

Pharmacy Council Privacy Statement

1. This statement relates to the handling of information that the Pharmacy Council (Council) collects and holds about individuals in order to perform its functions, as set out in section 118 of the Health Practitioners Competence Assurance Act 2003, (the HPCA Act). These functions include assessing an individual's suitability for registration, maintaining an accurate register, considering an application for an annual practising certificate, and handling disciplinary, competence or health matters.
2. The Privacy Act 2020 regulates how Council collects, uses, discloses, accesses, corrects, and manages personal information.

Collecting Information from individual concerned

3. Council collects information from applicants for registration and annually from registrants¹ when they renew their practising certificate or non-practising status. This information includes personal and contact details, ethnicity, qualification and workforce information.
4. Applicants and registrants can modify and add personal details on a password-protected web portal. Some changes or modification (e.g. name change) will require supporting evidence.
5. Individuals have the right to access and correct personal information held by the Pharmacy Council.
6. The Pharmacy Council analyses and summarises the information collected from registrants for the purposes of publishing an annual Workforce Demographic report.

Collecting information from third parties

7. In carrying out its functions, the Council may indirectly receive personal and/or health information about an individual from third parties. This may include information from patients, other pharmacists or health practitioners, universities and education providers, colleagues, employers, government organisations, or members of the public.
8. Council retains and uses this information only as necessary to perform its statutory responsibilities, including addressing concerns about competence, conduct, or health, and for the purposes of protecting public health and safety, and undertaking Council's regulatory processes.
9. Where information is collected indirectly and retained, Council will take reasonable steps² to notify the individual concerned of the collection, who will receive the

¹ Registrant - an individual registered with the Pharmacy Council as an intern pharmacist, pharmacist, or pharmacist prescriber.

² In accordance with Information Privacy Principle 3A of the Privacy Act 2020 (IPP3A) and Rule 3A of the Health Information Privacy Code (Rule 3A).

information, and their rights of access and correction, as soon as reasonably practicable, unless an exception to the notification requirement applies. All information is managed securely, with access limited to those who require it for their duties, and is disclosed only where authorised or required by law.

Health Practitioner Index

10. The Health Practitioner Index uniquely identifies health practitioners and is linked to information held in a national database administered by the Ministry of Health (MoH). This information is provided in a report to the MoH by the Council. This report includes the registrant's full name, gender, date of birth, qualification for registration, scope(s) of practice, practising status and, if any, condition(s) of practice.

Public register

11. Council maintains a public register as required by the HPCA Act. Information about registrants can be accessed through the Council's web site, <http://www.pharmacycouncil.org.nz> or by requesting a copy of the register from Council and submitting the prescribed fee.
12. The Council publishes the following details to the public register: registrant's full name, registration and HPI numbers, qualification for registration, scope(s) of practice, practising status, condition(s) of practice (if any) and region. If a registrant has given permission, the Council will also publish one work address to the public register.

Certificates of current professional status

13. Registrants applying for registration in other countries are generally required to obtain a certificate of current professional status. Council will provide information directly to the relevant regulatory authority if a registrant applies for this certificate. If applicable, the certificate includes information about conditions on the scope of practice and fitness to practice, i.e. formal investigations and procedures, and disciplinary actions.

Complaints, notifications and disclosures

14. When Council receives a complaint or notification from another registrant, a health practitioner, organisation or member of public, the information invariably contains personal information. Council retains and uses the information as is necessary to manage complaints and notifications in a fair and transparent way. Where Council retains this information this will include providing a copy of the complaint or notification to the registrant who is the subject of the same, and allowing a fair opportunity to respond. The registrant and complainant are informed of the outcome of the complaint, but the outcome of a health or competence notification is generally kept confidential unless disclosure is necessary to ensure public safety. Council will only disclose personal details that are required for this purpose.
15. The Health and Disability Commissioner is authorised to require the release of information regarding an individual registrant for the purpose of investigating complaints. Council may also need to provide relevant personal information to other authorities, such as the Police and the Coroner as is authorised by the Privacy Act 2020 or other legislation.

16. When Council is aware of a criminal proceeding or investigation against a pharmacist or intern pharmacist under the Health and Disability Commissioner Act 1994 or the HPCA Act, and the pharmacist or intern pharmacist is registered (or holds a licence) with other health regulatory authorities (in New Zealand or overseas), Council may share information on the proceeding or investigation with these authorities. This includes any authority that maintains a register of people registered or licensed as health professionals.
17. Similarly, if Council is taking formal action (or formal action is pending) because of competence or health concerns, Council may share information relating to these concerns and actions with the relevant authorities.
18. Council may disclose information about registrants and relevant to protecting the health and safety of the public to other agencies with an interest in this same purpose.
19. Council may enter an information-sharing Memorandum of Understanding with other organisations, for example, Medicines Control, Medsafe, Ministry of Health.

Consultations

20. From time-to time Council will consult with stakeholders on important matters (such as proposed changes to standards or fees) and may publish the submissions received and the names of the individuals who made the submissions, unless an individual chooses to remain anonymous. Each time, Council will set out its intentions regarding the publication of submissions for that consultation.

Research Purposes

21. Periodically, Council receives requests from the New Zealand Schools of Pharmacy for contact details of registrants for the purpose of conducting research. If a registrant has consented for his or her information to be used for this purpose, Council will provide email address to the researcher, only as consented by the registrant.

Effective date

22. Effective: 13 February 2017