

Te Pūkenga Privacy Notice

[April 2022 Version]

What is the scope of this Notice?

This Privacy Notice is the standard privacy notice of Te Pūkenga – New Zealand Institute of Skills and Technology and each subsidiary through which it enrolls learners (collectively **Te Pūkenga**)¹. All references to “we”, “us” or “our” in this privacy notice are references to Te Pūkenga and any subsidiary of Te Pūkenga.

Why is this notice issued by Te Pūkenga Group?

Te Pūkenga is a Crown Entity established on 1 April 2020 with a legislative mandate to, among other things, ensure there is collaboration across its national network and meet the needs of its learners². Te Pūkenga is one of the components of the Reform of Vocational Education (**RoVE**) currently taking place in New Zealand.

All personal information that you provide on a Te Pūkenga website will be held exclusively by Te Pūkenga for the purpose set out in this Privacy Notice.

By providing your personal information, you are deemed to consent to your information being shared within Te Pūkenga in order to ensure that Te Pūkenga is able to perform the functions that it is established to perform and best serve all staff and learners. .

What is the Purpose of this Notice?

We are committed to achieving this purpose while also complying with the New Zealand Privacy Act 2020 (**Privacy Act**) and any other applicable laws when collecting, using or dealing with any of your personal information.

This Privacy Notice describes how we collect, hold, use, disclose and maintain your personal information. It also describes some of your rights in relation to your personal information.

What is personal information?

Personal information is any information about an identifiable individual and so includes your name, date of birth or any information that identifies you as an individual.

¹ Refer to Information about Te Pūkenga at the end of this notice where information is provided over the course of 2022.

² Te Pūkenga Charter <https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS253892.html>

How do we collect personal information?

We collect personal information in a variety of ways. We may collect personal information about you:

- whenever you interact with us, either in-person, through technology (for example, by email, phone or through our websites) or by other means (for example, postal mail)
- from others who are permitted or required to share your personal information (such as Studylink)
- from publicly available sources, such as social media
- whenever you choose to make personal information available to us, including where you authorise someone else to provide us with your personal information

How do we use personal information?

We need to collect personal information for various purposes to carry out our functions and activities as an educational and training institution, a workplace placement provider, an employer and as a Crown entity. However, we will only use your personal information for legitimate reasons that are related to our functions and activities.

The purposes that we may use your personal information include:

- to help us understand your preferences and interests when you seek to enrol in any course or programme
- to assist you understand your educational opportunities and the programmes and courses that we have to offer
- to communicate with you, your emergency contacts or anyone that you've designated to act on your behalf
- to provide you with support, guidance and assistance in relation to any of our activities, including pastoral care
- to provide a healthy and safe environment
- to send you information about programmes or industry information that may be of interest to you
- to provide you information that is relevant to you or your study plans including important updates and deadlines
- to provide a more tailored and/or relevant service or experience to you

- for our marketing, promotional and fundraising activities
- for analysis (including automated analysis) and to create a profile based on your characteristics and interactions, so that we may more efficiently provide tailored and relevant communications to you (including for our marketing and promotional activities)
- for helping to determine your eligibility or proficiency for any enrolment (or continued enrolment), grant, scholarship, subsidy, incentive, discount or service
- to verify your qualifications, academic credentials, achievements, character or suitability
- for immigration and visa purposes, including your right to work or study
- for health and travel insurance purposes (for example, in relation to field trips, student exchange programmes or if you're an international learner)
- for facilitating, arranging, undertaking or assessing any of our educational, teaching, training, workplace placement activities or other services
- for assigning and providing you with unique identifiers (such as a learner or staff identification number or a 'user name') so that we may operate more efficiently
- for arranging and undertaking events and other activities, including your participation in those
- for assessing your performance and conduct in relation to any educational, training or workplace activity
- for assisting with applications and conversations that you've had with other organisations
- to connect you with our staff, learners and potential employers
- for keeping in touch with you after you've finished any study or training with us
- for the management, administration, functioning and operation of our organisation, including any change or reorganisation to it
- for our research and development purposes
- for our employment, recruitment and reference checking activities
- for monitoring and evaluating performance
- for storage and safekeeping

- for supporting and promoting equity and inclusion
- to amalgamate it with other personal information that we have collected or that is made available to us
- to investigate and address any complaint, grievance, concern, legal proceedings, any actual or suspected misconduct or breach of our policies or codes of conduct
- for compliance with any legal or contractual obligations
- to comply with any of our reasonable internal policies, including those related to record-keeping
- to comply with any direction or expectation of the New Zealand Government (or any of its agencies)

In circumstances where we need to use your personal information for purposes other than those described (or directly related to the purposes described) we will only do that in accordance with applicable law.

What personal information do we collect?

