



POLICY
**Privacy Policy – Recruitment and
Personnel Files**

Vector Limited
MAY 2017



POLICY | Privacy – Recruitment and Personnel Files

Table of Contents

1. Scope	2
2. Purpose and policy statement	2
3. Personal, sensitive and health information (HR Information)	2
3.1. HR Information	2
3.2. Personal information.....	2
3.3. Sensitive information	2
3.4. Health information	3
3.5. Types of HR Information	3
4. Collection and use	3
4.1. Personal Information	3
4.2. Sensitive Information	4
4.3. Health Information	4
4.4. Collection	4
4.5. Use or disclosure for a purpose other than the primary purpose	5
5. Storage of HR Information.....	5
5.1. Electronic storage	5
5.2. Physical storage.....	5
6. HR Information held by Third Parties	6
7. Information flow to/from New Zealand (Australia only)	6
8. Data quality.....	6
9. Viewing and Correcting HR Information	7
10. Disclosure	7
11. Privacy Officer	8
12. Privacy complaints and comments	8
13. Legislation	8
Version Control	8

POLICY | Privacy – Recruitment and Personnel Files

1. Scope

This policy applies to all information provided to or held by Vector as part of its recruitment process or employment records relating to applicants and Vector employees, including those on fixed term agreements and contractors in both New Zealand and Australia.

2. Purpose and policy statement

Vector will ensure that personal information collected in the course of an applicant's recruitment or employee's employment is kept safe.

Personnel files are stored securely, and disposed of when they are no longer required, according to the procedures of this policy.

Vector respects your privacy and is committed to complying with the *Privacy Act 1993* (NZ) and, where applicable, the Australian Privacy Principles contained in the *Privacy Act 1988* (Cth), along with any other applicable legislation. This policy sets out the manner in which Vector collects, holds, uses and discloses personal, sensitive and health information relating to an individual.

3. Personal, sensitive and health information (HR Information)

3.1. HR Information

In this Policy, personal information, sensitive information and health information (each explained below) is referred to collectively as **HR Information**.

3.2. Personal information

Personal information is any information that can identify a person (for example a person's address, place of work or business activities), whether the person's identity is apparent from the information or can be reasonably ascertained from the information.

3.3. Sensitive information

Sensitive information refers to information regarding an individual's:

- a) race or ethnicity
- b) genetic information or history that is not health information
- c) political opinions or affiliations
- d) religion, religious beliefs or philosophical beliefs
- e) membership of any professional trade association or trade union
- f) sex, sexual orientation or sexuality

POLICY | Privacy – Recruitment and Personnel Files

- g) prior records including, but not limited to criminal, health and other sensitive or private matters

3.4. Health information

Health information is:

- a) Personal information (being information that can identify a person, whether the person's identity is apparent or can be reasonably ascertained from the information); and
- b) is information or an opinion about:
 - a. the health or a disability (at any time) of an individual
 - b. an individual's expressed wishes about the future provision of health services to him or her
 - c. a health service provided or to be provided to any individual
 - d. information regarding organ donation or an intended organ donation
 - e. genetic information about an individual arising from a health service provided or which could be predictive of the health of the individual

3.5. Types of HR Information

Examples of HR Information contained in recruitment applications or personnel files may include but is not limited to:

- curriculum vitae, interview notes, test results, reference checks, background screening information, copy of passport, individual and collective employment agreement and letters pertaining to any variation of an employee's terms and conditions
- Tax code declarations
- Bank account details
- KiwiSaver or superannuation information
- Contact and next of kin details
- Remuneration information
- Performance and disciplinary action information
- Correspondence and file notes relating to any individual's disciplinary matters
- Correspondence from organisations such as government agencies.

4. Collection and use

4.1. Personal Information

Vector will collect personal information only by lawful and fair means, and not in an unreasonably intrusive way. Personal information will be collected directly from individuals, and those whom they have authorised to provide information. Personal information will be

POLICY | Privacy – Recruitment and Personnel Files

used only for the reasons it was collected. Personal information will not be passed on to any other person or agency without the consent of the individual concerned.

