

Privacy Policy

Date: March 2014

1. Rationale

In carrying out its educational and welfare functions, Williamstown North Primary School (WNPS) collects personal information about students, parents/guardians, volunteers and staff. The school is committed to protecting the privacy of all information collected. This Privacy Policy embodies this commitment.

All employees, School Council members and volunteer workers are required by law to protect the personal information the school collects and holds. All members of the Williamstown North Primary School community have the right to understand how their personal information will be stored, used and disposed of.

Williamstown North Primary School is bound by the Victorian privacy laws, the *Information Privacy Act 2000* and the *Health Records Act 2001*, as well as other laws that impose specific obligations in regard to handling personal and health information that directly or indirectly identifies a person. The privacy policy and principles in this document are in accordance with these laws and the Department of Education and Early Childhood Development's (DEECD) *Information Privacy Policy*.

2. Aims

The policy supports the WNPS's need to collect information and the right of the individual to privacy. It ensures that the WNPS can collect personal and health information necessary for its services and functions, while recognising the right of individuals to have their information handled in ways that they would reasonably expect and in ways that protect the privacy of their personal and health information.

This policy will ensure that:

- 2.1 the school abides by legislative privacy requirements in relation to how personal and health information is collected, used, disclosed and stored;
- 2.2 all staff, including volunteers, are aware and compliant with the school privacy policy; and
- 2.3 personal and health information is treated in a reasonable and fair manner, not only for the benefit of staff and students, but also to protect the school's reputation.

3 Policy Context

Williamstown North Primary School is bound by the DEECD *Information Privacy Policy*. In broad terms, this means that WNPS:

- 3.1 collects only information which is required for a specified primary purpose;
- 3.2 ensures that the person supplying the information knows why the information is collected and how it will be handled;

- 3.3 uses and discloses information only for the primary or a directly related purpose, or for another purpose with the person's consent (unless otherwise required, permitted or authorised by law);
- 3.4 stores information securely, protecting it from unauthorised access and retaining it for the period authorised by the *Public Records Act 1973*, and takes reasonable steps to permanently de-identify personal or health information when it is no longer needed; and
- 3.5 provides people with access to their own personal information and permits people to seek corrections if necessary. This will usually be handled under the *Freedom of Information Act 1982*.

4 Definitions

- 4.1 **Personal information** is defined in the *Information Privacy Act 2000* as 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 determined from the information or opinion. For example, this includes all paper and electronic records, photographs and video recordings.
- 4.2 **Health information** is defined in the *Health Records Act 2001* 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.
- 4.3 **Sensitive information** is defined in the *Information Privacy Act 2000* as information relating to 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 classified as personal information about an individual.

In this policy personal information refers to personal information, health information and sensitive information unless otherwise specified.

- 4.4 **Parent/Guardian** in this policy in relation to a child includes step parent, an adoptive parent, a foster parent, guardian, or a person who has custody or daily care and control of the child.
- 4.5 **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 a school through job applications is also considered staff information.
- 4.6 **Volunteer school worker** in this policy is defined as a person who voluntarily engages in school work or approved community work, without payment or reward.

5 Implementation

5.1 ***Collection and types of personal information***

- 5.1.1 The school collects and holds personal information about students, parents and staff. For example, for **Students**: enrolment forms, immunisation forms, birth certificate, custody orders, achievement reports and educational assessments. For **Staff**: personal details, police checks, health declarations.

For **parents**: personal information, statutory declarations and police checks.
For **others** (i.e. contractors) addresses and phone numbers.

5.1.2 Upon collection of this information WNPS will address the privacy issues relevant to its functions and only collect and use this information in accordance with the DEECD privacy principles (see Appendix A).

5.2 Use and disclosure

5.2.1 Students and parents/guardians

The purposes for which the school uses and discloses personal information of students and parents/guardians include:

- keeping parents/guardians 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.

5.2.2 Staff

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

- assessing suitability for employment;
- administering the individual's employment or contract;
- for insurance purposes, such as public liability or Work Cover;
- satisfying the school's legal requirements, and
- investigating incidents or defending legal claims about the school, its services, or staff.

5.2.3 All

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
- it is directly related to a purpose for 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.

5.2.4 Disclosure for Other Purposes

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 or for law enforcement purposes.

