

Privacy Policy

(Ratified by School Council: May 2020)

POLICY:

All staff of Glen Waverley Primary School are required by law to protect the personal and health information the school collects and holds.

The Victorian privacy laws, the *Information Privacy Act 2000* and the *Health Records Act 2001*, provide for the protection of personal and health information.

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

GUIDELINES:

- Balance the public interest in the free flow of information, while protecting personal and health information
- Empower individuals to manage, as far as practical, how their personal and health information is used
- Promotes responsible, open and accountable information handling practices
- Regulate personal information handling by applying a set of information privacy principles to personal and health information. These information privacy principles are binding and a contravention of the principles is “an interference with the privacy of an individual”, which may result in the imposition of a fine.

IMPLEMENTATION:

Students and parents

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.

Staff

The purposes for which the school uses personal information of job applicants, staff members 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, 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
- 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
- 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.

Glen Waverley 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.

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.

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 Administration Staff, either in person, in writing or electronically via Compass or email notification.

Security

- School staff and students have use of information and communications technologies (ICT) provided by the school. This use is directed by:
- acceptable use policy for Internet, email and other electronic communications
- Department of Education and Early Childhood Development IT security policy.

Web sites

Information collected

Glen Waverley Primary Schools' web and web server makes a record of:

- the Internet protocol (IP) address of the machine connecting to the website
- the top level domain name (for example .com, .gov, .au, .uk etc).

Complaints under privacy

Should the school receive a complaint about personal information privacy this will be investigated in accordance with the Department of Education and Early Childhood Development privacy complaints handling policy.

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.

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 (DE&T). Information provided to a school through job applications is also considered staff information.

RELATED LEGISLATION:

- Children, Youth and Families Act 2005 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Family Law Act 1975 (Cth)
- Freedom of Information Act 1982 (Vic)
- Health (Infectious Diseases) Regulations 2001
- Health Records Act 2001 (Vic)
- Information Privacy Act 2000 (Vic)
- Social Security (Administration) Act 1999 (Cth)

RELATED POLICIES:

- Mandatory Reporting Policy
- Duty of Care Policy
- Enrolment Policy
- ICT Usage & Cyberbullying Policy
- Merit & Equity Policy
- Staff Recruitment and Professional Learning Policy
- Volunteers and Visitors Policy
- Working with Children Policy

POLICY EVALUATION:

This policy will be reviewed every two years by the Education Committee (School Council).

DUE DATE FOR REVIEW:

This policy is due for review in March 2022