

4.6 PROTECTION OF WHĀNAU PRIVACY

Kāuru Manu

POLICY Kāuru Manu provides reference for our commitment to whānau, their courage and supremacy. Whānau thriving, whānau greatness and their journey to victory is compromised when their privacy is compromised and trust eroded. Our actions align with wairua teitei as we, Te Arawa Whānau Ora serve many with heart.

APPLIES TO Te Arawa Whānau Ora Board of Trustees, Kaimahi, Contractors, Students, Manuhiri, and Whānau.

EXCLUDES Nil

KĀURU MANU

- Te Arawa greatness
- Te Arawa thriving
- Courage
- Alignment of; wairua teitei, mentality, heart, vision, relentless focus & drive.

PRINCIPLES & VALUES Kāuru Manu principles will be applied as follows:

Principles :

1. Manaakitanga means Te Arawa Whānau Ora including; governance, leadership, kaimahi, contractors, students and volunteers hold responsibility to protect and safe-guard whānau confidentiality and privacy.
2. Te Arawa Whānau Ora including; governance, leadership, kaimahi, contractors, students and volunteers have a duty to protect information held about whānau from actual or perceived threat, risk or harm.
3. Information collected and held by Te Arawa Whānau Ora must be judicious. This means that information is collected on a must know basis, and used to advance the interests and aspirations of whānau, as determined by whānau.
4. Whānau have a right to feel safe and protected, this means information will be kept confidential and private to kaimahi that the whānau have given permission to access and hold their information.
5. Kaitiakitanga means kaimahi will safe-guard information that is shared by whānau, information will only be used to advance the interests and aspirations of whānau, as determined by whānau.

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6. Whānau information and or data may be held electronically, via mobile record, written record or shared in trust and confidence with kaimahi.
 7. Whānau trust and confidence that kaimahi hold their information safely and without compromise is paramount.
 8. Risk, compromise or threat to whānau or others takes precedence. Where physical, emotional and spiritual safety of kaimahi and whānau is compromised, information sharing supersedes confidentiality and privacy to instigate immediate and safe action.

PROCEDURE

9. The Privacy Commissioner must be notified of privacy breaches. Privacy breach notification is the responsibility of TAWO not individual kaimahi.
10. Notifiable Privacy breach means a privacy breach that it is reasonable to believe has caused serious harm to those affected or is likely to do so.
11. TAWO will consider any action taken to reduce the risk of harm, the sensitivity of the information, and the nature of the harm caused.
12. TAWO will also consider who has obtained the personal information, whether it is protected by a security measure, and anything else that is relevant.
13. The Privacy Officer will coordinate this process and ensure affected kaimahi/whānau and the Commissioner are notified as soon as practicable after becoming aware that a notifiable privacy breach has occurred.

RESPONSIBILITIES Te Arawa Whānau Ora:

14. Te Arawa Whānau Ora will ensure kaimahi have received training and education through orientation, and annual updates as required. Record of attendance will be held on each kaimahi personal file.

Board of Trustees:

15. Complaints will be reported to the TAWO Board, and risk registered.

Executive Leadership:

16. Privacy complaints will be co-ordinated by the Privacy Officer, and involve Executive Leadership or delegated authority.
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Privacy Officer:

17. The role is a privacy subject expert, and provides leadership across Te Arawa Whānau Ora.
18. Kaimahi are guided and supported to apply principles and responsibilities when working directly and indirectly with whānau.
19. Policies are reviewed and updated for relevancy and currency.
20. Co-ordination, liaison and record keeping related to privacy matters including; issues, complaints, whānau information requests, and third party requests.
21. Ongoing professional development and training for new and existing kaimahi at orientation, and on an annual basis or as required.

Kaimahi:

22. Kaimahi that do not have direct or delegated responsibility for whānau do not have permission to access or share information held by Te Arawa Whānau Ora, in any form.
23. If kaimahi believe information has been handled in error, their Manager or Privacy Officer must be notified as soon as possible.

Te Ara Taiahoaho:

24. Commissioner compliance notice will be managed through Te Ara Tiahoaho, and steps taken to improve, learn and mitigate against privacy breach.
25. Along with mandatory reporting requirements, TAWO will apply Te Ara Tiahoaho to improve our individual and collective understanding, make necessary improvements and monitor our learnings to prevent future breaches.

DOCUMENTS

WHAKAMARAMA

REFERENCES

Te Ara Taiahoaho (2021)
Te Arawa Whānau Ora Strategic Plan (2021)
Advocacy Network Services Trust (07 349 0183) or (0800 42 36 38)
Health and Disability Commissioner Phone (0800 11 22 33)
or www.hdc.org.nz
Health Information Privacy Code 2020
Privacy Act 2020

Public Records Act 2005
Health and Disability Sector Standards 2008
Health and Disability Commissioner Act 1994
Health Practitioners Competence Assurance Act 2004
New Zealand Bill of Rights 1990
Treaty of Waitangi Act 1975
The United Nations Convention on the Rights of the Child 1989

POLICY OWNER Board of Trustees.

APPROVED BY Board of Trustees.

APPROVAL DATE May 2021.

REVIEW DATE May 2023 or earlier if required.
