

Privacy Policy

Version 2.0
2016-02-29

Contents

Version History	3
Introduction	4
1. Purpose.....	4
2. Scope.....	4
Policy	5
3. Personal and Health Information.....	5
Policy Principles	6
4. Collection of Personal Information	6
5. Storing, accessing and availability of personal information	7
6. Use of and the maintenance of personal information	7
7. Archiving and destruction of personal information	8
8. Unique Identifiers	8
Procedures	9
9. Clear Desk	9
10. Privacy Incidents.....	9
11. Security of documents	10
Responsibilities	11
12. Roles and Responsibilities.....	11
Further Obligations	12
13. Veterans Affairs will:	12
Definitions	13
References	13
Legislations/Codes	13
Websites.....	13

Introduction

1. Purpose

- 1.1 The purpose for this policy is to provide a framework and assign responsibilities to ensure that personal and private information within the scope of Veterans' Affairs business and functions will be managed appropriately and in accordance with the Privacy Act 1993.

2. Scope

- 2.1 This policy applies to all employees and contractors affiliated with Veterans' Affairs. The framework sets out the principles used by Veterans' Affairs to collect, use and store personal and health-related information of customers (veterans and their spouse, partners, children and dependents). It forms the basis of how Veterans' Affairs will handle process, manage and destroy personal and health-related information.
- 2.2 Personal information is defined within the Privacy Act 1993 as "any information we hold about an identifiable individual: and includes information relating to a death that is maintained by the Registrar-General."
- 2.3 Below is a brief summary of the core principles within the Privacy Act 1993:
- Collection of personal information is covered by principles 1-4
 - Storage and security is dealt with by principle 5
 - Customers' requests for access and correction of their personal information is covered by principles 6-7
 - Accuracy of personal information is covered by principle 8
 - Retention of personal information is dealt with by principle 9
 - Use and disclosure of personal information is covered by principles 10-11
 - The use of unique identifiers is covered by principle 12.
- 2.4 This policy covers the rules of the Health Information Code 1994 that regulates how Veterans' Affairs can collect, hold, use and disclose health information.

3. Personal and Health Information

- 3.1 Veterans' Affairs provides entitlements, services and support to New Zealand veterans and their families under the Veterans Support Act 2014. For the purpose of providing these services Veterans' Affairs collects, holds and uses personal service information and health information. Veterans' Affairs may also hold copies of some service records.
- 3.2 Veterans' Affairs is committed to ensuring that the privacy of personal and health information is protected. Employees and contractors of Veteran's Affairs will have access to information on a need to know basis and for the purpose of providing services to customers.
- 3.3 Information held by Veterans' Affairs is subject to:
- **The Privacy Act 1993** and the associated **12 Information Privacy Principles**, which cover the collection, handling and use of personal and health information
 - **The Health Information Privacy Code 1994** and the associated 12 Information Privacy Rules
 - **The Veterans Support Act 2014**
 - **The Official Information Act 1982**
 - **The Public Records Act 2005**
- 3.4 This policy is intended for use in conjunction with the Veterans' Affairs 'Records Management Information Policy'.

Policy Principles

4. Collection of Personal Information

- 4.1 Veterans' Affairs will collect information only for the purposes linked to the organisation's activities and functions.
- 4.2 Veterans' Affairs commits to making people aware of:
- The collection of information
 - The purpose for collecting the information
 - Who we may share the information with
 - Their rights to access and correct that information.
- 4.3 Veterans' Affairs collects personal and health information from a variety of different sources. This includes information provided on application forms, information supplied by treatment providers, government agencies and the New Zealand Defence Force.
- 4.4 Personal and health information may be collected via various channels (such as mail, telephone, face to face and email) and stored in various formats (application forms, letters, scanned documents)
- 4.5 **Section 213 of the Veterans' Support Act 2014** allows us to collect information for the following purposes:
- Administering claims and entitlements
 - Enabling a comprehensive claims database to be maintained
 - To monitor and evaluate the nature, incidence, severity and consequences of service-related illness and injuries
 - The provision of appropriate entitlements and services:
 - Entitlements include access to the Disablement Pension, Surviving Spouse or Partner Pension, Children's Pension and entitlements that have been grand-parented from the War Pensions Act 1954
 - Services include treatment and rehabilitation in accordance with the provisions of the Veterans' Support Act 2014 and the Veterans' Support Regulations 2014
 - Facilitating the monitoring of the operation of the Act and policy development.

