

Privacy Policy

2023



Framework Approval

Approved by the Executive Leadership Team

14 December 2023

Purpose

The purpose of the policy sets out mandatory privacy requirements for Horowhenua District Council (the Council). Our privacy policy sets out why Council collects and stores personal information, what we will use it for and with whom we can share it with. This policy sets out our approach to the privacy of personal information and is based on the principles of the Privacy Act 2020.

This policy provides guidelines for the collection of personal information in general, including the operation of surveillance cameras, drones and other visual images collected by Council and the management of other personal information collected.

Scope

This policy applies to all Elected Members, Council employees, including temporary staff, employees of our related organisations, and contractors. Staff can only access, use or share information that Council holds for the express purposes of conducting the role for which they are employed by Council, or with the authorization of the person who the information relates to.

What information does the Council collect

The personal information collected by Council may include your name, date of birth, addresses, email address, telephone numbers, gender, ethnicity, information on how you use our websites, services or facilities and any other information provided in connection with, or specifically related to communication with Council or the use of Council's services or facilities.

We may collect personal information when an individual or someone acting on their behalf provides information directly. For example:

- applying for employment
- corresponding, whether in person, by letter, phone, text, email, direct message, or other means of electronic communication
- completing and submitting forms provided by Council for applications for consents, licences, approvals, permits, funding, or other authorisations
- prepare and submit a written submission, request or other feedback in relation to applications for consents, licenses, approvals, permits, funding or other authorisations, or in relation to any form of draft or proposed plan, policy, bylaw or other document
- following or posting comments in response to our social media or other platforms such as Facebook, Tiktok, and Instagram.
- financial details (bank account and transaction details about payments to and from you).

This is an indicative list of examples only.

We may keep a record of any information you receive from us.

We may monitor and record your phone calls with us for quality control or training purposes. If your call is to be monitored or recorded, we will tell you at the time.

Your personal information will be held at any of our locations. It may also be held for us in the data centres, platforms, and systems of our third-party service providers, some of which may be located outside of New Zealand.

We may collect personal information about you from other organisations, entities, or persons to fulfill a necessary activity. These might include our related organisations, including Council Controlled Organisations, Land Information New Zealand, QV, and any other government agency, solicitors/conveyancers, New Zealand Police, credit reporting agencies and any other organisations, entities and persons where you have expressly authorised us to request and obtain your information from them, or you have authorised them to provide your information to us.

Website cookies, analytics and advertising

We may use technology solutions such as “cookies” to provide website visitors with better access to tailored information and services on our websites. A cookie is a small data file that a website or app sends to your device, which may be stored for later retrieval by the website or app. Some cookies we use last only for the duration of your website or app session and expire when you close your browser or exit the app. Other cookies are used to remember you when you return. We do not attempt to identify users or their browsing activities unless they choose to give us their personal information.

While we use cookies to improve your online experience, if you do not wish to allow cookies then you can choose to disable cookies (for all sites) from within your browser.

Our communications team may collect information about your visit to help us improve our websites, including Horowhenua.govt.nz and subsidiary sites. This information is grouped with other similar information and doesn't identify you personally. It includes:

- your IP address
- search pages used
- pages visited and links you clicked on
- the date and time you visited the website
- which site you may have come from
- your operating system and type of browser you used
- information about your age, gender and interests

Our communications team and digital marketing partners use technologies like cookies, Google Tag Manager and Google Analytics to analyse traffic to our site and customize content and advertising.

Facebook Ads conversion tracking is an analytic service provided by Facebook and connects data from the Facebook advertising network with actions performed on our websites. The Facebook pixel tracks conversions that can be attributed to ads on Facebook, Instagram and Audience Network.

You can control what Facebook collects on Facebook's data policy and privacy page.

