



INFORMATION PRIVACY POLICY

1. BACKGROUND

1.1 Abbotsford Primary School is required by law to protect the personal and health information the School holds.

1.2 Victorian privacy laws, the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001*, and the *Charter of Human Rights and Responsibilities Act 2006* provide for the protection of an individual's personal and health information and privacy.

1.3 The Information Privacy Principles in the *Privacy and Data Protection Act 2014* apply to Abbotsford Primary School, and govern how personal information may be collected, used or disclosed. The *Health Records Act 2001* also provides for principles that govern how health information may be collected, used or disclosed. Broadly speaking, these principles aim to protect an individual's privacy, while recognising the need for organisations to collect, use and disclose personal information. The principles include:

Collection:

An organisation:

- can only collect your personal information if it is necessary for one or more of its functions or activities.
- must collect information only by lawful and fair means and not in an unreasonably intrusive way.
- must provide you notice of the collection, including such things as the purpose of collection and how you can access the information.

Use and Disclosure:

Personal information can generally only be used and disclosed:

- for the primary purpose for which it was collected;
- for a secondary purpose that you would reasonably expect; or
- with your consent.

However, there are other circumstances in which personal information can be used or disclosed, including to protect the health, safety or welfare of students.

Data Quality:

An organisation must keep personal information accurate, complete and up to date.

Data Security:

Organisations must:

- protect your personal from misuse, loss, unauthorised access, modification or disclosure;
- take reasonable steps to destroy or permanently de-identify your personal information when it is no longer needed.

Openness:

Organisations are required to have clearly expressed policies on the way we manage personal information. This Privacy Policy is the principal document that sets out how Abbotsford Primary School manages personal information.

Access and Correction:

You have a right to seek access to your own personal information and to make corrections if necessary. However an organisation may refuse to allow access in some circumstances, for example where disclosure might threaten someone's safety.

Sensitive Information:

Sensitive information includes your racial or ethnic origin, political opinions and membership of political associations, religious or philosophical beliefs, membership of professional or trade associations or trade unions, sexual preferences or practices, and criminal record. The law puts special restrictions on its collection.

More information on your rights under the Privacy and Data Protection Act is available on the website of the Commissioner for Privacy and Data Protection (www.cpdp.vic.gov.au).

2. DEFINITIONS

2.1 *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 determined from the information or opinion. For example this includes all paper and electronic records, photographs and video recordings.

2.2 *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.

2.3 *Parent/carer* 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.

2.4 *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.

3. COLLECTION OF PERSONAL AND HEALTH INFORMATION

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

3.2 Personal and health information is collected and used by Abbotsford 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 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, and
- comply with laws that impose specific obligations regarding the handling of personal information.

4. USE AND DISCLOSURE OF THE PERSONAL AND HEALTH INFORMATION PROVIDED

Students and Parents:

4.1 The purposes for which the School uses personal and health information of students and parents/carers include:

- keeping parents and carers 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.

Staff

4.2 The purposes for which the School uses personal and health 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.

4.3 The School will use and disclose personal or health information about a student, parent/carer 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.

4.4 The School can disclose personal or health 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. SENSITIVE INFORMATION

5.1 *Sensitive information* includes your racial or ethnic origin, political opinions and membership of political associations, religious or philosophical beliefs, membership of professional or trade associations or trade unions, sexual preferences or practices, and criminal record. The law puts special restrictions on its collection.

5.2 In order to understand and support the educational, social and health needs of our students Abbotsford Primary School collects information in regards to:

- emergency contacts
- student background information
- religious status
- immunisation status
- visa status (if applicable)
- parental occupation group codes
- data about student learning

6. CONSENT

6.1 Where consent for the use and disclosure of personal information is required, the school will seek consent from the appropriate person.

6.2 In the case of a student's personal information, the school will seek the consent from the student and/ or parent/carer depending on the circumstances and the student's mental ability and maturity to understand the consequences of the proposed use and disclosure. Abbotsford Primary School will generally seek the consent of the student's parents or carers and will treat consent given by a parent or carer as consent given on behalf of the student.

6.3 Abbotsford Primary School has a separate policy with respect to the collection and use of photographs.

7. ACCESSING AND CORRECTING PERSONAL INFORMATION

7.1 A parent/carer, student or staff member may seek access to their personal information, provided by them, that is held by the School.

7.2 Access to other information maybe 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. The School may also refuse to allow access in some circumstances, for example where disclosure might threaten someone's safety.

8. UPDATING PERSONAL INFORMATION

8.1 The School aims to keep personal information it holds accurate, complete and up-to-date. A person may update their personal information by communicating with the school in writing the required changes/updates.

9. SECURITY

9.1 School staff and students have use of information communication technologies (ICT) provided by the School. This use is directed by:

- DE&T's Acceptable Use policy for Internet, email, and other electronic communications.
- DE&T's IT Security Policy

10. COMPLAINTS ABOUT PRIVACY

10.1 Should the school receive a complaint about personal information privacy this will be investigated in accordance with Department of Education's Privacy Complaints Handling Policy.

11. IMPLEMENTATION

11.1 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.

12. EVALUATION

This policy was ratified by the Abbotsford Primary School Council in November 2017.

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