

Postvention Community Working Group Privacy Guidelines

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The overarching purpose of a Postvention Community Working Group (PCWG) is suicide prevention.

The sharing of personal information as part of PCWG activity is allowed under Rules 10 and 11 of the Health Information Privacy Code (1994; HIPC). These rules state that sensitive health information can be shared if:

“The disclosure of the information is one of the purposes in connection with which the information was obtained.”

OR

“The disclosure of the information is necessary to prevent or lessen a serious threat to public health or safety or the life or health of an individual.”

A suicide cluster and signs of emerging suicide contagion are both serious threats to public health and safety; individual wellbeing and lives may be at risk.

All members of a PCWG must be aware of their responsibilities with respect to personal information under the Privacy Act (1993) and the HIPC (1994).

Any records kept as part of PCWG activities are deemed health records and must be treated in accordance with the Privacy Act (1993) and the HIPC (1994).

Such records might include:

- A Vulnerable Persons Register /At Risk Register
- Minutes of meetings
- A record of those who have died by suspected suicide or made suicide attempts

The principals of the HIPC:

- Any information must be collected for a lawful purpose. In the case of postvention activities the overarching lawful purpose is suicide prevention; minimising the risk of further deaths by suicide.
- The information collected must be stored securely and safely.
- People can ask to see and correct (if inaccurate) information held about them.
- All reasonable steps must be taken to ensure information collected is accurate and up to date.
- All records must be kept for as long as a lawful purpose requires. Health regulations (Retention of Health Information) require health records to be retained for a minimum of 10 years.

- Where possible, individuals concerned should authorise any sharing of their personal information. However, this is not necessary if the sharing of information is for a purpose consistent with why it was obtained or to prevent or lessen risk to public health or safety or the health or life of an individual.

Key guidelines for ensuring PCWG protection of Privacy

- All members of a PCWG must sign an agreement that they understand and agree to abide by the principals of the Privacy Act (1993), the Health Information Privacy Code (1994) and the CPRS PCWG Privacy Guidelines.
- It is recommended that a single lead agency is designated to hold all PCWG records. This agency should be equipped and experienced in securely managing such information (e.g. CYFS, DHB, PHO, MoE)
- Only personal information about individuals (both the deceased and those identified as vulnerable) sufficient to fulfil any legitimate postvention purpose will be shared.
- Personal information will NOT be emailed between PCWG members or, if it is emailed, it should be done so securely; at a minimum personal information should be shared in a password protected document attached to the email and not typed in the body of the email itself. The password should be sent separately to the email with the password protected document, in a cell phone text for example.
- When considering disclosing or sharing personal information the following must be taken into consideration:
 - Does the situation meet the criteria for “serious threat” to “public health or safety” or the “life or health of an individual” in the context of suicide risk?
 - Am I disclosing information to someone who can act to lessen or prevent the threat?
 - Am I disclosing only as much information as is necessary to lessen or prevent the threat?

See also

- CPRS PCWG Guidelines for Keeping a Vulnerable Persons Register
- CPRS PCWG Privacy Agreement

References

- View the full Privacy Act 1993 at <http://www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html>
- View the revised edition 2008 of the Health Information Privacy Code 1994 at <https://www.privacy.org.nz/assets/Files/Codes-of-Practice-materials/HIPC-1994-incl.-amendments-revised-commentary-edit.pdf>