CCTV, body-worn cameras, and livestreaming of Council meetings

We may collect video footage through various means, including:

- Closed Circuit Televisions (CCTV) is used in areas to monitor traffic movements, secure facilities such as service centres, libraries, parking facilities and recreation centres, support training, and to monitor public places to help reduce crime and anti-social behavior. Signage advising of CCTV equipment will give notice of areas covered by such equipment. Surveillance camera recordings will only be viewed by authorized people in accordance with the purpose noted above or for purposes of checking the system is operational. We may be required to identify individuals from surveillance camera recordings in relation to a reported or suspected incident requiring investigation.

- parking wardens, animal control, noise control and some regulatory officers wear body cameras which are always activated. You will be advised if a staff member is recording you. This is to reduce abusive or threatening behaviours. Recordings of violent or threatening incidents will be forwarded to the New Zealand Police.
- most public Council meetings are broadcast live online and then available on our website or other online channels. Signage will clearly state the meeting is being filmed before you enter the meeting room. Elected Members will mostly be filmed as they speak and debate at the meeting. However, the filming may include shots of the public in the background and anyone speaking in a public session.
- we may also take photos or video footage at civic events and celebrations for internal or external publications.
- All information collected from surveillance cameras will be stored securely. All footage is kept for up to six weeks and then the data is overwritten as part of the recording process unless it is required for evidential purposes or if the footage must be retained as an archive in accordance with the Public Records Act 2005.

The New Zealand Police may be provided access to surveillance camera services and recordings. Any criminal activity captured by the Council's surveillance camera services may be forwarded by authorized officers to the New Zealand Police for investigation.

In accordance with the Privacy Act 2020, any surveillance camera recordings will be made available to the Police, a court or tribunal proceeding, or a public sector agency where it is necessary to uphold the law.

The general public and media shall not have access to any surveillance camera recordings unless a person is requesting to access footage of themselves. Any person may request to access surveillance camera recordings of themselves, but this request will be assessed in accordance with the Act and will follow the LGOIMA request process. In particular, the request will be assessed in relation to the ability to readily retrieve the footage and to maintain the privacy of any other identifiable individual in the footage.

Where a member of the public believes a crime has been committed which may have been captured by a camera, they should in the first instance report the matter to the Police. Where a member of the public has concerns about health and safety matters or compliance with Council regulations which may have been captured by a camera, they should in the first instance report the matter to the Council for authorized council officers to investigate.

Submissions forms and application forms

All submissions are provided (including name and contact details unless submitters have requested this information be kept confidential) to Elected Members and made available to the public at our office and on our website.

Applications (whether made online or hardcopy) for example, a notified resource consent, are available to the public at our office and on our website. This will also include the name and contact details of the applicant.

Personal information (including contact details) will also be used for the consultation process administration, including informing you for the consultation outcome.

How we use your information

The personal information we collect from you, or someone on your behalf, may be used for any of the following purposes:

- to provide you with services or facilities, including those you have requested and those our Council Controlled Organisations and related organisations provide to you

- to confirm your identity – this is to avoid inappropriate release or use of information
- to respond to correspondence or to provide information requested
- to process an application for any consent, licence, approval, permit, or other authorization applied for
- to process payments received or made by the Council, and to provide you with the services or facilities for which you have applied or registered to use
- to update any information that we currently hold about you, or in connection with you in our existing records, database, or systems
- to provide information about our events, news, services, or facilities we consider may be of interest to you including those from our related organisations
- to comply with relevant laws and regulations
- for general administration and business purposes, and to carry out activities connected with the running of our business or operations such as personnel training, or testing and maintenance of computer and other systems
- to assist us in analysing, and further developing and improving our products and services
- for any specific purpose which we notify you of at the time your personal information is collected, or for any other purpose that you authorize

Sharing information

Information will only be shared with your consent, or where there is a statutory requirement to share it (including to government agencies with statutory law enforcement responsibilities, and/or to your internet service provider or network administrator). Government agencies with statutory roles enabling them to request data from us include the Police, Inland Revenue, and the Ministry of Business, Innovation and Employment.

