



Williamstown Primary School

Information Privacy Policy

1. BACKGROUND

Personal information is collected and used by Williamstown 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; and,
- comply with statutory and/or other legal obligations in respect of staff.

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. Information privacy principles create rights and obligations about personal and health information; however these only apply when they do not contravene any other Act of Parliament. In most cases there will be no contradiction as the relevant action falls within one of the exceptions within the information privacy principles.

Schools frequently receive requests for information from a variety of sources. Whilst the first consideration is always privacy legislation, there are a number of situations in which information sharing is lawful.

2. PURPOSE

This policy clearly sets out how personal information is collected, used, disclosed and updated.

The use of the School's information and communications technologies (ICT), by staff and students is also directed by:

- Department of Education and Training's Acceptable Use Policy for Internet, Email and other Electronic Communications;
- Department of Education and Training's IT Security Policy.

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

3. 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 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.

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

"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 (DET). Information provided to a School through job applications is also considered staff information.

"School" is Williamstown Primary School

4. PROCEDURES FOR IMPLEMENTATION

The 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, that the person seeking information is entitled to access the information. Where there is any uncertainty, advice should be sought from the Legal Services Unit.

4.1 Collection of personal information

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

4.2 Use and disclosure of the personal information provided

4.2.1 The purposes for which the School uses personal information of students and parents include:

- keeping parents information about matters related to their child's Schooling
- looking after students' education, 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.

4.2.2 The purposes for which the School uses personal information of job applications, 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.

4.2.3 The School will use and disclose personal information about a student, parent and staff when:

- it is required for 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.

4.2.4 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.

4.3 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 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.

- 4.3.1** Williamstown Primary School will generally seek the consent of the student's parents and will treat consent given by the parent as consent given on behalf of the student.

4.4 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 the Public Records Act and the Freedom of Information Act.

4.5 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 principal.

4.6 Information collected

The Williamstown Primary School website (through its Internet Service Provider), web server and network file servers makes records of usage and some personal details. The usage and disclosure of this information is covered by Clause 4.2 of this policy.

Once the personal information is no longer required, for the purpose for which it was collected, it will be securely disposed of.

Should the School receive a complaint about personal information privacy this will be investigated in accordance with the DET's Privacy Complaints Handling Policy. Please also refer to the School's Addressing Complaints and Concerns Policy.

4.7 Management

The School's *Information Privacy Policy* will be provided to anyone who requests a copy.

It will also be available on the public pages of 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 in conjunction with the business Manager.

Reference:

www.education.vic.gov.au/School/principals/spag/governance/Pages/privacy.aspx

5. REVIEW AND POLICY HISTORY

This policy is due for formal review in July 2019 although it may be changed at any time as required after approval by School Council and the Principal or if guidelines change (latest update mid Dec 2015).

Policy History

Version Approval Date	Summary of Changes
August 2003	New Policy
May 2004	Update
August 2013	Update. For noting
April 2015	Update (name change)
July 2016	Update (Dec 2015)