Privacy policy

# Introduction

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| **When to use** | Apply this policy when:   * collecting * storing * accessing * using * sharing * disposing of   information collected in the course of SCA activities in New Zealand or about New Zealand participants. |
| **Principles** | This policy is based on the [13 privacy principles](https://www.privacy.org.nz/privacy-act-2020/privacy-principles/) that form the basis of the [Privacy Act 2020](http://www.legislation.govt.nz/act/public/2020/0031/latest/LMS23223.html) that govern how you should collect, handle and use personal information.  Where there is no explicit policy statement about something that this policy might apply to, apply the principles. |

# About this policy

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| **Purpose** | The aim of this policy is to:   * protect the privacy of our members and participants as required by the [New Zealand Privacy Act 2020](http://www.legislation.govt.nz/act/public/2020/0031/latest/LMS23223.html). |
| **Who it applies to** | This policy applies to:   * SCANZ Committee members (Chair, Vice Chair, and Secretary) * SCANZ Officers (Registrar and Treasurer) * Kingdom Officers (including those based in Australia) and their deputies * Group (branch) officers * SCANZ members, including event members, performing roles that have access to personal information of participants. * SCA Ltd Australia members, including event members, performing roles that have access to personal information of participants who reside in New Zealand. |

# Purpose for collection

Principle 1 states that we must only collect personal information if it is for a lawful purpose connected with our functions or activities, and the information is necessary for that purpose.

When asking people for their personal information, you should carefully consider why you are collecting it. If the personal information you are asking for isn’t necessary to achieve something closely linked to our organisation’s activities, you shouldn’t collect it.

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| **Address** | Only collect address information if you need to mail someone something, or it is required for another purpose.  For example: an individual’s address is required for event member sign in sheets by the Incorporated Societies Act 1908. |
| **Date of birth** | Do not use date of birth as an identifier.  Do not collect date of birth unless relevant.  There are very few situations where date of birth is relevant (e.g. when dealing with minors for authorisations etc).  If you need statistical information, use non-identifying information such as age, or age ranges. |

# Source of personal information

Principle 2 states that personal information should be collected directly from the person it is about. The best source of information about a person is usually the person themselves. Collecting information from the person concerned means they know what is going on and have some control over their information.

It’s not always possible to collect information directly from the person concerned, so we can collect it from other people in certain situations. For instance:

* if the person concerned authorises collection from someone else
* if it’s necessary to uphold or enforce the law
* if the information is collected from a publicly available source
* if collecting information from the person directly would undermine the purpose of collection.

# What to tell individuals

Principle 3 states that we should be open about why we are collecting personal information and what we will do with it.

When we collect personal information, we must take reasonable steps to make sure that the person knows:

* why it’s being collected
* who will receive it
* whether giving it is compulsory or voluntary
* what will happen if the information isn’t provided.

Sometimes there may be good reasons for not letting a person know about the collection – for example, if it would undermine the purpose of the collection, or it’s just not possible to tell the person.

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| **Forms** | All forms (including web forms) collecting personal information will include a privacy statement, which will include:   * why it’s being collected * who will receive it (including whether the information will be shared with SCA Ltd Australia, or with SCA Inc in the US), which is highly likely due the Kingdom spanning NZ and Australia. * whether giving it is compulsory or voluntary * what will happen if the information isn’t provided. * when it will be disposed of (if known) |
| **Websites** | We may use cookies to gather data about trends in website usage using a tool called Google Analytics. This data will be viewable by website administrators and certain other staff. This information is aggregated and it does not identify anyone personally. |

# Manner of collection

Principle 4 states that personal information must not be collected by unlawful, unfair or unreasonably intrusive means. When we collect information about a person, we have to do so in a way that is fair and legal.

If you break a law when collecting information, then you have collected information unlawfully.

# Storage and security

Principle 5 states that we must ensure there are safeguards in place that are reasonable in the circumstances to prevent loss, misuse or disclosure of personal information.

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| **Online data storage** | Access to online data stores that contain private information must require a secure login.  Access details should only be provided to those who need to access the information, and where possible, should be limited to only what is needed for the role. You shouldn’t be able to see more than you need to.  Passwords assigned to role-based accounts should updated when offices change hands. |
| **Physical files** | Physical documents will be scanned electronically and moved to online data storage and the physical copy securely destroyed (e.g. shredder or secure destruction bin). |
| **Sign-in sheets** | Event member sign in sheets collect address information, so must be on individual pages (not rosters) to protect the private details of other event members. |

# Access

Principle 6 states that people have a right to ask for access to their own personal information.

Generally, we must provide access to the personal information we hold about someone if the person in question asks to see it.

People can only ask for information about themselves. The Privacy Act does not allow you to request information about another person, unless you are acting on that person’s behalf and have written permission.

In some situations, we may have good reasons to refuse a request for access to personal information. For example, the information may involve an unwarranted breach of someone else’s privacy, or releasing it may pose a serious threat to someone’s safety, or is evaluative or opinion material determining a person's suitability, eligibility, or qualifications to be appointed or removed from a position, or given an award

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| **Peerage council information** | Peerage council information is a collected about an individual for the purposes of evaluation for their suitability for being awarded a peerage, so it is not information that needs to be provided to an individual requesting it. |

# Correction

Principle 7 states that a person has a right to ask us to correct information about them if they think it is wrong.

If we do not agree that the information needs correcting, an individual can ask that we attach a statement of correction to our records, and, if reasonable, we should do so.