Vector will endeavour to collect personal information only where it is reasonably necessary for, or directly related to, Vector's purposes and functions, including Vector's internal management and business needs, employment record keeping (including performance and disciplinary action) drug and alcohol testing and marketing activities (**Primary Purpose**).

4.2. Sensitive Information

Vector may collect sensitive information about an individual in the following circumstances, where:

- a) the individual has consented to Vector collecting the information
- b) the collection of sensitive information is required by an Australian Court or Tribunal, or under state or federal legislation
- c) the information is reasonably necessary to prevent a serious and/or imminent threat to life, health or safety of an individual, or the public where the individual is unable, either physically or legally to communicate consent
- d) Vector reasonably believes any unlawful or illegal conduct has occurred, that may relate to Vector's business or functions
- e) Vector is required to use or disclose the information (and that is reasonably necessary to do so) on behalf of an enforcement body
- f) the collection of sensitive information is directly related to Vector's business functions

4.3. Health Information

Vector will collect health information by lawful and fair means, and for purposes reasonably necessary to its functions and activities.

Vector may use health information where it has reasonable grounds to suspect that an unlawful activity, or conduct that may be grounds for disciplinary action, has been or may be engaged in, and it uses that health information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities.

4.4. Collection

If Vector collects personal, sensitive or health information about an individual, Vector will endeavour to take steps to ensure the individual is aware of:

- a) the identity of the relevant Vector entity and how to contact it
- b) the fact that they are able to gain access to the information, how to access the information and how to seek correction of the information
- c) the purposes for which the information is collected
- d) organisations which Vector may disclose the information to
- e) any law or a court or tribunal order that requires the particular information to be collected

POLICY | Privacy – Recruitment and Personnel Files

- f) the main consequence (if any) for the individual if all or part of the information is not provided or collected
- g) how to make a complaint about Vector's handling of the information and how Vector will deal with a complaint
- h) whether Vector is likely to disclose personal information about the individual to overseas recipients and, if it is practicable, the country within which such recipients are likely to be located

4.5. Use or disclosure for a purpose other than the primary purpose

Where Vector collects personal, sensitive or health information from an individual for a specific purpose, or the Primary Purpose, Vector must not use or disclose that information for another purpose unless, among other things:

- a) the individual consents to the use and disclosure of the information
- b) or, the individual reasonably expected Vector to use and disclose the personal information for another secondary purpose where:
 - a. if it is sensitive information - it relates directly to the Primary Purpose; or
 - b. if it is not sensitive information - it relates to the Primary Purpose.

Where Vector collects personal or sensitive information from a related body corporate, the primary purpose for which Vector collects that information will be the same as the primary purpose for the related body corporate.

5. Storage of HR Information

HR Information is held both physically and electronically in New Zealand and/or Australia.

5.1. Electronic storage

Vector's recruitment process, performance management and new personnel file management systems uses SAP's cloud-based SuccessFactors service. The information is located in SAP's servers in Germany and/or Australia.

5.2. Physical storage

Some historic personal information is stored in physical personnel files which are kept in secure storage by Human Resources. These files may be accessed by HR team members who have a business need for the information they contain. Individual files must be signed out for use. Misuse of information held in personnel files is considered serious misconduct and may be subject to disciplinary procedures. Information in personnel files is kept for 7 years from when an employee leaves the organisation. Personnel files are destroyed securely when no longer required.

POLICY | Privacy – Recruitment and Personnel Files

6. HR Information held by Third Parties

Vector uses a third-party supplier – SAP’s Success Factors – for its recruitment and performance management succession planning, and the salary/incentive review processes. As such, SuccessFactors holds HR Information including an individual’s performance, career progression aspirations and potential, and salary levels. The information is stored securely in accordance with Vector’s IT Security Standards and Privacy policy.

Vector uses a third party supplier – Affinity – for its payroll processing. As such, Affinity holds all related data pertaining to payroll processing, including salary rates, tax codes, bank account details, KiwiSaver information, contact information and next of kin details. The information is stored securely in accordance with Vector’s IT Security Standards and Privacy policy.

Vector uses a third part supplier – CV Check – to carry out background screening requirements for preferred candidates. The information is stored securely in accordance with Vector’s IT Security Standards and Privacy policy.

