



## Privacy Policy and Procedure

*In accordance with the Privacy Act 2020 and Health Information Privacy Code (HIPC)*

### Introduction and Purpose

The Champion Centre delivers early intervention services for infants and young children with developmental delays. In doing so, we collect, use, store, and disclose personal and health information. This policy outlines how the Centre meets its legal, ethical, and professional obligations under the **Privacy Act 2020 (PA)**, **HIPC**, and relevant legislation.

It describes how information is managed, confidentiality maintained, privacy breaches addressed, and individuals' rights upheld.

### Scope

This policy applies to:

- All information held by the Champion Centre and information held on behalf of the Champion Foundation
- All employees, board members, contractors, students, and volunteers (referred to as "Employees").
- All personal and health information, regardless of format (written, digital, video, audio).

Everyone covered by this policy is responsible for complying with privacy legislation and this policy.

### Key Definitions

- **Client:** Any child receiving Champion Centre services.
- **Employee:** Staff, board, contractors, students, and volunteers.
- **Information:** Personal and health information in any form.
- **Health Information:** As defined in the HIPC — medical history, disabilities, treatment records, and identifying details.
- **Representative:** Parent/guardian of a person under 16; or someone legally acting on another's behalf.
- **Staff:** Employed team members (excludes volunteers, students, contractors).
- **AI Tools:** Use of tools like ChatGPT must meet data privacy and consent standards.

### Policy Statements:

#### 1. Confidentiality Obligations

All employees and board members:

- Must sign a confidentiality agreement (for staff this is included in the terms and conditions of the individual agreement signed on appointment).

- Are required to keep personal and health information confidential, using it only for legitimate work purposes.
- Must ensure information is not accessible to unauthorised individuals.
- Retain confidentiality obligations even after leaving their role.

Any breach may result in disciplinary action, including dismissal for staff or termination of engagement for others.

## **2. Collection of Information**

We collect information from clients to:

- Identify clients and assess needs.
- Deliver appropriate services.
- Coordinate care with other providers.
- Fulfil legal and contractual obligations.
- Monitor and improve service quality.
- Manage feedback, complaints, and audits.

We collect information from employees for:

- Employee selection and vetting
- Monitoring work performance and conduct at work.
- Ensuring the Champion Centre meets its legal obligations relating to safety checks under the Children's Act 2014
- Ensuring the Champion Centre meets its legal obligations relating to health and safety in the workplace.
- Ensuring the Champion Centre meets all legislative and other legal obligations in relation to Employee information (for example under the Holidays Act, providing relevant information to Inland Revenue and so on)
- For contractual management and review
- For quality assurance, audit, and training purposes.

Information is collected directly from clients or their representatives unless lawful exceptions apply. Clients and employees are informed of the purpose and potential uses. If someone chooses not to provide information, the implications are explained, and their choice is respected.

Unsolicited information is managed under the PA and HIPC if it is retained or used.

## **3. Children's Privacy and Consent (Under 16 Years)**

The Privacy Act applies to any individual regardless of age. A child or young person has the same privacy rights as an adult but sometimes needs the assistance of another person to exercise those rights.

## **4. Use of Images and Videos**

Photos/videos are used for therapeutic purposes or to document milestones, with consent. Risks are managed by:

- Obtaining and recording informed consent specific to the purpose the image will be used e.g. For marketing purposes specific consent must be obtained.
- Focusing images on activities, not identifiable children unless consented.
- Transferring media to secure storage (e.g., Teams/FileVision) and deleting from personal devices.
- Regularly reviewing stored images and deleting unneeded files.
- Ensuring consent aligns with how images are used or shared.
- Exercising caution with editing tools, including AI.

More detailed information can be found on the [Privacy Commission's website](#)

## 5. Storage and Security of Information

The Champion Centre takes reasonable steps to protect information from unauthorised access, modification, or loss through:

- Secure digital and physical storage i.e FileVision, MS Office 365, secure building, locked drawers and filing cabinets.
- Limiting access to authorised personnel i.e. onboarding and offboarding staff, all client information in FileVision or appropriate teams channel (only shared with staff involved with client), Multi factor authentication, working from home policy.
- Staff training and system audits.

Key security elements include:

- **Confidentiality:** Only accessible by those with authorisation.
- **Integrity:** Data is accurate and consistent.
- **Availability:** Accessible when required.
- **Compliance:** Legal obligations are met.
- **Responsible Use:** Access is limited and appropriate.

## 6. Access and Correction of Information

All individuals have the right to:

- Know what information is held about them.
- Access it (within 20 working days).
- Request corrections.

**When the subject is a child, particularly in the context of the Champion Centre and the age of the children involved, access to and correction of will most likely come from parents, legal guardians or caregivers**, we consider:

- Their age and maturity and whether they are capable of understanding their rights under the privacy act.
- The appropriateness of granting parental or representative access e.g. court orders, custody and guardianship orders.
- Is it in the best interests of the child

If a correction is requested but not agreed to, the person may add a statement of correction to be attached to the file.

All requests are handled by the Privacy Officer and logged in the individual's file.

## **7. Ensuring Accuracy and Retention**

Before using or disclosing information, reasonable steps must be taken to ensure accuracy and completeness.

- Special care is required when data comes from third parties.
- Health records are retained for **10 years** after the last service date (as per the Health (Retention of Health Information) Regulations).
- Other information is retained only as long as legally necessary.

## **8. Use and Disclosure of Information**

Information is used only for the purpose for which it was collected, unless an exception applies (e.g., consent, legal obligation, serious threat to health/safety, de-identified use).

Before using information for a different purpose, the Privacy Officer must be consulted.

### **Disclosures include:**

- To other care team members (with consent or as part of care delivery).
- To the person's authorised representative.
- To government agencies or third parties when legally required.
- For training, audits, or quality assurance in de-identified form.

### Disclosures must be:

- Justified
- Limited to necessary information
- Documented and secure

## **9. Sharing with Families, Carers, and Other Providers**

Release of and Disclosures to family, carers, or other services are made:

- With the client's or their representative's consent.
- Without consent only in specific cases (e.g., Rule 11(2)(b) of HIPC) by a registered health professional when it aligns with professional practice and is in the client's best interest.

Requests from service providers under **Section 22F of the Health Act** must be honoured unless:

- Disclosure would be against the client's interests.
- There is evidence the client would object.
- A valid exception under PA sections 27–29 applies.

## **10. Responsibilities and Procedures**

**All employees and board members must:**

- Understand and follow this policy and the relevant legislation.
- Attend required privacy training.

**The Privacy Officer is responsible for:**

- Managing access and correction requests.
- Reviewing potential disclosures and privacy breaches.
- Ensuring procedures comply with legislation.

### **Related Documents**

- Informed Consent Policy
- Image Use Procedure
- Image Consent Form
- Confidentiality Agreement
- Information Request Form
- Information Sharing Consent Form
- Staff Code of Conduct

### **References**

- [Privacy Act 2020](#)
- [Health Information Privacy Code 2020](#)
- [Children's Rights and Privacy](#)
- [20250625-Requests-for-Personal-Information-about-Children-and-Young-People-A1056518.pdf](#)
- [Office of the Privacy Commissioner](#)