

# Napier City Council Customer Privacy Notice

Your privacy is important to Napier City Council (referred to in this Privacy Notice as “we”, “our” or “us”). This Privacy Notice governs our collection, use and disclosure of your personal information (as defined in the Privacy Act 2020 (Privacy Act)) and has been prepared in accordance with our obligations and your rights set out in the Privacy Act. We may change this Privacy Notice from time to time.

## What type of personal information do we collect?

When we say ‘personal information’ we mean identifiable information about you, relating to your:

- **identity** including your name, marital status, title, date of birth and gender
- **contact details** including your address, email address and telephone numbers
- **financial details** including bank account and payment card details
- **transaction details** including details about payments to and from you and other details of services you have requested
- **technical information** including internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our websites
- **profile information** including requests made by you, your feedback and survey responses
- **usage information** including information about how you use our website, facilities and services.

We may also collect any other information provided by you in connection with, or specifically related to your communications with us or your use of our services or facilities.

Your personal information is any information about you. Your name, contact details, finance, purchase records, anything that you can look at and say, ‘this is about me’

## When do we collect your personal information?

We may collect your personal information when you, or someone acting on your behalf, provides information to us directly. For example, when you:

- apply for employment with us
- communicate and correspond with us, whether in person, by letter, phone, text, email, instant messages or other means of electronic communication
- complete and submit forms for our services. For example: applications for consents, licences, approvals, permits, funding or other authorisations or for the use of any of our services or facilities, including signing up for and using our online services and apps, such as our online payment services
- prepare and submit a written submission, request or other feedback in relation to applications for consents, licences, approvals, permits, funding or other authorisations, or in relation to consultation on any form of draft or proposed plan, policy, bylaw or other document
- use any of our services or facilities
- subscribe to our newsletter or update services
- follow or post comments in response to our social media or other facilities such as Facebook, Twitter, LinkedIn, YouTube, etc.

We may also:

- keep a record of any information that you acquire from us
- monitor and record phone calls made to or by us for quality control or staff training purposes. If a call you make to us, or that we may make to you, is to be monitored and recorded, you will be informed of this at the time of the call

- collect personal information about you from other organisations, entities or persons, such as:
  - our related organisations including Council Controlled Organisations (CCOs) where you have authorised them to provide us with information
  - the New Zealand Police, credit reporting agencies and other organisations, entities and persons where you have expressly authorised them to provide us with information
  - our suppliers which include solicitors and conveyancers.

### **Why do we collect your personal information?**

We only collect your personal information when it is necessary for a specific purpose connected with the services we provide. The purpose for collecting and using your information varies according to the services you are using. In general, we collect your personal information fairly with your consent, for example in the performance of a contract with you, or to comply with laws and regulations.

### **What information do we collect when you visit our websites?**

When you visit one of our websites, we may use technology solutions such as “cookies” to provide you with better access to tailored information and services and to better serve you when you return to them.

We may collect, hold, and use statistical information about your visits and in connection with your IP address to help us improve our website, for instance:

- The search terms you used
- The pages accessed and the links you clicked
- The date and time you visited the site
- The referring website (if any) through which you clicked through to our website
- Your operating system (eg Windows XP, Mac OS X)
- The type of web browser you use (eg Internet Explorer, Mozilla, Firefox)
- the make and model number of mobile device used to visit our site

The information provided is aggregated and IP addresses are masked so the information cannot be used to identify individuals.

Our internet service providers may also make a record of your visit and log information for statistical purposes. This information is only analysed on a bulk basis for broad demographic content. Individual use is not analysed.

We do not attempt to identify users or their browsing activities unless they choose to give us personal information while using our website.

In addition to using cookies, we use Google Analytics, a service that provides aggregated reports on website activity. Google Analytics relies on the use of cookies. For details on what information is collected via these cookies, and how it is stored and used, see Google's privacy policy.

### **What information do we collect from CCTV?**

We use Closed Circuit Television (CCTV) in particular areas to monitor passenger and traffic movements, secure facilities such as libraries and recreation centres, and monitor public places to help reduce crime and anti-social behaviour and to promote community safety.

Signage advising of CCTV equipment will give notice of areas covered by such equipment. CCTV footage will only be viewed by authorised people in accordance with the purpose noted above or to regularly check the system is operational. No attempt is made to identify individuals from CCTV footage except in relation to a reported or suspected incident requiring investigation.

### **Live Streaming of Council Meetings**

In the interests of making our decision making process transparent and accessible, most public Council meetings are broadcast live online and then made available on our website. You will know which meetings are being filmed as there will be a sign clearly stating this before you enter into the meeting room and public will be notified by the Chair at the start of the meeting. Most of the filming will cover elected members and council officers as they speak to and debate at the meeting, however, the filming may also include shots

of the public in the background and of anyone speaking at a public forum.

### **What do we use your personal information for?**

The personal information that we collect from you, or someone acting on your behalf, may be used for any of the following purposes:

- to provide you with services or facilities, including:
  - those you have requested; and
  - assisting our CCOs to provide such services or facilities to you
- to positively confirm your identity. This is to avoid inappropriate release or use of your information
- to respond to correspondence or to provide you with information that you have requested
- to process your application for any consent, licence, registration, approval, permit or other authorisation for which you have applied
- to process your application to use or to register for any of our services or facilities, including our online services
- to process payments received by or made by council
- to respond to your requests, enquiries or feedback, or for customer care related activities
- to provide you with information about our events, news, services or facilities, or the events, news, services or facilities of our CCOs that we consider may be of interest to you
- to comply with relevant laws and regulations
- to carry out activities connected with the running of our business or operations such as personnel training or testing and maintenance of computer and other systems
- for any specific purpose which we notify you of at the time your personal information is collected
- to carry out surveys to improve our business processes and operations, based upon your feedback
- for general administrative and business purposes.