We may disclose personal information to:

- any person engaged by us to provide products or services to you on our behalf, where that information is necessary for the provision of those products or services
- Council Controlled Organisations or related organisations in order to assist with the functions and services they provide
- a third party if we are required to do so under any laws or regulations, or in the course of legal proceedings or other investigations. This may include sharing surveillance camera recordings with the New Zealand Police or other public sector agencies where criminal activity is reported or suspected. The New Zealand Police may also access live feeds from certain surveillance cameras from time to time, for law enforcement, investigation, and emergency response purposes
- any person authorized by the information owner to disclose that personal information to
- any person, if the personal information is publically available (for example, information held on property files or the rating database)
- Elected Members and the public when you make a submission or a publicly notified application

How long do we hold personal information

We may retain personal information that we collect (on both our active systems and archives) for as long as administratively necessary or required by law. This is in accordance with the Council's information retention and disposal schedule or applicable statutory requirements.

The Public Records Act 2005 requires Council to retain "protected records" indefinitely. In some circumstances, your personal information may be included within the protected record, including submissions you make in relation to bylaws, annual plans, and district or regional planning instruments.

Opting out of certain uses of your information

Engagement information

You can opt out of being included on any subscription list or news feeds by following the 'unsubscribe' link at the end of the email or by contacting us.

Compliance information

You cannot opt out of your personal information being used by us where we are exercising one of our statutory functions and your personal information is necessary for us to exercise this function.

Security and accuracy

We will take reasonable steps to ensure personal information is protected against loss, damage, misuse, and unauthorized access. We keep physical documents secure where there is a reason to take them outside our premises. Electronically stored personal information is protected from external sources and regular backups of the data are undertaken.

We will also undertake reasonable measures to ensure personal information is accurate, current, relevant, and not misleading. If you suspect any misuse or loss of, or unauthorized access to your personal information, please let us know.

Only individuals who need personal information to help us perform our daily obligations will be given restricted access.

Accessing and correction of personal information

Members of the public may request confirmation of whether we hold any personal information and may request access to such information by emailing us at PrivacyOfficer@horowhenua.govt.nz or via the Privacy Commissioner's 'About Me' tool.

Once we have verified your identity, we will provide you with confirmation and access, unless we believe we need to withhold the information under the Privacy Act. For example, we may refuse access if granting access would interfere with the privacy of others, or if it would result in a breach of confidentiality.

Your right to access and correct any personal information we hold about you is subject to the Privacy Act. If you believe that any personal information we hold about you is incorrect, incomplete, or inaccurate, then you may ask us to amend it by emailing us at PrivacyOfficer@horowhenua.govt.nz. We will consider if the information requires amendment and will not charge for making any amendments. If we agree that your personal information needs to be corrected, we will do so and provide you with an amended record, if requested.

If we do not agree that the information needs to be corrected, we will make your request on the disputed information as a "statement of correction".

What we do if a privacy breach occurs

Council's Group Manager Organisational Performance is responsible for monitoring compliance with this policy. Failure to comply may be considered misconduct and may result in disciplinary action.

If we believe that a privacy breach has occurred, we will identify the issue and take steps to minimize any harm. If we believe the breach has caused, or is likely to cause serious harm, we will contact the Office of the Privacy Commissioner. We may also contact customers who may be affected by the breach.

Questions or complaints

If you feel we have breached any principles set out in the Privacy Act, or have a privacy issue you wish to discuss, please contact us via:

Email: PrivacyOfficer@horowhenua.govt.nz

By Post: Private and Confidential, Privacy Officer, Horowhenua District Council, Private Bag 4002 Levin

Phone: 06 366 0999 – ask for the Privacy Officer

If you believe there is a privacy dispute we cannot resolve, you can make a complaint to the Privacy Commissioner, who can investigate potential breaches of the privacy principles. You can contact the Privacy Commissioner by:

Free phone: 0800 803 909 (Monday to Friday, 10am to 3pm)

Email: enquiries@privacy.org.nz

By Post: Office of the Privacy Commissioner, PO Box 10094, Wellington 6143