

Information Release Policy



OWNER:	Chief Operating Officer
APPROVED BY:	Governing Board
DATE APPROVED:	31 July 2018
REVIEW DATE:	July 2019

Purpose (what)

1. The purpose of this policy is to ensure that the Education Council (Council) releases information in an appropriate way and adheres to the legislation laid out in the Privacy Act 1993 (the Privacy Act) and the Official Information Act 1982 (the OIA).

Scope (who)

2. This policy also applies to anyone for whom we hold information.
3. Please refer to the Information and Records Management Policy for the management and use of information.

Background (why)

4. New Zealand has two principle Acts that govern the obtaining of, or accessing information; the Privacy Act 1993 (“the Privacy Act”) and the Official Information Act 1982 (“the OIA”).
5. The Privacy Act concerns the rights of individuals to access personal information about themselves held by an organisation. The OIA concerns third parties gaining access to official information held by listed organisations.

Definitions

6. **Individual** means a natural person, other than a deceased natural person.
7. **Official information** includes all information created or held by the Council, regardless of its form (i.e. paper, including any draft documents, emails, electronic documents/notes, website, voicemail and video/audio recordings etc.).
8. **Personal information** is information about an identifiable individual.

Policy Statements (how)

9. Information requested under either Act will be made available to requesters unless good reason exists under the Acts for withholding it.
10. Information about individual teachers will be released to that teacher following confirmation of their identity, or to a third party upon receipt of appropriate authorisation from the teacher (see Information Release Procedures).
11. Personal information must not be disclosed unless the disclosure is directly related to the reason the information was originally collected; or the source of the information is a publicly available document, or the disclosure is authorised by the individual concerned.
12. Personal information must not be used for any purpose unrelated to that for which it was obtained unless, amongst other things, the source of the information is a publicly available publication or the use of the information for another purpose was authorised by the individual concerned.

Roles and Responsibilities

13. Employees are responsible for sending information requests to the information release manager.

14. The information release manager is responsible for:

- Managing requests made to the Council pursuant to the Privacy Act and OIA
- Ensuring compliance with the provisions of the Privacy Act and OIA, and
- Working with the Privacy Commissioner and Ombudsman on investigations involving the Education Council.

Related documents

Delegations Policy

Information and Records Management Policy

Official Information Act 1982

Information Release Guidelines

Information Release Procedures

Privacy Act 1993

Review of Policy

This Policy will be reviewed by the Chief Operating Officer every year, or sooner if required. Changes to the Policy will be recommended by the Chief Operating Officer to the Governing Board via the Risk, Audit and Finance Committee.

Breach of Policy

If the requirements set out in this policy are not met, it may be considered a breach of the policy and disciplinary action may be taken.

Employees must report all suspected or actual breaches of this policy to the Chief Operating Officer, their manager, and/or the Government Relations and Information Manager.