

DIMBOOLA PRIMARY SCHOOL

PRIVACY

POLICY

Child Safe statement:

Dimboola Primary School considers the safety of children as being of paramount importance. Our school has a zero tolerance of child abuse.

Every person involved in Dimboola Primary School has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

Rationale:

Protecting the personal and health information of staff and students is a serious moral, professional and legal responsibility that our school recognises and accepts. Personal information is collected and used by Dimboola Primary School to:

- Provide services or to carry out the school's 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 of Education and Training 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
- Comply with laws that impose specific obligations regarding the handling of personal information

This policy applies to members of the school staff, school volunteers and the school council members. This policy will be made available on request.

Aims:

All staff of Dimboola Primary School are required by law to protect the personal and health information the school collects and holds. It is our aim to collect, handle, use, store and disclose personal and health information of staff and students in a manner compliant with the *Health Records Act 2001* and the *Information Privacy Act 2000*.

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

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 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 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 a person who has custody or daily care and control of the child.

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 the Department of Education and Training. Information provided to a school through job applications is also considered staff information.

Use and Disclosure of personal information

The purposes for which the school uses personal information of **students and parents** include:

- Keeping parents informed about matters relating 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

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

- Assessing 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
- 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
- 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 about a **student, parent and staff** when:

- The person consents
- It is necessary to lessen or prevent a serious or imminent threat to life, health or safety
- It is required by law or for law enforcement purposes

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.

Record Keeping – Student Assessment

The school and the VCAA have an obligation to maintain the confidentiality of individual student assessments and reports. The VCAA protects and handles the personal information it collects in accordance with the Information Privacy Act 2000.

Accessing Personal Information

A parent, student or staff member may seek access to student personal information that is held at the school. Access to information may be restricted according to the requirements of laws that cover the management of school records. These include the Public Records Act, the Information Privacy Act and the Freedom of Information Act. Any breach of Privacy should be investigated and addressed by the school and /or the appropriate authority.

Updating Personal Information

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

Security

- All staff at our school will be provided with up to date professional development in relation to Privacy, will be provided with and made aware of Department of Education and Training Privacy Bulletins and other information as they become available, and will made aware of, and reminded of their individual and our collective duty of care regarding Privacy as required.
- While Privacy legislation is detailed, practising privacy involves:
 - **COLLECTING** only information the school needs.
 - **INFORMING** people why you need the information and how we will use it.
 - **DISCLOSING** only the information that is necessary for the purpose of the service.
 - **ACCESSING** – providing people with access to their own records.
 - **SECURING** information against unauthorised use or disclosure.
- All information collected at our school (including enrolment, excursion and medical permission forms etc) will be subjected to the above principles.
- All collected information at our school will be retained in secure files or either disposed of or transferred to the Public Record Office of Victoria after use consistent with the Public Record Office Standard (PROS) 01/01.
- All relevant information and records relating to students (eg: enrolment forms, consent forms, assessments, psychological reports, academic reports etc) will all be retained in secure storage on school premises.
- All electronic data will be maintained, stored and transmitted in accordance with Department of Education and Training's requirements and expectations. A link to the Department's Privacy policy will be included on the Dimboola Primary School website.
- All requests (including requests by staff) for information stored at school must be made to the principal or his/her delegate.
- Under no circumstances will personal private information be disclosed to unauthorised people.
- The school information published on the school's web sites will be monitored by the Business Manager.
- Permission to release student photographs for the newsletter (internal) or external publications / media should be obtained in writing by every parent. The school cannot be held responsible for public photographs of school activities being published in the media or placed on social media sites.

Evaluation:

To be reviewed as required by developments in relevant legislation or DET requirements.