

Warragul Primary School

PRIVACY

POLICY

Rationale:

Warragul Primary School routinely collects personal and health information about students families and staff. By law, the school must protect such information. The Victorian privacy laws, the *Information Privacy Act 2000* and the *Health Records Act 2001* provide for the protection of personal and health information of all Victorians.

Aims:

To ensure that Warragul Primary School practices and procedures protect the personal and health information collected by the school.

To **collect** only the information needed; to **inform** the person why the information is needed and how it will be used; to **disclose** the information only as necessary and only for the purposes associated with the work of the school; to **secure** the information against unauthorised use and disclosure by placing restrictions on access to the information the school holds.

Purposes:

WPS collects personal and health information to:

- Provide services, or to carry out the school's statutory functions
- Assist the school and its staff in fulfilling 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 regarding the handling of personal information
- 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.

Purpose of information collection:

The purposes for which the school **uses or discloses personal information of students and parents** includes:

Students and families:

- Keeping families informed about matters related to their child's schooling
- Looking after student's educational, social and health records
- Celebrating the efforts and achievements of students
- Day to day administration
- Satisfying the school's legal requirements
- Allowing school to discharge its duty of care

Staff, Job applicants and Contractors:

- Assessing suitability for employment
- Administering the individual's employment or contract
- Insurance purposes (eg: public liability, 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.

Implementation:

Consent:

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.

Warragul 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.

A parent, student or staff member may seek **access to their personal information**, provided by them, that is held by the school.

Access to Information:

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

Information Storage and Transfer:

Warragul Primary School will have **central student files in both electronic and hardcopy formats**. These files will be stored in secure lockable storage. These files will contain

- enrolment information,
- custody/access information,
- medical information,
- copies of referrals to student support or outside agencies,
- confidential discussion notes and similar information.
- A record of access to files will be maintained by the school administration.
- ***The hardcopy files will be archived at the end of year 6 for periods of time following the archive regulations for the various information.***
- ***The electronic files will be archived on computer at the end of year 6 or when a child transfers out.***

Warragul Primary School may also have **classroom student files** maintained by teachers. These files are transferred from class teacher to class teacher for the start of a new school year. These files should be stored in a lockable filing cabinet.

These files may contain:

- Student Learning Plans,

- Student Reports,
- Individual assessments and results,
- School Reports,
- work samples etc....
- ***Work samples should be removed and either given to the child or disposed of appropriately when no longer relevant to the learning plan goals and strategies.***

Warragul Primary School will store **staff personnel files** in a lockable fire proof filing cabinet. Access to these files is governed by DE&T policy. Staff may access their own files under direct supervision of the Principal or nominee and may not remove or add to the file

Where a **student** transfers to another school, the file will be posted or transferred by school staff to school staff. ***A copy of the file will be archived at Warragul Primary School.***

Where a **staff member** transfers to another school, the file will be sent by registered mail or transferred by Principal to Principal.

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

- Department of Education and Training's acceptable use policy for Internet, email and other electronic communications
- Department of Education and Training IT security policy.
- Web sites

The Warragul Primary School web site is hosted by Netspace. Netspace is a private company which by law is responsible for the security of the website. This includes registering access of the Internet protocol (IP) address of the machine from connecting to the website and the date and time of connection for statistical purposes.

Complaints:

Should the school receive a **complaint about personal information privacy** this will be investigated in accordance with the Department of Education and Training's 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.

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

This policy was last ratified by School Council in...

September **2010**