We may collect the following types of personal information about you:

- name, address, gender, date of birth, age
- contact details, such as your address, email address, phone number, forum usernames
- iwi
- country of residence, location, ethnicity, passport, visa, immigration status
- details of your emergency contacts, family members or anyone who you've authorised to act on your behalf
- language proficiency
- national student number
- educational records, academic records and assessment grades
- employment history and details, achievements, professional qualifications, credentials
- information received from reference checks, character references, professional standing, information relating to suitability
- memberships and professional affiliations

- health and disability information (for the purposes of better understanding your needs)
- insurance information (for example, health and travel insurance information that is relevant to field trips, student exchange programmes or if you're an international learner)
- your interests, preferences, behaviours and aspirations
- your voice and image (including photographs, film or recordings)
- financial information, which may include bank account details (for the purposes of making payments or receiving payments from you), tax information, credit history, donations
- your interactions with us, our staff, equipment, premises or technology (such as our systems and websites)
- information about your conduct at other educational or training organisations
- criminal convictions, where those are relevant to work, study or training. For example, if the Children's Act 2014 (New Zealand) applies.
- medical records, where those are relevant to work, study or training. For example, where required by a clinical placement provider, including your vaccination status where relevant
- anything else that you choose to share with us or that you otherwise make available to us (for example, where you authorise someone else to provide us with personal information)

Websites and digital systems

When you interact with our websites or digital systems we may also collect information about you through cookies and third party technologies such as Google Analytics. This may include:

- the IP or internet address of your device, server and browser
- your location
- search terms, queries and information inputs/outputs
- the date, time and length of your visit
- your operating system (for example, Windows or Mac)
- the pages you view and links clicked
- the type of browser and screen resolution you use
- websites you visited before or after using our website
- any other behaviours or interactions that you have with our website or digital system

Certain features of our websites and digital systems may also be dependent upon us making available certain information that we collect about you, how you interact with our websites and digital systems and the information that you choose to input into them, to third party technology providers. That information will be used in accordance with that third party's privacy practices. For example, they may use that information for the purposes of making their technology available, providing outputs (that may affect user experience), ensuring quality, security, preventing misuse, bias or offensive content, for further developing and enhancing their technology and to troubleshoot and resolve technical issues.

About cookies

A cookie is a small amount of data that is sent to your browser from a web server and stored on your computer, then sent back to the server by your browser each time you access certain sections of websites and digital technologies. We may make tools available on our websites that allow you to manage your preferences regarding how we use cookies to collect data, including personal information. In addition, many commonly used browsers either contain functionality or permit third party functionality, that allow cookies to be blocked, disabled, limited or deleted. If you wish to wish to do that, please refer to the specifications of your browser.

Other types of information

Circumstances may arise where we need to collect other types of personal information about you. Where that occurs, we will always do so in accordance with the law. We may also separately notify you of that or ask for your permission.

Who do we share personal information with?

We will only share your personal information:

- for the purpose that it was collected (or a purpose that is directly related to that)
- for any other purpose that you have authorised
- where we are permitted or required to do so by law

We may share personal information that we collect about you for the purposes described in this Privacy Notice with:

- your emergency contacts or anyone that you've authorised to act on your behalf
- our staff and agents
- our related organisations
- our insurers, insurance brokers and auditors

- our service providers that we have engaged to either provide a service to us or make available a service/tool to you. For example, we may share information about you with a service provider that we have engaged to provide technology services or customer support services
- our providers of goods
- your service providers (for example, your accommodation providers or insurers in relation to health and travel insurance maintained for field trips, student exchange programmes or where you're an international learner)
- other educational or training institutions, including institutions that you've previously attended
- your employer or prospective employers
- providers of work experience or internships
- industry licensing and registration bodies
- organisations that undertake moderation, accreditation or quality assurance activities
- operators of Authorised Information Matching programmes and the New Zealand Birth register
- iwi (if there is an affiliation)
- credit checking agencies
- medical providers and emergency services
- law enforcement agencies
- organisations that arrange or host events which you participate
- student and staff clubs
- the New Zealand Government and its agencies including the Ministry of Education, Education New Zealand, the Tertiary Education Commission, the National Student Index, the Ministry of Foreign Affairs, Immigration New Zealand, the Ministry of Social Development, Work and Income, Studylink, the Inland Revenue Department, the Ministry of Justice, the Ministry of Health, New Zealand Qualifications Authority, Career Services, the Education Review Office, Statistics New Zealand, New Zealand Police, the Accident Compensation Corporation, local government authorities and councils
- agents that support particular learners through scholarships, payment of fees or other awards (if you are a recipient of one of these awards)

- anyone that you've authorised us to

Where we share your personal information with others, it may be collected, held, used, disclosed and maintained in accordance with their privacy practices.