### **Who do we share your personal information with?**

We may share your personal information with:

- any person engaged by the council to provide products or services to you on our behalf, where your personal information is necessary for the provision of those products or services
- Council Controlled Organisations, in order to assist with the functions and services that they provide
- a third party if we are required to do so under any laws or regulations, including to comply with our obligations under the Local Government Official Information and Meetings Act 1987, Building Act 2004 and Resource Management Act 1991
- a third party in the course of legal proceedings or other investigations. This may include sharing CCTV footage with the New Zealand Police or other public sector agencies where criminal activity is reported or suspected. The New Zealand Police may also access live feeds from certain CCTV cameras from time to time, for law enforcement, investigation and emergency response purposes
- any person you authorise us to disclose your personal information to
- any person, if that information is held in a public register, e.g. information held on property files or the rating information database
- a third party contracted by the council to provide data hosting services and who may be based in other countries such as Australia or the USA. Appropriate safeguards are put in place to ensure adequate protection of information.

We only collect your personal information for a specific purpose connected with the services we provide

## ***What information is part of a ‘public register’?***

We are required by law to make certain information that we hold available to the public. For example:

- The Building Act 2004 requires us to maintain a property file about each property in Napier and make this available to the public. This file may include personal information, for example in building consent applications.
- The Resource Management Act 1991 requires us to make copies of resource consent applications publicly available.
- The Local Government (Rating) Act 2002 requires us to make publicly available our “complete rating information database”, which includes personal information of property owners.
- The local electoral roll must be available for inspection in certain circumstances, under the Local Electoral Act 2001.
- All submissions made to us during a special consultative procedure or other consultative procedure (for example submissions on proposed bylaws and the long-term plan) are usually made available to the public under the Local Government Act 2002.

## ***How do we protect your personal information?***

Looking after your information is our priority. We are committed to protecting your personal information and take reasonable steps to ensure it is:

- protected against loss, damage, misuse and unauthorised access. We restrict access to personal information to those individuals who need access to this information in order to assist us in performing our duties and obligations
- accurate, up to date, complete, relevant, and not misleading.

## ***How long will we keep your personal information?***

The length of time we keep your personal information depends on what it is and whether we have an ongoing need to retain it (for example, to provide you with a service you’ve requested).

We may retain all personal information that we collect (on both our active systems and our archive systems), for as long as administratively necessary, in accordance with the council’s information retention policies and disposal schedule.

To determine the appropriate retention period of your information, we consider the nature, sensitivity, appropriate legal obligations, the potential risk of harm from unauthorised disclosure, the purposes for which we process your information and whether these purposes can be achieved through alternative means.

We are required to keep records of our business under the Public Records Act 2005, which requires us to retain “protected records” indefinitely. In some circumstances, your personal information may be included within a protected record, including submissions you make in relation to bylaws, annual plans, and district or regional planning instruments.

## ***What if you do not want to provide the personal information requested?***

If you do not provide us with all of the personal information about you that we request, we may not be able to adequately respond to your correspondence, process any applications you have submitted, provide the services or facilities you have requested, process payments or otherwise deal with any requests or enquiries you have submitted.

In some circumstances, failure to provide information when requested may be unlawful, and/or result in legal consequences. These circumstances and the potential consequences will be explained to you when your personal information is collected.

Looking after your information is our priority. We are committed to protecting your personal information

### **What are your rights?**

You have the right to know what information we hold about you, to request a copy and to request that we correct your information if inaccurate. Your rights of access to and correction of any personal information we hold about you are subject to the procedures set out in the Privacy Act.

- **Accessing your information or obtaining a copy of your information:**

You may request confirmation of whether or not we hold any personal information about you and you may request access to your personal information that we hold. If you request to access your information, we take steps to confirm your identity. This might involve asking you some security questions and checking your identity documents. Once we have verified your identity we will provide you with such confirmation and access unless one of the grounds for refusal to do so under the Privacy Act applies.

- **Updating and correcting your information**

If you think the information we hold about you is inaccurate, you may request changes to your personal information. If we agree that your personal information is to be corrected, we will provide you with an amended record of your personal information if requested. If we do not agree that the information needs to be corrected, we'll make note of your request on the disputed information as a "statement of correction".

We will endeavour to respond to your request as quickly as possible and no later than 20 working days after you make your request. Email us or use the postal address provided below.

### **Does this privacy notice cover Council Controlled Organisations (CCOs)?**

This Privacy Notice concerns Napier City Council's handling of your personal information. The CCO's each have their own privacy notice on their respective websites.

### **Who can you contact for further information?**

You can contact us at any time to ask about our Privacy Notice and privacy practices, to let us know that you're concerned about anything or make a complaint about the way we've handled your personal information.

If you have any queries about personal information Napier City Council has collected, please contact:

Napier City Council Privacy Officer

**Email address:** [privacy@napier.govt.nz](mailto:privacy@napier.govt.nz)

**Postal Address:** Private Bag 6010, Napier 4142

If you're not satisfied with the way we've handled your complaint, you have the right to make a complaint to the Office of the Privacy Commissioner. Complaints can be made online at <https://www.privacy.org.nz/> or sent by post to:

**Office of the Privacy Commissioner**

**PO Box 10094**

**Wellington 6143**