropriate controls are in place</li> <li>Notify privacy incidents to own manager and the Privacy Officer</li> <li>Liaise with the Privacy Officer following all privacy incidents</li> <li>Ensure personnel are aware of their obligations regarding personal information and recognise the importance of their role in privacy</li> <li>Ensure new personnel complete privacy training as appropriate</li> <li>Model good privacy behaviour – take due care in managing and working with personal information</li> <li>Take steps as advised by the Privacy Officer (or the Legal Team on behalf of the Privacy Officer) following a privacy incident</li> </ul>
All personnel (as described in <a href="#">Who it applies to</a> above)	<ul style="list-style-type: none"> <li>Treat information with care and respect</li> <li>Report all privacy incidents to a manager and the Privacy Officer</li> <li>Comply with this policy</li> <li>Understand and apply this policy and the Information Privacy Principles (IPPs) in their day-to-day work</li> <li>Refer to privacy guidance and seek advice from the Privacy Officer when needed</li> <li>Actively participate in privacy training</li> </ul>

## Policy statements

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### Our commitment

At Fire and Emergency, we're committed to respecting the information we hold about other people and ensuring we treat it lawfully and with care.

Everyone at Fire and Emergency deals with information in some way, including personal information about people, which can be sensitive, such as the identities of victims involved in emergency incidents. The communities we serve have a right to expect that we will respect their privacy and comply with our legal obligations.

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### Requirements

As personnel of Fire and Emergency, we are responsible for ensuring the collection, use, disclosure and storage of any personal information complies with the IPPs in the Privacy Act 2020.

There is further details below about the IPPs and there is also guidance available on the Office of the Privacy Commissioner's website at [privacy.org.nz](http://privacy.org.nz) > Privacy Act 2020 > [Privacy Act 2020 and the Privacy Principles](#).

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### Minimising risk

Fire and Emergency will consider the IPPs each time a system or process that collects, uses, discloses and/or stores personal information is reviewed, adapted or developed.

The Privacy Officer must be engaged at the outset of any new initiative to determine whether a Privacy Impact Assessment (PIA) is required.

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### Privacy incidents

All privacy breaches and near misses (collectively known as privacy incidents) regarding unauthorised access to, correction of, use of or disclosure of personal information must be reported to the Privacy Officer.

Privacy incidents will be managed according to Privacy incident process in the *Managing privacy incidents* guidelines. Under this process the Privacy Officer or the Legal Team will take steps to:

- contain the breach and perform an initial assessment (contain)
- initiate an investigation, and evaluate the risks (evaluate)
- remedy and respond (notify)
- consider the cause and how to prevent it happening again (prevent).

The Privacy Officer will engage with and inform the Privacy Commissioner of notifiable privacy breaches when appropriate and required to by law.

Privacy incidents will be recorded by the Privacy Officer and reported on regularly to Audit and Risk Committee of the Fire and Emergency New Zealand Board.

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### Privacy complaints

Privacy complaints will be assessed, investigated and responded to according to the process set out in the *Making privacy complaints* guidelines.

The Privacy Officer will provide advice, assistance, and oversight in the management of privacy related complaints. Where the complaint is identified as a breach, the Privacy incident process set out in the *Managing privacy incidents* guidelines will also be followed.

Privacy complaints will be recorded by the Privacy Officer and reported on regularly to the Audit and Risk Committee of the Fire and Emergency New Zealand Board.

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## Good information privacy practice at Fire and Emergency

### Introduction

The Privacy Act 2020 sets out the IPPs. The IPPs are the basis for good information privacy practices. If we follow these principles, it will mean that Fire and Emergency is acting lawfully in our collection, use, disclosure and storage of personal information.

### Information Privacy Principles

The following table summarises the IPPs.

**Note:** For general information, see the Office of the Privacy Commissioner's guidance at [privacy.org.nz](http://privacy.org.nz) > Privacy Act 2020 > [Privacy Act 2020 and the Privacy Principles](#).

IPP number	Principle
IPP 1	We only collect personal information if it's necessary for a purpose
IPP 2	We get personal information straight from the person
IPP 3	We explain to the person what we're going to do with the information
IPP 4	We collect personal information fairly and legally
IPP 5	We keep personal information safe and secure
IPP 6	We let the person see their information if they ask to see it
IPP 7	We correct personal information if we're asked to do so
IPP 8	We make sure personal information is accurate before it gets used
IPP 9	We dispose of personal information when no longer needed and lawful to do so
IPP 10	We use personal information only for the purpose it was collected
IPP 11	We disclose personal information only if there is good reason
IPP 12	We disclose personal information overseas only if there are appropriate safeguards
IPP 13	We only use unique identifiers where this is clearly allowed

## Definitions

The following definition applies to this policy and all places where these terms are used in Fire and Emergency:

### Personal information

Personal information means any information about an identifiable individual. The Privacy Act 2020 applies to all personal information collected and held by Fire and Emergency.

This includes information about people in our community, and information about Fire and Emergency employees and volunteers or individuals who provide services on behalf of the organisation.

## Related information

### Who to contact:

If you have questions about this policy or to make a privacy complaint, email the Privacy Officer at [PrivacyOfficer@fireandemergency.nz](mailto:PrivacyOfficer@fireandemergency.nz)

### Policies

[Code of Behaviour](#)

[Standards of conduct](#)

### Guidelines

[Managing privacy incidents](#)

[Making privacy complaints](#)

### Legislation

[Privacy Act 2020](#)

### References

[Privacy Act 2020 and the Privacy Principles](#)

## Document information

Owner	DCE Office of the Chief Executive
Steward	Privacy Officer
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## Record of amendments

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April 2022	Initial version.