

# Policy

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# Management of Personal Information

Effective March 2021

<b>Policy title</b>	Management of Personal Information
<b>Reference number</b>	20210331 MRTB Management of Personal Information v3
<b>Scope</b>	This policy applies to all practitioners registered with (or seeking registration with) Te Poari Ringa Hangarau   Medical Radiation Technologists Board

Associated policy documents	
Website Privacy Statement	<a href="#">2024-Jul-MRTB-Website-Privacy-Statement.pdf</a>
Naming	<a href="#">2024-Feb-Naming-Practitioners-Policy.pdf</a>

Revision Schedule			
Version number	Version date	Approved by	Next review
One	December 2018	Medical Radiation Technologists Board	2020
Two	June 2020	Medical Radiation Technologists Board	2022
Three	March 2021	Chief Executive	2023

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# Overview

1. In order to carry out its legislative functions and responsibilities under the Health Practitioners Competence Assurance Act 2003 (HPCA Act), the Medical Radiation Technologists Board (the Board) collects a considerable amount of information on medical imaging and radiation therapy practitioners.

## Legislative context

2. The Board is legally required to collect personal information from medical imaging and radiation therapy practitioners for the purposes of registration and recertification under the HPCA Act. In certain circumstances the HPCA Act also requires the Board to exchange information with other bodies such as the Health and Disability Commissioner, the Accident Compensation Corporation, and the Director General of Health.
3. In other cases, disclosure is in accordance with the Privacy Act 2020 and the privacy of information parameters as set out in this policy document.

## Personal information held by the Board

### Personal details<sup>1</sup>

4. Practitioners are required to provide the Board with personal information including:
  - Date of birth
  - Gender
  - Ethnicity
  - Contact details (including physical and email addresses and phone numbers)
  - Qualifications
  - Employment
  - Health history (as applicable)
  - Criminal/convictions history

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<sup>1</sup> Provision of gender and ethnicity information is required to assist with workforce planning purposes.

## Other information

5. The Board also holds other information about individual practitioners including:

- Registration and annual practising certificate status
- Complaints or convictions
- Professional conduct investigations
- Health Practitioners Disciplinary Tribunal (HPDT) hearings and orders
- Competence reviews and conditions
- Health reviews and conditions
- Compliance with recertification (continuing professional development) audits

## Publicly available information

6. The following practitioner information is publicly available:

- Information held on the Board's Register which states the practitioner's full name, scope of practice, status of their practising certificate, any conditions on their practice, and qualifications.
- The outcome of a HPDT hearing (except for where the health practitioner has been granted name suppression).
- Any other information published following an order by the Board under section 157 of the HPCA Act (details for the processes doing this are set out in the Board's Naming Practitioners policy).

## Collection of personal information

7. Information will normally be collected by the Board directly from the practitioner.

8. In some circumstances the Board may collect information about a practitioner from other persons:

- The information is publicly available or the practitioner consents to the collection of information from another person.
- It is necessary to collect information from another person(s) to avoid prejudice to the maintenance of the law (including the prevention, detection, investigation of offences) or for the conduct of proceedings before any court or tribunal.

- Collecting information from the individual concerned would prejudice the purposes of the collection.
- It is not reasonably practicable to collect information from the person concerned.
- Collection from another person(s) is required or permitted by law.

## Collection of information from social media websites

9. The Board may check information that an individual practitioner posts through a social media website to assist with decisions relating to registration, recertification, or investigations into a complaint.

## Collection of workforce information

10. The Board collects workforce data from practitioners as a component of the annual renewal of practising certificates.
11. This data is additional to what the Board uses to maintain practitioners' registration and includes information about the number of weekly hours worked, ethnicity, employer type (public/private health sector), geographical region of practice, and work role.
12. The information is then provided to Health Workforce New Zealand to analyse in terms of changes or trends in the medical imaging and radiation therapy workforce. The workforce data is presented in a big data analytics format that excludes the identification of any individual practitioner.

# Responsibilities of health practitioners

13. Under section 140 of the HPCA Act medical imaging and radiation therapy practitioners must promptly advise the Registrar of any changes to their postal, residential and/or work addresses (this is inclusive of email addresses).
14. Upon registration each practitioner is given access to a secure My Profile portal on the Board's website. Practitioners can make any changes to their contact details through this portal.
15. In the event that a practitioner changes their name from that entered on the register, they must notify the Board Registrar in writing within 1-calendar month of that change. The notice must be accompanied by official evidence of the name change (e.g. marriage certificate).

# Storage of personal information

16. The Board has an obligation to ensure all personal information collected and created is securely stored.
17. A practitioner can ask to be restored to the register at any time. Therefore, personal information is held by the Board until such time notification is received of a registrant's death at which time it will be securely destroyed.
18. Personal information is stored electronically within an individually named file for each practitioner, in a secure database. Access to that database is restricted to authorised Board staff and is only accessible via an individual password.

# Exchange of personal information with other agencies

19. Under section 35 of the HPCA Act, the Board must notify certain persons of risk of harm to the public:
  - (1) Whenever an authority that a health practitioner is registered with has reason to believe that the practice of a health practitioner may pose a risk of harm to the public, the authority must promptly give the following persons written notice of the circumstances that have given rise to that belief:
    - a) The Accident Compensation Corporation
    - b) The Director General of Health
    - c) The Health and Disability Commissioner
    - d) Any person who, to the knowledge of the authority, is the employer of the health practitioner.
20. Should the Board advise any of the above persons, the Registrar will, under section 35 (4) promptly give a copy of that notice to the practitioner concerned.

# Requests for personal information

21. Practitioners have a right under the Privacy Act 2020 to request access to their personal information.
22. There are limited grounds on which the Board may refuse to disclose personal information, including:
  - The provision of the information would prejudice the maintenance of the law (including the prevention, investigation and detection of offences)
  - A breach of legal professional privilege
  - Where the information is evaluative and was provided in confidence
  - Where disclosure would lead to the unwarranted disclosure of the affairs of another person or endanger the safety of any individual.
23. A practitioner who believes any of their personal information is inaccurate, may request the Board to correct the information. Any decision by the Board to not make the requested correction must be attached to all available copies of the information.
24. Requests for access to or corrections of personal information are to be made to the Board Registrar. All requests are to be responded to in a timely manner.

## Privacy breach

25. The Board takes due care and diligence in its management of all personal information in its possession. However inadvertent privacy breaches may occur despite the organisational controls in place.
26. Where a potential or actual breach is detected, the Board will act quickly and transparently to address the situation.