Vector uses a third party supplier – OK Health – to carry out Drug and Alcohol screening and pre-employment medical checks as required. As such, OK Health holds this information, advising Vector of the results. The information is stored securely in accordance with Vector’s IT Security Standards and Privacy policy.

7. Information flow to/from New Zealand (Australia only)

Vector may transfer HR Information about an individual to someone (other than Vector or the individual) who is in a foreign country. Vector will transfer information if:

- a) the individual consents to the transfer of information; or
- b) Vector reasonably believes that the recipient of the information is subject to a law, or binding scheme, which effectively upholds the Australian Privacy Principles; or
- c) Vector has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient inconsistently with the Australian Privacy Principles.

8. Data quality

Vector will take such steps as are reasonable in the circumstances to make sure that the information it collects and/or discloses is accurate, complete and up-to-date.

Vector may take steps that are reasonable in the circumstances to protect any personal, sensitive or health information it collects from misuse, interference, loss, unauthorised access, variation or disclosure.

Vector may permanently destroy, or de-identify personal, sensitive or health information it collects for any purpose outlined in this policy, where that information is no longer required.

POLICY | Privacy – Recruitment and Personnel Files

9. Viewing and Correcting HR Information

All employees are encouraged to update their personal information as it may change from time to time. Team members can view and/or update their own personal details through the MyPay portal on VectorConnect, HR Online or by emailing payroll@vector.co.nz.

If Vector holds personal, sensitive or health information, upon request, Vector will give the individual access to their personal information unless:

- a) Vector reasonably believes that it would pose a serious threat to the life, health and safety of an individual or the public
- b) it would unreasonably infringe upon another individuals' privacy
- c) the request for information is frivolous or vexatious
- d) denying access is authorised according to a Court or Tribunal, or under State and/or Federal legislation
- e) Vector has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to its functions or activities, has been, is being or may be engaged in, and giving access to the information would be likely to prejudice the taking of appropriate action in relation to the matter;
- f) it may prejudice an enforcement activity of an enforcement body; or
- g) giving access would reveal evaluative information generated within the entity in connection with a commercially sensitive decision-making process.

If Vector refuses to give access to the information because of one of the reasons listed above, Vector will make reasonable endeavours to provide the individual with written notice setting out the reasons for the refusal and options available to the individual.

If Vector agrees to provide you with information in response to a request, it may charge you the reasonable costs of providing you with that information.

Where an individual request that their personal, sensitive or health information is amended, Vector will endeavour to take reasonable steps to ensure that the information provided is accurate, up to date, complete, relevant and not misleading.

Where Vector refuses to amend an individual's information, Vector will provide the individual with written notice setting out the reasons for the refusal and options available to the individual.

10. Disclosure

Vector will not disclose any information held in personnel files without the consent of the employee concerned, or within the limits set by the *Privacy Act 1993* (NZ) or *Privacy Act 1988* (Cth) (as applicable). Where the individual provides information to Vector with the intent that the company must disclose it, such as tax declarations for Inland Revenue, this is made clear at the point of collection.

POLICY | Privacy – Recruitment and Personnel Files

11. Privacy Officer

Vector’s head operations are located in New Zealand. The *Privacy Act 1993 (NZ)* requires every agency to have at least one privacy officer. This person is responsible for:

- Responding to privacy related requests
- Ensuring the agency complies with the Privacy Act
- Working with the office of the Privacy Commissioner in any investigation

Vector has a privacy officer, who may be contacted in relation to privacy issues as they arise. To contact the privacy officer, email privacy@vector.co.nz. Any questions, concerns, or complaints, about the collection, storage, or use of personal information should be directed to the privacy officer.

12. Privacy complaints and comments

If you wish to lodge a privacy complaint should raise it with the privacy officer as above, or contact the Office of the Privacy Commissioner. See www.privacy.org.nz for more information.

13. Legislation

- [*Privacy Act 1993 \(NZ\)*](#)
- [*Privacy Act 1988 \(Cth\)*](#)

Version Control

This document is uncontrolled

Control	Details
Owner	HR Services Manager
Version	3
Department	Human Resources
Effective date	May 2017
Review date	May 2019
Approval	Group HR Manager