# Accuracy

Principle 8 states that we must check before using or disclosing personal information that it is accurate, up to date, complete, relevant and not misleading.

This check should be performed at the point of use/disclosure.

# Retention

Principle 9 states that we should not keep personal information for longer than it is required for the purpose it may lawfully be used.

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| **Financial records** | From the [SCANZ Financial Policy](https://sca.org.nz/sites/sca.org.nz/files/docs/policy/SCANZ_Financial_Policy.pdf)  All financial records must be retained for at least seven complete financial years. |
| **Membership lists** | From the [SCANZ Financial Policy](https://sca.org.nz/sites/sca.org.nz/files/docs/policy/SCANZ_Financial_Policy.pdf)  A list of current members and event members attending events must be kept safely by the SCANZ Registrar for three years after the date of the event. |

# Use

Principle 10 states that we can generally only use personal information for the purpose it was collected.

Sometimes other uses will be allowed, such as if the new use is directly related to the original purpose, or if the person in question gives their permission for their information to be used in a different way.

We need to take reasonable steps to keep it safe within our own organisation from misuse. This is done by controlling access to the information, and by ensuring that anyone with access to the information is informed about the scope of their access (what they are and aren’t allowed to use it for).

# Disclosure

Principle 11 states that we may only disclose personal information in limited circumstances.

For instance, we may disclose personal information when:

* disclosure is one of the purposes for which the organisation got the information
* the person concerned authorises the disclosure
* the information is to be used in a way that does not identify the person concerned
* disclosure is necessary to avoid endangering someone’s health or safety
* disclosure is necessary to uphold or enforce the law.

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| **Financial records** | The Treasurer and Reeves of branches must provide the accounting records to any member of SCANZ who requests them, though the member making the request may need to pay for printing and postage costs.  This doesn’t include information such as bank account details of people making deposits. |
| **Event booking information** | Dietary needs/allergies of individuals will be provided to cooks and servers.  Booking information is accessible to gate volunteers. The information provided to gate volunteers should be limited to only what is needed to prove that the individual has booked and paid for the event and any related items, or whether any money is owing. |
| **Authorisation information** | Authorisation information may be provided to group and event marshals for the purposes of determining an individual’s eligibility to take part in combat activities. |
| **Disputes process** | Principles of natural justice mean that those involved in disputes get to know who complained about them and any witnesses who gave statements. |

# Disclosure outside New Zealand

Principle 12 sets rules around sending personal information to organisations or people outside New Zealand (cross-border disclosure).

We may only disclose personal information to another organisation outside New Zealand (eg SCA Ltd Australia or SCA Inc in the US) if the receiving organisation:

* is subject to the Privacy Act because they do business in New Zealand (SCA Ltd Australia and SCA Inc)
* is subject to privacy laws that provide comparable safeguards to the Privacy Act
* agrees to adequately protect the information, e.g. by using model contract clauses.
* is covered by a binding scheme or is subject to the privacy laws of a country prescribed by the New Zealand Government.

If none of the above criteria apply, we may only make a cross-border disclosure with the permission of the person concerned. The person must be expressly informed that their information may not be given the same protection as provided by the New Zealand Privacy Act.

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| **SCA Ltd Australia** | The Kingdom of Lochac covers both New Zealand and Australia, so information used for the functioning of the kingdom is going to be shared with the Australian portion of the kingdom, represented by SCA Ltd Australia.  Every privacy statement used on anything kingdom-based should include this information. |
| **SCA Inc** | Privacy statements used on any form etc. that will be sent to Society should include the information that it will be sent overseas.  Note that Society Officers may not all reside in the US (eg Social media is in Australia, Herald has been in Europe, probably someone in Canada)  It is not expected that any forms will be sent. |

# Unique identifiers

Principle 13 states that an organisation can only use unique identifiers when it is necessary.

An organisation cannot assign a unique identifier to a person if that unique identifier has already been given to that person by another organisation.

Organisations must take reasonable steps to protect unique identifiers from misuse.

Unique identifiers are individual numbers, references, or other forms of identification allocated to people by organisations, such as driver’s licence numbers, passport numbers, or IRD numbers.

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| **Membership number** | Membership numbers are generated in order and do not reflect any personal information |
| **SCA name** | This name is chosen by the person and can be changed by the person |
| **Date of birth** | Date of birth is often used in conjunction with mundane name to identify people in a range of mundane situations, so it is very private information.  Do not use date of birth as an identifier.  Do not collect date of birth unless relevant.  There are very few situations where date of birth is relevant (e.g. when dealing with minors for authorisations etc). |

# Related information

### SCANZ Inc policies

[Publishing policy](http://sca.org.nz/publishingpolicy.php) (update for current Privacy Act etc)

[SCANZ Financial policy](https://sca.org.nz/sites/sca.org.nz/files/docs/policy/SCANZ_Financial_Policy.pdf)

### Legislation

[New Zealand Privacy Act 2020](http://www.legislation.govt.nz/act/public/2020/0031/latest/LMS23223.html)

**Document information**

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| Owner | Committee of SCANZ Inc |
| Last reviewed | 11 April 2022 |
| Review period | Every second year |

**Record of amendments**

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| Date | Brief description of amendment |
| May 2021 | Rewritten to meet the requirements of the New Zealand Privacy Act 2020 |
| October 2017 | Initial version (based on the Privacy Act 1993) |