

# PRIVACY STATEMENT FOR KAIMAHI

This privacy statement explains what information Te Aho o Te Kura Pounamu (Te Kura) collects about our kaimahi (staff) and how we use it.

## Why we collect personal information

Te Kura collects personal information from kaimahi for the primary purpose of being a provider of education, which includes employing kaimahi to carry out the activities of the school. Our lawful bases for collecting and using personal information about prospective and current kamahi are to meet our obligations to you as an employer, to meet our legal obligations in respect of health and safety and employment practice, and to meet our legitimate interests, including finding and attracting the best people.

## The personal information that we collect

When you apply to work with us, and when you are employed with us, we collect personal information from you directly (for example, when you complete an application for employment), we collect personal information from third parties (for example, from your nominated referees), and personal information will be generated during your employment (for example, where your manager creates a personal development plan for you).

## Information we collect from you directly

The personal information we collect from you directly will include:

- Contact information, including your name, address, email and phone number.
- Education, experience and work history information and any other information you provide to us in your CV.
- Health information, including information about any disabilities or other conditions that might impact on your employment or on our workplace health and safety obligations.
- Psychometric testing information, where this is relevant to your employment.
- Information about your immigration status and your right to work in New Zealand.
- Information about any criminal convictions or pending criminal charges relating to you.
- Your gender and racial or ethnic origin, for statistical purposes and promotion of equity and diversity.
- Your union membership information, to ensure that you are employed on the correct employment agreement.
- Your declaration of any conflicts of interest.
- Your driver licence number, where this is relevant to your employment.
- Payroll information, including your tax number and any bank account numbers you provide to us, your tax code details and details about any savings or superannuation schemes you are a part of.
- Your date of birth and country of birth.
- Emergency contact information and details about your next of kin.
- Your passport details, where necessary to facilitate travel or for banking purposes.

## Information we collect from third parties

The personal information we **collect from others with your consent** will include:

- Criminal conviction information, or Police vetting information, where this is relevant to your employment.

- Information related to anti-money laundering, including a credit check, where this is relevant to your employment.
- Any information provided by your recruitment agent and/or nominated referees.
- Confirmation of your academic qualifications, where this is relevant to your employment.
- Health information from your medical practitioner, including any changes to your health or medical conditions that might impact on your employment or leave entitlements or on our workplace health and safety obligations.

We may also collect personal information you have made public on any social media platforms you use, where this may be relevant to our decision to employ you, particularly when we are recruiting.

## Information generated during your employment

The personal information that may be generated during your employment may include:

- Interview notes (*if you are shortlisted and interviewed*).
- Your photograph.
- Salary and benefit information.
- Information about your employment status and terms of employment.
- Information about your professional development and training.
- Information about your teaching and research activities if applicable and including information relating to your teaching registration.
- Performance information, including information generated during your performance reviews and on an ad hoc basis.
- Information about disciplinary action, complaints or personal grievances.
- Leave information, including leave taken and ongoing leave entitlements.
- Information generated by your employment activities (*addressed in more detail below*).

## Information generated by your employment activities

At times, you will generate personal information as you go about your duties as kamahi. It may not always be apparent to you that this information is being generated or collected.

### Email, internet and system use

We may monitor email, internet and system use to ensure that kamahi adhere to the requirements of our IT and cyber-security related suite of policies, and in the investigation of complaints of bullying or harassment. While a reasonable amount of personal use is generally allowed there should be no expectation of privacy in respect of the use of Te Kura devices or systems. Any information relating to your personal affairs is stored, shared or discussed using Te Kura devices or systems at your own risk. This data may also be aggregated and analysed for planning purposes.

Kamahi should be mindful that personal information, including emails, notes and other records stored on Te Kura's devices or systems, is potentially discoverable under the Privacy Act or Official Information Act. For example, where it contains personal information about another person or where there is public interest or another legislative justification for its release.

Information about email and internet use will not generally be used for performance management. Information about system use may be used for workload and/or performance management at an individual or aggregate level depending on the requirements of the role and where it has been made clear in advance how systems information will be used to help manage workload/performance.

### Location information

You may be required to use technology that is capable of generating location information, such as mobile phones, tablets and laptops, and company vehicles. We do not generally collect or use the location information these devices generate. However, we may collect and use location information for the purposes of ensuring your health and safety or investigating incidents, particularly while you are travelling. This data may also be aggregated and analysed for planning purposes.

### **Information relating to safety, security and sustainability of Te Kura facilities**

Where we require the use of access cards and/or sign-in for entry to a Te Kura site, we will collect information about your use of this access card and/or sign-in for safety and security purposes. This data may also be aggregated and analysed for planning purposes.

Where CCTV cameras are in use at a Te Kura site, we may collect still or video footage of your activities for safety and security purposes. We will normally let you know if CCTV cameras are in use at a site.

### **How we use your information**

In addition to the uses of information generated by your employment activities that are highlighted above we will also use your personal information in the ways set out below. Where we need to use information, in a way we have not anticipated here, we will only do so if required or permitted by law.

We may use your personal information to:

- Decide on your employment application, including verifying your qualifications and experience with referees and third parties.
- Determine and process your pay and other entitlements, including administration of Kiwisaver.
- Correspond with you.
- Inform you about the range of facilities, services and benefits available to staff.
- Administer your employment, including administration of ACC requirements.
- Determine your development and training requirements and provide any training needed.
- Manage workload.
- Manage your performance, including conducting performance reviews.
- Provide assistance to kaimahi with disabilities on request.
- Provide associated services such as security, parking and information technology.
- Investigate any disciplinary issues or complaints about you or other kaimahi.
- Ensure the health and safety of kaimahi, and assist you in the event of an emergency.
- Comply with legislative reporting and record keeping requirements and our obligations under the Privacy Act and Official Information Act.
- Conduct benchmarking, analyses, quality assurance and planning activities, including statistical and management reporting.
- Set budgets.
- Contact you, after your employment with Te Kura ceases, to seek your feedback in relation to benchmarking, analyses, quality assurance and planning activities.

