



Privacy Policy

Policy No. 2.09

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.

Wales Street Primary School is required by law to protect the personal and health information that the school collects and holds. *Privacy and Data Protection Act 2014* (PDP Act) and *Health Records Act 2001* (HR Act) 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 Wales Street Primary School has under other laws (such as the required disclosure of personal information under mandatory reporting and inspection pursuant to the *Children, Youth and Families Act*). 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 Training privacy guidelines (www.eduweb.vic.gov.au/privacy), or The Victorian Privacy Commissioner (www.privacy.vic.gov.au).

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.

Sensitive Information: information, or an opinion about a person's racial or ethnic origin, political opinions, religion, trade union, or other professional or trade association membership, sexual preferences, or criminal record that is also personal information.

Parent: in relation to a child, includes step parent, adoptive parent, foster parent, guardian, or a person who has custody or daily care and control of the child.

Staff: – a person who:

- carries out a duty or function for or on behalf of the school, whether paid or unpaid;
- or is contracted to, or directly employed by, the school or the DET.

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
- Preventing the disclosure of personal information outside the school, unless required by law.

Guidelines for Implementation

Collection of personal information

The school collects and holds personal information about students, parents and staff.

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
- Allowing the school to discharge its duty of care.
- Developing a school demographic profile,
- Compiling statistical information about student achievement

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

Retention

- Wales Street Primary School collects and holds personal information about students, parents and staff.
- The school retains documents as required by the government records management procedures, which are then transferred to the Public Records Office in accordance with the *Public Records Act 1973*. The school retains records for time periods as listed in authorised retention and disposal authorities (RDAs). These RDAs are issued as standards under the Public Records Act 1973 and all State Government schools are obliged to follow them.

Use and Disclosure of personal information

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.

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)
- the secondary purpose is related to the primary purpose of collection (if sensitive information – *directly* related to the primary purpose) and the person would reasonably expect the school to use or disclose the information for the secondary purpose

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.

Loss of passwords by parents/carers for the electronic communication system Compass, will require a visit to the office to retrieve the password in person with identification, to maintain the integrity of the system and the privacy of the school community.

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*.

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.

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:

- - DET Acceptable Use policy for internet, email and other electronic communications.
<http://www.education.vic.gov.au/school/principals/infrastructure/Pages/acceptableuse.aspx>
- DETs ICT Security Policy
<http://www.education.vic.gov.au/school/principals/spag/infrastructure/Pages/ictsecurity.aspx?Redirect=1>
- Wales Street Primary School ICT Policy and Acceptable Use Agreement.
- Wales Street Primary School Bullying Policy
- Wales Street Primary School Student Engagement and Wellbeing Policy

Complaints under Privacy

Privacy complaints should be lodged with the school in the first instance and if the complainant is not satisfied with the outcome, the complainant should escalate it to the respective regional office. However, if the complainant is still not satisfied with the outcome they may escalate the complaint to the Privacy Unit of the Department.

Website and electronic communications

Images of students used for the purpose of celebrating events and happenings with the community on all forms of electronic media will be identified by first name only if at all. Permission for use of images is signed by parents at the time of enrolment. Any concerns regarding this issue should be addressed to the principal.

Evaluation:

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