Rationale

At Wales Street Primary School we respect the dignity, privacy and worth of others and their right to be different.

All staff of Wales Street Primary School are required by law to protect the personal and health information the School collects and holds.

The Victorian privacy laws, the Information Privacy Act 2000 and Health Records Act 2001, provide for the protection of personal and health information.

The privacy laws do not replace any existing obligations Wales Street Primary School has under other laws. Essentially this policy will apply when other laws do not regulate the use of personal information.

There is an expectation that reference will be made, and guidance will be sought, from Department of Education and Early Childhood Development privacy guidelines (www.eduweb.vic.gov.au/privacy), or The Victorian Privacy Commissioner (www.privacy.vic.gov.au).

Personal Information is collected and used by Wales Street Primary School to:

- Provide services or to carry out the School statutory functions;
- Assist the School services and its staff to fulfil its duty of care to students;
- Plan, resource, monitor and evaluate School services and functions;
- Assess and report on student achievement
- Comply with DEECD reporting requirements;
- Comply with statutory and or other legal obligations in respect of staff;
- Investigate incidents or defend any legal claims against the School, its services or its staff, and
- Comply with laws that impose specific obligations regarding the handling of personal information

In this policy personal information refers to personal information, health information and sensitive information unless otherwise specified, and includes both purposefully collected and informally disclosed information

Definitions

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

**Health Information** is defined as including 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.

Aims

- Restricting collection of information to lawful purposes and by fair means
- informing staff and parents why information is collected
- ensuring personal information collected is of good quality and not too intrusive
- ensuring proper security of personal information
- allowing staff and parents to know what personal information is collected and why
- ensuring that personal information stored is accurate, and that staff, and parents can arrange amendments where it is not
- ensuring that personal information is relevant before using it
- limiting the use of personal information to the purpose for which it was collected; and
- preventing the disclosure of personal information outside the school, unless required by law.

Guidelines for Implementation
3.1. Use and Disclosure of the personal information provided

3.1.1. Students and Parents: The purposes for which the school uses personal information of students and parents include:
- Keeping parents informed about matters related to their child’s schooling,
- Looking after students’ educational, social and health needs,
- Celebrating the efforts and achievements of students,
- Day-to-day administration,
- Satisfying the school’s legal obligations, and
- Allowing the school to discharge its duty of care.
- Developing a school demographic profile,
- Compiling statistical information about student achievement

3.1.2. Staff: The purposes for which the school uses personal information of job applicants, staff members and contractors include:
- Assessing the suitability for employment,
- Administering the individual’s employment or contract,
- For insurance purposes, such as public liability or Workcover,
- Satisfying the School’s legal requirements, and
- Investigating incidents or defending legal claims about the school, its services or staff

3.1.3. The school will use and disclose personal information about a student, parent and staff when:
- It is required for general administration duties and statutory functions,
- It relates to the purposes for which it was collected, and
• For a purpose that is directly related to the reason the information was collected and the use would be reasonably expected by the individual and there is no reason to believe they would object to the disclosure.

3.14. The school can disclose personal information for another purpose when:
• The person consents, or
• It is necessary to lessen or prevent a serious or imminent threat to life, health or safety or
• Is required by law (Mandatory Reporting, Children Youth and Families)

3.2. 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 student and/or parent depending on the circumstances and the student’s mental ability and maturity to understand the consequences of the proposed use and disclosure.

• Wales Street Primary School will generally seek the consent of the student’s parents and will treat consent given by the parent as consent given on behalf of the student.
• Prior permission, in writing, will be obtained from the parent for children to attend/participate in any activities which involve loss of privacy or publicity
• No child will be named in publications outside the school without the written permission of the parent.

3.3. Accessing personal information
A parent, student or staff member may seek access to their personal information, provided by them, that is held by the school. Access to other information may be restricted according to the requirements of laws that cover the management of school records. To obtain access to this information, it may be necessary to apply to the relevant statutory body. Ref: The Public Records Act and the Freedom of Information Act.

3.4. Updating personal information
The school aims to keep personal information it holds accurate, complete and up-to-date. A person may update their personal information by contacting the school.

3.5. Security
• Any person who has access to personal or health information about students or staff must be informed of their responsibility towards protecting this information and know who to go to for advice if they receive a request for use or disclosure that may cause a breach of privacy laws.
• Care will be taken at all times and confidentiality will be respected by staff, parents, and volunteers who assist in the schools activities and programs – when discussing details, including the academic and social progress of children
• Student and personnel files will be kept in a secure location with restricted access to authorised persons.
The passing of copies of student or staff files from one school to another shall be authorised by the Principal.

School staff and students have use of information communication technologies (ICT) provided by the school. This use is directed by:
- DEECD’s Acceptable Use policy for Internet, email, and other electronic communications
- DEECD IT Security Policy

3.6. Complaints under Privacy
Should the school receive a complaint about personal information privacy this will be investigated in accordance with DEECD Privacy Complaints Handling Policy.

Evaluation:

This policy will be reviewed as part of a three year cycle.