

## PRIVACY POLICY

### RATIONALE AND BACKGROUND

Princes Hill Primary School is committed to protecting the privacy of staff, students and parents.

All staff of Princes Hill Primary School are required by law to protect the personal and health information the school collects and holds. The *Information Privacy Act 2000* and the *Health Records Act 2001* are the Victorian privacy laws which provide for the protection of personal and health information and require organisations to have a privacy policy on how they manage personal and health information. The privacy laws do not replace any existing obligations Princes Hill Primary School has under other laws, such as the required disclosure of personal information for mandatory reporting and for inspection under the *Children, Youth and Families Act* and the *Education and Training Reform Act*.

### DEFINITIONS

**Personal Information:** means information or opinion that is recorded in any form, whether true or not, about an individual whose identity is apparent, or can be reasonably determined from the information or opinion. For example, this includes all paper and electronic records, photographs and video recordings. Personal information includes: health and sensitive information unless otherwise specified.

**Health Information:** means information or opinion about a person's physical, mental or psychological health, or disability, which is also classified as personal information. This includes information or opinion about a person's health status and medical history, whether recorded or not.

**Sensitive Information:** means information relating to a person's racial or ethnic origin, political opinions, behavioural, educational, religion, trade union, or other professional, or trade association membership, sexual preferences, or criminal record that is also classified as personal information about an individual.

**Parent:** in this policy in relation to a child, includes step-parent, adoptive parent, foster parent, or a person responsible for the daily care and control of the child.

**Staff:** in this policy is defined as someone who carries out a duty on behalf of the school, paid or unpaid, or who is contracted to, or directly employed by the school or DEECD. Information provided to the school through job applications is also considered staff information.

**Use and Disclosure:** 'Use' of information refers to the school using the information within the school, ie giving the information to students, parents and staff. 'Disclosure' refers to giving the information to a person or organisation outside of the school.

## **COLLECTION OF PERSONAL INFORMATION**

The school collects and hold personal information about students, parents and staff. This information is collected and used by Princes Hill Primary School to:

- a) Provide the school's services and to carry out the school's statutory functions;
- b) Assist the school services and it's staff to fulfil its duty of care to students
- c) Plan, resource, monitor and evaluate school services and functions
- d) Comply with the Department of Education and Early Childhood Development (DEECD) reporting requirements
- e) Comply with statutory and/or other legal obligations in respect to staff
- f) Investigate incidents or defend any legal claims against the school, its services or its staff and
- g) Comply with laws that impose specific obligations regarding the handling of personal information.

This is called the 'primary purpose' of collection. This is relevant to the subsequent paragraphs that deal with use and disclosure of personal information.

### **Sensitive Information**

The school sometimes collects sensitive information about students and parents, such as county of birth and ethnic origin. This information is used to plan and provide the school's services and to produce statistics that do not identify an individual.

## **USE OF PERSONAL INFORMATION**

### **(a) Students and Parents**

Princes Hill Primary School uses personal information about students and parents for the following purposes:

- a) Keeping parents informed about matters related to their child's schooling
- b) Recording student participation at school and in school related events
- c) Looking after student's educational, social and health needs
- d) Celebrating the efforts and achievements of students
- e) Promoting the school and events held by the school
- f) Day-to-day administration
- g) Satisfying the school's legal obligations, and
- h) Allowing the school to discharge its duty of care

### **(b) Job Applicants, staff members, contractors**

The purposes for which the school uses personal information of job applicants, staff members and contractors include:

- a) Assessing suitability for employment
- b) Administering the individual's employment contract
- c) For insurance purposes such as public liability or Workcover

- d) Satisfying the school's legal requirements, and
- e) Investigating incidents or defending legal claims about the school, its services, or staff.

## **USE AND DISCLOSURE OF INFORMATION ABOUT STUDENTS, PARENTS OR STAFF**

The school will use and disclose personal information about a student, parent and staff when:

- a) It is required for general administration duties and statutory functions
- b) It relates to the purpose for which it was collected,
- c) If the use or disclosure is not for the primary purpose of collection (referred to as a 'secondary purpose') if the following criteria are met:

### **Use and disclosure for a secondary purpose**

The school can use and disclose personal information for a secondary purpose when:

- 1) the person consents, or
- 2) the secondary purpose is related to the primary purpose of collection (if it is health or sensitive information – directly related to the primary purpose) and the use or disclosure would be reasonably expected by the person and there is no reason to believe they would object to the uses or disclosure, or
- 3) It is necessary to lessen or prevent a serious or imminent threat to life, health or safety, or
- 4) It is required or authorised by law or for law enforcement purposes in accordance with the *Information Privacy Act* or the *Health Records Act*.

### **Disclosure in the case of transfer of schools**

In the case of students transferring to a Victorian Government primary or secondary school, Princes Hill Primary School will send enrolment information to the new school. If the new school requests transfer of information for a student's confidential student file, the information is transferred to the Guidance Officer of the receiving school.

### **CONSENT**

Where consent for the use and disclosure of personal information is required, the school will seek consent from the appropriate person. In the case of a student's personal information, the school will seek the consent from the parent and in some cases from the student depending on the circumstances and the student's mental ability and maturity to understand the consequences of the proposed use and disclosure.

### **ACCESSING PERSONAL INFORMATION**

A parent, student or staff member may access personal information about themselves held by the school by contacting the principal or their delegate.

Victorian government schools are regulated by the *Freedom of Information Act 1982* in relation to formal access to records held about individuals. Individuals can be given informal access to information about themselves that

does not include confidential information or does not include another person. In general, informal access can be given to routine information and documentation.

In some cases, the person may be asked to put their request in writing and describe the documents they are seeking, in which case the request will be dealt with under the *Freedom of Information Act*. Application and photocopy fees may be charged in accordance with FOI Act.

Access to information may be restricted according to the *Freedom of Information Act* and the requirements of laws that cover the management of school records.

Parents are expected not to use personal information of other parents and students (particularly class lists) for commercial purposes.

### **RETENTION**

The school retains documents in line with DEECD disposal schedule.

### **ACCURACY & UPDATING OF INFORMATION**

The school aims to keep the personal information it holds accurate, complete and up-to-date, and is collected annually. A person may update their personal information by contacting the administrative office and provide clear details of any changes.

### **INFORMATION TECHNOLOGY**

School staff and students have use of information and communications technologies (ICT) provided by the school, This use is directed by:

- a) The Internet Usage Policy
- b) The Information Technology Policy
- c) DEECD's Acceptable Use Policy for Internet, email and other electronic communications
- d) DEECD's IT Security Policy

When using the school's email, senders should be aware that no data transmitted over the Internet can be guaranteed as totally secure. Although the school strives to protect such information, the school does not guarantee the security of any information that is transmitted to the school over the Internet and the sender does so at their own risk.

### **WEBSITE – INFORMATION COLLECTED**

Princes Hill Primary School's web and web server does not record the number of 'hits' nor the email addresses nor the IP address of website visitors.

### **MANAGEMENT OF COMPLAINTS ABOUT PRIVACY**

Should the school receive a complaint about personal information privacy, this will be investigated in accordance with DEECD's Privacy Complaints Handling Policy, which involves an investigation by DEECD staff. If the complainant is dissatisfied with the outcome, they can complain to the Victorian Privacy Commissioner or the Health Services Commissioner.

**REVIEW**

This policy will be reviewed in 2013.