

Recording Standard

Approved by: Privacy & Security Oversight Board (PSOB) on 13 April 2022

Next Review Date: April 2024

Owner: General Manager Information

1 Overview

1.1 Purpose

1.1.1 This standard sets out the minimum requirements to ensure that MSD meets its obligations under the Privacy Act 2020 (Privacy Act) when making recordings for operational purposes.

1.2 Definitions

1.2.1 **Recording** refers to speech or moving pictures that have been captured to be listened to or watched later. It does not refer to the process or business of storing them.

1.2.2 **Meeting** is an occasion when people come together, either in person or online, to discuss something, and can include announcements.

1.2.3 **Internal Event or event** means a meeting that is only attended by MSD personnel.

1.2.4 **Client meeting** is any meeting or discussion with an MSD client regardless of whether this interaction is face to face, phone based or via other methods.

1.2.5 **External event** is any meeting, community gathering, function, or a public event that is attended by non-MSD personnel and is hosted or attended by MSD personnel.

1.3 Scope

1.3.1 This standard **must** be applied, using the operational guidance, when recording:

- (i) Any images through **CCTV**
- (ii) Inbound and outbound calls at the **Contact Centre**
- (iii) Any **external events** MSD hosts, attends, or for internal or external public relations purposes.
- (iv) An **internal event**
- (v) A **client meeting**

1.3.2 This standard **must** be applied by all staff, third parties and contractors who record, or handle recorded information, on behalf of MSD.

1.3.3 This standard **must** be applied equally to formal interviews as well as less formal conversations and other interactions that are recorded.

1.3.4 MSD must grant reasonable requests from non-MSD personnel to record their interactions with MSD.

2 Standard

2.1 General

- 2.1.1 There **must** be a clear purpose and justification for recording the meeting.
- 2.1.2 All parties **must** be able to understand why the recording is happening.
- 2.1.3 Any reasonable objection or instruction from an attendee **must** be considered, such as a request:
 - (i) Not to capture their image
 - (ii) Not to capture their voice
 - (iii) To note their objection or instruction.
- 2.1.4 If a reasonable objection or situation is present that prevents recording, a formal record of the events **must** be made via other means i.e., minutes etc.

2.2 Access and retention

- 2.2.1 Any recording **must** be stored in line with the [guidance](#) for managing Ministry information.
- 2.2.2 Any party to a recording **must** be able to request access to a copy of this, as it is classed as personal information we hold about them.
- 2.2.3 Any recording **must** only be retained for as long as it is required in line with the original, or a directly related, purpose.

2.3 Use

- 2.3.1 A recording **must not** be used for a purpose different to, or not directly connected to, the original reason for making the recording.

2.4 Technology and equipment

- 2.4.1 For recording being facilitated by MSD, only tools approved for recording **must** be used.
- 2.4.2 If you feel there isn't a [tool](#) that meets your needs or would like to check, you **must** contact the Information Management team at infohelp@msd.govt.nz.

2.5 Transparency and notification

- 2.5.1 The fact a meeting is being recorded, its purpose and the intended use of the recording **must** be understood by all potential and actual attendees and captured as part of the recording.
- 2.5.2 All those that may be captured in any recording **must** be given reasonable opportunity to consent.
- 2.5.3 If recording cannot take place without capturing others not party to the meeting or who have not given their consent, then the recording **must not** be created and an alternative method of capturing the information should be used.
- 2.5.4 If it becomes apparent after a recording has taken place that someone was unexpectedly included in the recording all reasonable steps **must** be taken to resolve the situation in accordance with the process set out in the operational guidance.

- 2.5.5 Participants **must** be given reasonable opportunity to access or review the accuracy of any minutes or transcription created from a recording, if requested.

3 Standard Compliance

3.1 Exceptions

- 3.1.1 Any exception to this Standard **must** be approved by the General Manager Information in advance.

3.2 Compliance Measurement

- 3.2.1 A review **must** be carried out at least once every three years or more frequently (based on the nature and level of risk connected to the process) to ensure that any recording made of handled meets the actions required under this standard.
- 3.2.2 Compliance to this standard will be measured through the assessment of retention and deletion activities, use of, and fulfilment of any related Privacy Act requests for personal information connected to recordings.

4 References

Privacy Act

Operational Guidance (in development)

Data Protection and Use Policy

Information Hub (containing information policies, standards and guidelines)