

POLICY STATEMENT

PRIVACY POLICY

DEFINITION:

Personal information is information or opinion about an individual whose identity is apparent, or can reasonably be determined. This includes all paper and electronic records, photographs and video recordings. It also includes information about a person's physical, mental or psychological health, or medical history. 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 is also classified as personal information.

PURPOSE:

All staff at Tecoma Primary School are required by law to protect the personal 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 information. The privacy laws do not replace any existing obligations Tecoma Primary School has under other laws. Essentially this policy will apply when other laws do not regulate the use of personal information.

OBJECTIVE:

To ensure that confidential information is managed in a manner consistent with community expectations, professional standards and legal obligations.

GUIDELINES FOR IMPLEMENTATION:

Personal Information is collected and used by Tecoma 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.
- Comply with DET reporting requirements.
- Comply with statutory and/or other legal obligations in respect to staff.
- Investigate incidents or defend any legal claims against the school, its services or staff.
- Comply with laws that impose specific obligations regarding the handling of personal information.

Records will be stored and disposed of in accordance with DET 'General Retention & Disposal Authority for School Records' guidelines.

Privacy Principles in the Victorian Privacy Laws

In line with DET, Tecoma Primary School has adopted the Privacy Principles in the Victorian privacy laws as minimum standards in relation to handling personal and health information. In broad terms, this means that the school will:

- collect only information that is required for a specified primary purpose
- ensure that the person supplying the information knows why the information is collected and how it will be handled
- use and disclose it 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)
- store it securely, protecting it from unauthorised access retain it for the period authorised by the Public Records Act 1973, and take reasonable steps to permanently de-identify personal or health information when it is no longer needed
- provide people with access to their own personal information and permit people to seek corrections if necessary. This will usually be handled under the Freedom of Information Act 1982. For departmental services not covered by this Act, access will be available as prescribed by the Victorian privacy laws.

Collection of information about Students and Parents/ Caregivers:

The purposes for which Tecoma Primary School uses personal information of students and parents/caregivers 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.

Collection of information about Staff:

The purposes for which Tecoma Primary 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 Work Cover.
- Satisfying the school's legal requirements.
- Investigating incidents or defending legal claims about the school, its services or staff.

Use or disclosure of personal and health information:

Personal and health information will only be used or disclosed:

- for the primary purpose for which it was collected
- for a related secondary purpose (which must be a directly related purpose in the case of health or sensitive information) that the person would reasonably expect
- with the consent of the person
- unless otherwise required, permitted or authorised by law.

Accessing personal information:

- 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/caregiver, depending on the circumstances. This may depend on the student's mental ability and maturity to understand the consequences of the proposed use and disclosure. The school will generally seek the consent of the student's parents/caregiver as consent given on behalf of the student.
- A parent/caregiver 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 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 at any time by contacting the Business Manager or office staff.

Security:

- The school will take reasonable steps to protect personal and health information from misuse, loss, unauthorised access, modification and disclosure.
- School staff and students will adhere to the DET Information Privacy Policy.

Complaints and Breaches:

Any complaints or breaches the school may receive about privacy issues will be investigated by the Principal or delegate and in accordance with DET Privacy Complaints Handling Policy and ensure that it is managed in a manner consistent with community expectations, professional standards and legal obligations.

EVALUATION:

Evaluation of this policy will be carried out by the Education Committee as part of the Education Committee's cyclic review process, in three years' time, or beforehand, if a significant issue arises.

References and Related Documents:

The full exceptions qualifying many of the principles are not included here, but can be found at the Privacy Victoria website.

Further information is available at:

- DET Privacy Unit Email: privacy.enquiries@edumail.vic.gov.au
- DET Freedom of Information Unit Email: FOI@edumail.vic.gov.au
- DET website <http://www.education.vic.gov.au/privacy.htm>
- Victorian Privacy Laws Privacy Victoria website: <http://www.privacy.vic.gov.au>
- Office of the Victorian Health Services Commissioner Website: <https://hcc.vic.gov.au/>