5. Storing, accessing and availability of personal information

- 5.1 Veterans' Affairs is committed to taking and maintaining all reasonable safeguards against the loss, misuse or inappropriate disclosure of personal information and maintaining processes to prevent unauthorised use or access to that information.
- 5.2 Veterans' Affairs is committed to providing customers with access to their personal information and respects the customer's right to seek amendment or correction of factually incorrect information in accordance with principle 7 of the Privacy Act 1993.
- 5.3 Where a customer seeks correction of personal information held by Veterans' Affairs, Veterans' Affairs will respond to that request, informing of the resulting action. This action may be in the form of correction of factual information, or attaching a statement of correction to the information held by Veterans' Affairs.
- 5.4 When a customer requests access to their personal information, Veterans' Affairs will give a decision on that request to that customer within 20 working days of the request being received and provide the information without undue delay.
- 5.5 Veterans' Affairs may refuse a request to release private information to an individual and in such cases Veterans' Affairs will provide a written explanation in accordance with the Privacy Act 1993.
- 5.6 Veterans' Affairs will keep physical documents secure when there is a business need to take them outside of the premises.
- 5.7 Veterans' Affairs will keep electronic personal and health information secure by ensuring its data storage is protected from external sources, maintaining regular back-ups to secure storage and applying best practice for information security management.

6. Use of and the maintenance of personal information

- 6.1 Veterans' Affairs commits to only using or disclosing personal information for the purpose for which it is collected, taking reasonable steps to ensure it is complete, relevant, and up to date and will engage the customer to ensure the quality of that information.
- 6.2 Veterans' Affairs will not use or disclose information for a purpose that is inconsistent with the original purpose of collection, unless legislation allows or consent is granted by the customer.
- 6.3 The Veterans' Affairs Privacy Statement outlines when we may share personal and health information with assessors, treatment providers, service providers, contractors and government agencies to enable Veterans' Affairs to perform its role as an organisation.
- 6.4 Veterans' Affairs will ensure that any research conducted will not make use of identifiable personal and health information.

- 6.5 Veterans' Affairs will not use identifiable personal or health information in its user training or systems testing.

7. Archiving and destruction of personal information

- 7.1 Veterans' Affairs will create, maintain, store, and provide controlled access to records in line with its obligations under the Privacy Act 1993, the Public Records Act 2005, and internal records management policy.
- 7.2 Veterans' Affairs will retain customer records for as long as required, to provide ongoing entitlements and services to veterans and their families.
- 7.3 Customer records and other records containing personal information will be appraised and disposed of under the General Disposal Authorities (GDAs) and agency-specific disposal authorities authorised by the Chief Archivist. Disposal authorities are available publicly on [Archway](#) and any new agency-specific disposal authorities will be made available for public consultation before they are authorised. No records will be disposed of without a current, legal disposal authority.
- 7.4 Destruction of records will be documented and conducted securely in accordance with the Records Management Policy.
- 7.5 Records containing private information which are retained as public archives will have access restrictions negotiated with the controlling archive at the point of transfer, to continue to protect privacy of personal information.

8. Unique Identifiers

- 8.1 In accordance with [section 160 of the Veterans' Support Act 2014](#), the Ministry of Social Development (MSD) have been delegated the role of administering the Veteran's Pension. MSD have the responsibility of granting, payments and cancellation of the Veteran's Pension.
- 8.2 MSD will provide Veterans' Affairs applicants with a Social Welfare Number (SWN) that will be disclosed to Veterans' Affairs staff to ensure efficiency in the payment process.
- 8.3 A National Health Index number (NHI number) is a unique identifier that is assigned to every person who uses health and disability support services in New Zealand. As such this may be recorded in order to ensure efficiency when providing medical treatment.
- 8.4 New Zealand Defence Force staff are assigned a unique service number in the form of a service number and/or a personnel number. This is recorded to allow Veterans' Affairs to efficiently verify a customer's service history in order to provide entitlements and services.
- 8.5 In order to differentiate between party records, VSS (the Veterans' Affairs client management system) assigns a unique number, this will not be used by Veterans' Affairs staff to identify a customer.

Procedures

9. Clear Desk

- 9.1 Work stations at Veterans' Affairs will be kept clear of any files that are not currently in use in which personal information is contained. At the end of the working day all files will be stored in a secure unit.
- 9.2 All staff at Veterans' Affairs will ensure computer work stations are password protected and that the screen is locked when they are away from the desk.

10. Privacy Incidents

- 10.1 All Veterans' Affairs employees, including contractors, providers and suppliers, will endeavour to resolve privacy incidents at source with the affected parties at the time it comes to the agency's attention.
- 10.2 Veterans' Affairs will maintain clear, consistent processes for reporting, managing and escalating privacy related incidents. Clear lines of responsibility have been set out to ensure adherence to this policy.
- 10.3 All privacy incidents will be recorded by Veterans' Affairs and affected parties will be notified as soon as practicable, unless a risk to health and/or safety is identified or the incident is serious and likely to cause harm to the person(s) involved.
- 10.4 If a veteran, other claimant or service provider are concerned about how Veterans' Affairs have handled their private information, they are able to contact the department through the following:
- Telephone **Free Phone (NZ)** 0800 483 8372
 Outside NZ +64 4 495 2070
 - Email **veterans@nzdf.mil.nz**
 - Post PO Box 5146
 Wellington, 6145
- 10.5 All veterans, other claimants or service providers have the right to make a complaint to the **Office of the Privacy Commission** if they believe their private information has been misused or their privacy breached.
- 10.6 If a breach occurs Veterans' Affairs will follow in accordance with the Privacy Breach Notification Policy.