5.3 Consent for Use and Disclosure of Personal Information

5.3.1 Where consent for the use and disclosure of personal information is required, including the use of photographs in school or other publications, the school will seek consent from the appropriate person.

5.3.2 In the case of a student's personal information Williamstown North Primary School will generally seek the consent of the student's parents/guardians and will treat consent given by the parent/guardian as consent given on behalf of the student.

5.4 Access & Correction

5.4.1 A parent/guardian, student, volunteer worker or staff member may seek access to and update their personal information that is held by the school. Unless a court order is made under the *Family Law Act*, both parents of a student have the same rights to access information about the student.

5.4.2 Access to other information may be restricted according to the requirements of laws that cover the management of school records. These include the *Public Records Act* and the *Freedom of Information Act 1982*.

5.4.3 The privacy laws do not change the individual's right to access their information that is held by a government school. The individual's right to access remains via a request made under the *Freedom of Information Act 1982*.

5.5 Data Quality Assurance

5.5.1 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 Business Manager.

5.6 Data Security

5.6.1 The school will take reasonable steps to protect personal information from misuse, loss, unauthorised access, modification and disclosure. This relates to people, documents and systems management.

5.6.2 School staff, students and parents have use of Information and Communications Technologies (ICT) provided by the school. This use is directed by:

- DEECD acceptable use policy for Internet, email and other electronic communications
- DEECD ICT security policy.

5.7 Openness

5.7.1 The school's privacy policy will be provided to anyone who requests a copy.

5.8 Awareness and Compliance

5.8.1 The school will develop and implement a range of strategies to ensure awareness and compliance with the policy, including the provision of a privacy notice at enrolment and ongoing communications strategies.

5.8.2 Enrolment

The school will provide a privacy notice with the enrolment form explaining to the parents and student why this information is being collected, what it is used for, where it might be disclosed and how they can access information

held about them (see Appendix B). The school will only use the information collected during enrolment for the purposes that it was collected for.

5.8.3 Ongoing Communications with the school community

Regular communications activities with the school community will be conducted throughout the school year promoting the existence of the privacy policy and its contents/principles.

5.8.4 Volunteer Workers and Confidentiality

On a day to day basis Williamstown North Primary School has volunteer workers assisting at the school. As part of the school's Volunteer Policy (in development) all volunteers are provided with specific information about privacy and confidentiality of personal information.

5.9 Complaints

5.9.1 In the event that the school receives an inquiry or complaint from a member of the school community or the general public in relation to a privacy matter the concern will be referred to the school Principal/Assistant Principal. It will be the Principal's/Assistant Principal's responsibility to liaise with the person or persons concerned and seek to resolve the matter to the satisfaction of all parties. If the Principal/Assistant Principal is unable to resolve the matter it will then be referred to the DEECD regional privacy coordinator.

5.9.2 Should the school receive a complaint from the Privacy Commissioner or Health Services Commissioner about personal information privacy this will be investigated in accordance with the DEECD privacy complaints handling policy. The complaint will be immediately referred to the DEECD's Privacy Officer for advice.

6. Evaluation and Review

6.1 This policy shall be reviewed as part of the Williamstown North Primary School's cyclical policy review process conducted by school council and updated if required. It will also be reviewed sooner if required by DEECD, changes to the privacy legislation or through a change in government policy.

7. References & Related Policies

DEECD Requests for Information about Students

<http://www.education.vic.gov.au/school/principals/spag/safety/pages/requestinfo.aspx>

DEECD Information Privacy Policy

<http://www.eduweb.vic.gov.au/edulibrary/public/govrel/Policy/privacy-pol.pdf>

DEECD's Acceptable Use Policy for ICT systems

<http://www.education.vic.gov.au/school/principals/infrastructure/Pages/acceptableuse.aspx>

This policy has been ratified by School council on Wednesday 26th March 2014.

WILLIAMSTOWN NORTH PRIMARY PRIVACY INFORMATION

NOTICE FOR ALL VOLUNTEERS & HELPERS.

Dear Volunteers & Helpers,

Please be aware that in line with the school's Privacy Policy and Victorian Privacy Information Legislation all volunteers and helpers are expected to observe confidentiality in relation to all student and staff information.

If you wish to obtain a copy of the school's privacy policy please see the administration team at the school office.

Jim Cahill

Principal