If we share your personal information with our service/goods providers, they may also need to share that information with:

- third parties (such as their service providers) that they rely upon to make the service/good available
- any acquirer/assignee where their business is acquired or reorganised
- where they are legally required to do so.

How long do we store personal information

We only keep your personal information for as long as required. We will keep your personal information:

- until we no longer have a valid reason for keeping it
- for as long as required by law. For example, to meet our obligations under the Public Records Act 2005.

How do we store personal information

We may store personal information that we collect:

- in digital or non-digital formats (for example, within physical filing systems)
- on our premises or outside of our premises
- either directly, with our related entities or through our service providers (including service providers that provide physical or digital data storage facilities)
- within or outside of New Zealand

Disclosure of personal information outside of New Zealand

Where we make your personal information available to recipients located outside of New Zealand, you acknowledge and agree that they may not be required to protect your personal information in a way that, overall, provides comparable safeguards to those set out in the Privacy Act.

Security

We have in place reasonable security safeguards to protect your personal information from loss, unauthorised access, use, modification, disclosure or other misuse. However, we do not make any warranties in relation to the security of any information you disclose or make available to us and we are not responsible for the theft, destruction, or inadvertent disclosure of your personal information where our security measures have been breached.

Your rights

Under the Privacy Act, you may request access to and correction of your personal information held by us. You may make those requests to the Privacy Officer of the institution that you provided your information to (the details of the relevant Privacy Officer will be made available to you upon your request).

If there is a reason under applicable law for us not to comply with your request, we will notify you in writing setting out the reasons for the refusal (except to the extent it would be unreasonable or unlawful to do so) and advise you of the mechanisms available to you to complain about our response.

For more information about your rights or to make a complaint about our privacy practices, you may contact the Office of the Privacy Commissioner (New Zealand).

If you don't provide your personal information

Where you choose not to make personal information available to us, that may mean:

- we aren't able to progress certain matters further with you
- it affects how we would otherwise engage with you
- we aren't able to make available certain services or features to you
- it affects your experience with us. For example, it may be less tailored or relevant
- delays and/or inefficiencies arise

Where we receive information about others from you

If you provide us with personal information about someone else, you must ensure that you are authorised to disclose that information to us, so that, without us taking any further steps required by data protection or privacy laws, we may collect, use and disclose such information for the purposes described in this privacy notice.

This means that you must take reasonable steps to ensure the individual concerned is aware of and/or consents to the various matters in this notice, including the fact that their personal information is being collected, the purposes for which that information is being collected, the intended recipients of that information, the individual's right to obtain access to that information, our identity, and how to contact us.

Updates to this Privacy Notice

We reserve the right to update this Privacy Notice from time to time. Any change that we make applies from the date that the updated Privacy Policy is posted on our website.

European Union General Data Protection Regulation (GDPR)

If you are situated within the European Union and provide us with information about yourself, the GDPR may additionally apply in relation to that information. You can find out more about that [here](#).

Please note that there may be some approaches in New Zealand that conflict with your rights under the GDPR. Those may relate to how we collect, use, store and retain your information. Where that is the case and because we are situated in New Zealand, we will comply with New Zealand requirements.

Information about Te Pūkenga

As at the date of adoption of this notice, Te Pūkenga includes the following limited liability companies:

- Ara Institute of Canterbury Limited
- Eastern Institute of Technology Limited
- Manukau Institute of Technology Limited
- Nelson Marlborough Institute of Technology Limited
- Northland Polytechnic Limited
- Otago Polytechnic Limited
- Southern Institute of Technology Limited
- Tai Poutini Polytechnic Limited
- The Open Polytechnic of New Zealand Limited
- Toi Ohomai Institute of Technology Limited
- Unitec New Zealand Limited
- Universal College of Learning Limited
- Waikato Institute of Technology Limited
- Wellington Institute of Technology Limited
- Western Institute of Technology at Taranaki Limited
- Whitireia Community Polytechnic Limited
- Te Pūkenga Work Based Learning Limited (WBL)

Under the legislation implementing RoVE, the operations of each of the above entities will be folded into Te Pūkenga (the Crown Entity) to create a single unified entity for the delivery of high-quality tertiary education and training. This will occur over the course of 2022 and early 2023. At all times through this process, we will collect, hold,

use, disclose and maintain your personal information in accordance with this notice and will ensure that the implementation of RoVE is seamless for learners.

The address of Te Pūkenga is Level 2, Wintec House, Cnr Anglesea & Nisbet Streets, Hamilton 3204. Its postal address is PO Box 19400, Hamilton 3244.

Further details about the limited liability companies referred within this section, including their street addresses can be found on the New Zealand Companies Register <https://companies-register.companiesoffice.govt.nz/>