

Occupational Therapy Board of New Zealand

Privacy and information handling policy

Purpose

1. The Occupational Therapy Board of New Zealand (OTBNZ) is committed to maintaining best privacy practice by ensuring staff are familiar with privacy rights, are diligent with individuals personal information and are able to respond to any privacy concerns effectively.
2. The purpose of this policy is to inform users of www.otbnz.org.nz and those individuals who provide personal information to OTBNZ as to how this information is protected.

Definitions

3. Section 2 of the [Privacy Act 1993](#) (the Act) defines '*personal information*' as information about an identifiable individual.
4. Section 6 of the Act establishes the Information Privacy Principles (IPPs) which set out privacy rights and obligations, such as how the OTBNZ collects, uses, holds, discloses, accesses, corrects, manages and disposes of your personal information.
5. In the case of '*health information*' however, the [Health Information Privacy Code 1994](#) (HIP Code) establishes health information privacy rules (HIP Rules) to replace these principles.

Obtaining of personal information

6. This policy applies to all personal information that the OTBNZ obtains through its website (www.otbnz.org.nz) or by way of the OTBNZ fulfilling its functions in terms section 118 of the Health Practitioners Competence Assurance Act 2003 (HPCAA).
7. You may browse and access information contained within our website without providing personal information.
8. There are however, some places on the website where you can choose to provide us personal information, such as making an online application, emailing an enquiry to us, updating your Eportfolio account, or updating your details on the OTBNZ website through your personal online log in at MyOTBNZ, among other things.
9. The information collected by OTBNZ may include: your name, address, telephone numbers, qualifications, employment and applicable health history, and whether you have any convictions. This information will be held by us while you remain registered. Should you cease to be registered your personal

information will be stored electronically in a secure database. Any personal information provided in hard copy will be stored at a secure offsite location. We do not collect identifiable information about you if you only browse our website.

10. Information will generally be collected by the OTBNZ directly from the person concerned, unless the following circumstances apply:
 - a. the information is publically available or the person consents to the collection of information from someone else;
 - b. it is necessary to collect information from someone else to avoid prejudice to the maintenance of the law (including the prevention, detection, investigation, prosecution and punishment of offences) or for the conduct of proceedings before any court or tribunal;
 - c. collecting information from the individual concerned would prejudice the purposes of collection;
 - d. it is not reasonably practicable to collect information from the person concerned;
 - e. collection from someone else is required or permitted by law.

Use and disclosure of personal information

11. Where you provide personal information requested by OTBNZ for registration or renewal, or by other means pursuant to the OTBNZ's functions under the HPCAA (e.g., through making an application submission, online forms or email requests), we may hold your personal information in accordance with the Privacy Act 1993.
12. We will only use personal information that you provide to us through the website, email, or by post for the purposes for which you supplied it or, in exceptional situations, for other reasons permitted under the Privacy Act 1993.
13. Your email address will not be added to the OTBNZ mailing list, except upon your request. We will not disclose your e-mail address without your consent. You will always have the option to opt in or opt out of services at any stage.
14. The OTBNZ will usually seek your consent to share your personal information with others if it is necessary for the purpose for which you gave us the information (for instance, to investigate competency or health concerns).
15. Occasionally legislative requirements may direct OTBNZ to disclose your personal information (for instance to investigate a criminal offence), or there may be safety reasons for doing so.

Storage of personal information

16. The OTBNZ has an obligation to securely store the personal information it collects and creates.
17. Information must only be held by the OTBNZ as long as the information is needed. Personal information no longer required to be held will be securely destroyed by the OTBNZ.

Requests for personal information

18. Under the Act a person has the right to request access to their personal information (IPPs 6 & 7). There are limited grounds upon which the OTBNZ may refuse to disclose personal information. These include situations where:
 - f. the provision of information would prejudice the maintenance of the law (including the prevention, investigation and detection of offences);
 - g. breach legal professional privilege;
 - h. where the information is evaluative and was provided in confidence; and
 - i. where disclosure would lead to the unwarranted disclosure of the affairs of another person or endanger the safety of any individual.
19. If a person believes their personal information is inaccurate then they may request that the material be corrected by the OTBNZ. If a decision is made not to correct the information then the person's request must be attached to all available copies of the information.
20. When the OTBNZ receives a request for access to or correction of personal information it is referred to the Privacy Officer. The OTBNZ aims to respond to such requests as soon as possible.

Action where there is a potential privacy breach

21. Inadvertent privacy breaches may happen despite good processes and the best of intentions. Where a potential breach is identified we understand that it is important to act quickly and openly.
22. As soon as a breach is detected, OTBNZ are required to advise the Registrar and notify the offices of the duly appointed Privacy Officer. The Privacy Officer will work with staff to address any privacy concerns, following the Privacy Commissioner's guidelines for dealing with privacy breaches available at www.privacy.org.nz.

Your rights

23. To view any personal information held by us, or if you have any concerns about personal information that we hold then please submit a written request to the Registrar, citing the Privacy Act 1993:

Attention: Registrar
Occupational Therapy Board of New Zealand
PO Box 9644
Marion Square
Wellington 6141
New Zealand

Email us at enquiries@otboard.org.nz