### **How we share your information**

In order to meet the purposes, set out above, and use it in the ways we've outlined, we must share your personal information internally with people who have a legitimate role in the recruitment, management, administration and safety of kaimahi or the compiling of management information. We'll only share your information when, and to the extent, it is necessary to achieve our purposes.

Where we need to share information in a way we have not anticipated here, we will only do so if required or permitted by law.

People who may have access to your personal information include:

- Human resources kaimahi, for the purposes of managing the recruitment and employment process.
- Professional kaimahi such as Finance and IT, for the purposes of compiling and generating internal and external management information.
- Your manager and their manager.
- Contracted service providers which Te Kura uses to perform services on its behalf (such as recruitment, banking, mailing house services, logistics and IT service providers), within and outside New Zealand (see more below).
- Te Kura's legal advisers or other professional advisers and consultants engaged by Te Kura.

We may also need to share your personal information with external people or agencies as part of managing your employment. Where possible, we will seek your consent to disclose your personal information to third parties (for example, where we're approached for a reference by another employer). Where this is not possible, we'll only disclose your personal information if we have a lawful basis to do so. We may share your personal information with:

- Your nominated financial institution for payment of your salary.
- Your Kiwisaver or other superannuation scheme.
- Government agencies, such as the Inland Revenue Department, the Ministry of Education, the Teaching Council, the Ministry of Social Development, the Ministry of Business, Innovation and Employment (including Immigration New Zealand), and the Accident Compensation Corporation.
- Agencies involved in quality assurance and planning for education, such as the New Zealand Qualifications Authority and the Education Review office.
- Agencies that provide salary packaging benefits to eligible and participating staff members, such as gymnasiums, childcare, car parking permits and novated leasing.
- Agencies that provide employment benefits including automated payments for services (e.g. health insurance providers, union fees, professional body membership fees).
- In the event of an emergency, police, medical or hospital personnel, civil emergency services, your legal representative or nominated emergency contact person, or any other person assessed as necessary to respond to the emergency.

If we need to share your information with a third party that is overseas, such as another education provider, we will ensure that this complies with principle 12 of the Privacy Act. If the third party is not located in a country that has comparable privacy laws to ours, we will require them to agree to protect your information to New Zealand standards.

## How we store and protect your information

We may use third-party service providers to store your personal information and provide us with services. This means that we may transfer personal information, or access it from, countries other than New Zealand.

We recognise that we are accountable for your personal information wherever it is in the world. Where we can, we will send personal information only to countries that have adequate privacy laws in place (such as New Zealand, Australia or the EU). However, where we cannot do this, we take

reasonable steps to ensure that any third-party service providers we use can meet our privacy and security expectations.

We retain your personal information only for as long we need it to perform our contractual obligations or meet our legitimate interests, or to comply with our legal obligations, including the requirement to retain information in accordance with the Tax Administration Act, Employment Relations Act and Public Records Act.

We generally retain personal information about unsuccessful applicants for positions for 7 years. We retain this information to enable us to keep in touch with them in case other suitable roles become available. We also retain personal information about temporary kaimahi, contractors and teacher aides for this purpose.

Wherever your personal information is stored, we take reasonable steps to ensure that it is protected against loss or unauthorised access, modification, use or disclosure. For example:

- Te Kura's systems are protected by firewalls and modern encryption standards.
- Te Kura's systems are password protected, and access is monitored and audited.
- All kaimahi are required to adhere to Te Kura's IT and Security related suite of policies.
- Access to the personal information we store is limited to kaimahi who have a legitimate business requirement to use it.
- We make privacy and information security training available to kaimahi.
- We have a privacy breach management procedure in place.
- Information is backed up regularly, and backups are encrypted and held in secure storage facilities.

## Accessing and controlling your personal information

You have some important privacy rights as kaimahi including the right to know what information we hold about you and the right to correct it.

If you are current kaimahi, you should contact your manager in the first instance and they will assist you with your request. If you do not feel comfortable contacting your manager about an issue, or you are not current kaimahi (for example, you are an unsuccessful candidate for a role), you can exercise any of these rights by:

- Emailing [privacy@tekura.school.nz](mailto:privacy@tekura.school.nz)
- Writing to The Privacy Officer, Te Aho o Te Kura Pounamu, Private Bag 39992, Wellington Mail Centre, Lower Hutt 5045

Please note that we need to take steps to make sure you are authorised to make requests about personal information, so we may need to verify your identity or authority before responding to your request (particularly if you are not current kaimahi). Once we've verified who you are, we'll try and respond to your request or query as soon possible, and no later than 20 working days after we receive it.

You have the right to request a copy of your personal information. We'll be as open as we can with you but sometimes we might need to withhold personal information, for example where the information is legally privileged, relates to references provided to us in confidence or includes personal information about other people. If we need to withhold information, we'll tell you why.

If you think any of the personal information we hold about you is wrong, you can ask us to correct it. If we cannot correct your information (for example, where we don't agree that it's wrong), we'll tell

you why. You can ask us to attach your correction request to the information as a statement of correction.

If you have any concerns about the way we've collected or processed your personal information, let us know, so we can try to put the matter right. If we can't resolve your concerns, you can also make a complaint to the Office of the New Zealand Privacy Commissioner by:

- Calling 0800 803 909
- Completing an online complaint form at [www.privacy.org.nz](http://www.privacy.org.nz)

Writing to the Office of the Privacy Commissioner, PO Box 10-094, The Terrace, Wellington 6143, New Zealand