11. Security of documents

- 11.1 All documents regarding a customer will be treated as 'In Confidence'.
- 11.2 All internal spreadsheets and registers will be required to have an In-Confidence classification on the document as well as in the naming convention. These documents are for internal use only and must not be transmitted outside Veterans' Affairs.
- 11.3 All briefings will be treated in accordance with the NZDF Standards for the Protection of Official Information and note the correct classification within the document.
- 11.4 All internal policy documents will be required to have an In-Confidence classification within the document.
- 11.5 Publicly available information will be treated as unclassified. When policy is published on the Veterans' Affairs website the classification coding will be removed from the final document.
- 11.6 Emails containing personal information of customers will not be emailed externally unless there is prior approval to do so or the purpose pertains to the reason the information was collected.
- 11.7 External contractors with approval to access Veterans' Affairs customer information do not have the authority to use this information outside of Veterans' Affairs, including via external email.
- 11.8 All physical client files of both current and former clients created prior to 1 May 2015 are held in a secure off-site facility. All files created after this date are held electronically only.
- 11.9 The physical client files will only be stored within the Veterans' Affairs offices when they are in use.

Responsibilities

12. Roles and Responsibilities

- 12.1 The Head of Veterans' Affairs is responsible for ensuring that the organisation is aware of the need to look after our customers' information.
- 12.2 The senior management team will model privacy best practices and ensure that the Privacy Act principles are integrated into core culture.
- 12.3 Veterans' Affairs has a Privacy and Information Advisor who acts as the point of contact for all matters relating to privacy management within Veterans' Affairs.
- 12.4 The Privacy and Information Advisor reports to the Deputy Head of Veterans' Affairs and ensures that organisational controls are in place to support the privacy framework, including:
- Raising staff awareness of privacy matters to ensure Veterans' Affairs is compliant with this policy and relevant legislation.
 - Collating, analysing and reporting on privacy incidents to identify and coordinate the mitigation of root causes.
 - Developing training to ensure privacy knowledge is dispersed, maintained and 'lived' throughout Veterans' Affairs.
 - Overseeing investigations into privacy-related incidents lodged with Veterans' Affairs and the Privacy Commissioner.
- 12.5 Veterans' Affairs has a Policy Advisor who deals with requests for information under the Privacy Act 1993 from clients and other claimants.
- 12.6 Veterans' Affairs Management and Team Leaders will ensure this policy is embedded within their area of responsibility and that processes are used consistently to collect, use and store personal and health-related information, reporting any incident to the Information and Privacy Advisor.
- 12.7 Veterans' Affairs staff will remain proactive about privacy and will actively participate in privacy training and report all privacy breaches and near misses to management to identify any privacy risks.

Further Obligations

13. Veterans' Affairs will:

- 13.1 Train and inform its employees and contractors of this policy and ensure the stated principles are applied when fulfilling their role within Veterans' Affairs.
- 13.2 Remain committed to protecting the privacy of veterans and other claimants.
- 13.3 Endeavour to protect the privacy of staff members.
- 13.4 Actively review Veterans' Affairs business processes that relate to the collection, recording, access, storage and destruction of personal and health information so that standards remain consistent and in line with best practice.

Definitions

External Contractors:

A person or firm, external to NZDF, that undertakes a contract to provide materials or labour to perform a service to Veterans' Affairs.

Private Information:

Any information we hold about an identifiable individual: and includes information relating to a death that is maintained by the Registrar-General.

Official Information:

Any information we hold regarding policy, questions regarding processes or studies.

References

Legislations/Codes

Code of Veterans' and Other Claimants' Rights

www.legislation.govt.nz/act/public/2014/0056/latest/5538052.html

Health Information Privacy Code 1994:

www.privacy.org.nz/the-privacy-act-and-codes/codes-of-practice/health-information-privacy-code

Privacy Act 1993:

www.legislation.govt.nz/act/public/1993/0028/latest/whole.html

Public Records Act 2005

www.legislation.govt.nz/act/public/2005/0040/latest/whole.html

Official Information Act:

www.legislation.govt.nz/act/public/1982/0156/latest/whole.html

Veterans' Support Act 2014:

www.legislation.govt.nz/act/public/2014/0056/latest/whole.html

Websites

New Zealand Defence Force Personnel Archives:

www.nzdf.mil.nz/personnel-records/nzdf-archives

Office of the Privacy Commission:

www.privacy.org.nz

Office of the Ombudsman:

www.ombudsman.parliament.nz

Veterans' Affairs

www.veteransaffairs.mil.nz

Your Privacy:

www.privacy.org.nz/your-privacy