

# **PARKHILL PRIMARY SCHOOL**

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## **POLICY: Information Privacy Policy**

**PROGRAM LEADER: Michelle Smith / Elaine Brady**

**DATE RATIFIED BY SCHOOL COUNCIL: August 2017**

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### **RATIONALE**

Parkhill Primary School is committed to protecting the privacy of information regarding parents, guardians, students, staff and carers. This commitment is assured through a privacy policy that abides by legislative privacy requirements in relation to how personal and health information is collected, used, disclosed and stored. The school implements this policy in a manner that is reasonable and fair in how this information is treated, not only for the benefit of staff and students, but also to protect the school's reputation.

The Victorian privacy laws, the Privacy and Data Protection Act 2014 and the Health Records Act 2001, provide for the protection of personal and health information. The privacy laws do not replace any existing obligations Parkhill Primary School has under other laws. This policy will apply when other laws do not regulate the use of personal information.

### **AIMS**

1. To outline how personal information is collected, used, disclosed and updated.

### **IMPLEMENTATION**

Parkhill Primary School is required by law to protect the personal and health information the School collects and holds. In all cases, before providing information about students, Principals and teachers must be satisfied of the identity of the person seeking information and that the person seeking information is entitled to access the information. Where there is any uncertainty, advice should be sought from the Department's Legal Services Unit.

#### **Collection of personal information**

The School collects and holds personal information about students, parents and staff in order 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;
- comply with Department reporting requirements;
- comply with statutory and or other legal obligations in respect of staff; and
- investigate incidents or defend any legal claims against the School, its services or its staff.

#### **Use and Disclosure of personal information provided**

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.

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.

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 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
- it is required by law or for law enforcement purposes.

### **When 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 generally seek the consent from the student's parents and will treat consent given by the parent as consent given on behalf of the student.

### **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. These include Victoria's Public Records Act (1973) and Freedom of Information Act (1982).

### **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 office.

### **Information collected through digital channels**

The Parkhill Primary School website (through its Internet Service Provider), web server and network file servers, as well as linked digital channels, makes records of usage. The usage and disclosure includes:

- Visitor server addresses and domains;
- The times and dates the site was visited;
- The pages visitors accessed and files downloaded; and
- Visitors' browsers and operating systems.

### **Management**

The School's Information Privacy Policy is available publicly on the School website. All staff, including volunteers, will be briefed annually so they are aware and compliant with the School privacy policy. Information Privacy procedures and controls will be managed by the Principal.

Once the personal information is no longer required for the purpose for which it was collected, it will be securely disposed of after mandated periods of time. Should the School receive a complaint about personal information privacy this will be investigated in accordance with the School's Parent Complaints Policy or contact the school directly.

### **EVALUATION**

This policy will be reviewed as part of the school's four year review cycle.

### **DEFINITIONS**

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

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 ascertained 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 is defined 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.

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

Staff in this policy are 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 the Department. Information provided to a School through job applications is also considered staff information.

School in this policy refers to Parkhill Primary School.

Department in this policy refers to the Victorian Department of Education and Training.

## **APPENDICES**

- Nil

## **REFERENCES**

- DET - School Policy and Advisory Guide:  
<http://www.education.vic.gov.au/school/principals/spag/Pages/azindex.aspx>
- DET Information Privacy Policy  
<http://www.education.vic.gov.au/pages/privacypolicy.aspx>
- Privacy and Data Protection Act 2014 (Vic)  
[http://www.legislation.vic.gov.au/domino/web\\_notes/ldms/pubstatbook.nsf/f932b66241ecf1b7ca256e9200e23be/05CC92B3F8CB6A6BCA257D4700209220/\\$FILE/14-060aa%20authorised.pdf](http://www.legislation.vic.gov.au/domino/web_notes/ldms/pubstatbook.nsf/f932b66241ecf1b7ca256e9200e23be/05CC92B3F8CB6A6BCA257D4700209220/$FILE/14-060aa%20authorised.pdf)
- Health Records Act 2001 (Vic).  
[http://www.legislation.vic.gov.au/Domino/Web\\_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e9200e23be/E57A0A1DDCD389FBCA256E5B00213F4D/\\$FILE/01-002a.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e9200e23be/E57A0A1DDCD389FBCA256E5B00213F4D/$FILE/01-002a.pdf)
- Education and Training Reform Act 2006  
[http://www.legislation.vic.gov.au/Domino/Web\\_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e9200e23be/575C47EA02890DA4CA25717000217213/\\$FILE/06-024a.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e9200e23be/575C47EA02890DA4CA25717000217213/$FILE/06-024a.pdf)