

SCHOOL PRIVACY POLICY BRUNSWICK EAST PRIMARY

1. Scope

This policy applies to members of school staff and the school council at Brunswick East Primary School. This policy will be made available on request.

2. Review date

This policy shall be reviewed in 2009 and updated if required.

3. Background

All staff of Brunswick East 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 Acts establish standards for the collection, handling and disposal of personal or health information.

These laws are intended to:

- Balance the public interest in the free flow of information, while protection personal, and health information.
- Empower individuals to manage as far as practicable, how their personal information is used.
- Promote responsible, open and accountable information handling practices.
- Regulate personal information handling by applying a set of information privacy principles to personal and health information.

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

4. 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, audio recordings, 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.

5. Policy context

Personal information is collected and used by Brunswick East 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, and
 - comply with laws that impose specific obligations regarding the handling of personal information.
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6. Collection of personal information

The school collects and holds personal information about students, parents and staff. Information may be stored and secured in different ways depending on whether it is a paper or electronic record. Electronic information which includes photographs, videos or digital images may be stored in various formats including, on a computer hard drive, disk, CD-Rom, DVD or cassette (e.g. VHS video tape)

7. Use and disclosure of the personal information provided

Students and parents

7.1 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

7.2 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.

- 7.3 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.

- 7.4 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.

- 8. 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.**

- 8.1** Brunswick East Primary School will specifically seek the consent of the student's parents for intranet or website use of student images and will treat consent given by the parent as consent given on behalf of the student. BEPS uses particular DE&T forms filled out for the purposes acquiring consent from parents.

9. 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. The school

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.

10. 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 school office or completing a '**change of family details**' form and submitting it to the office personally or via email. This form can be accessed on the school web page or picked up at the office.

11. Security

- 11.1** 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.

- 11.2** Records containing personal information will be kept from public view and secured. Highly sensitive information will be kept separate from general files. BEPS uses DE&T's **disposal schedule** that identifies what is kept and for how long it is kept on the premises. This varies according to the type of document. E.g. Attendance Rolls are disposed of after 6 years and student absence notes are disposed of after 2 years; Secondary Placement forms disposed of after 2 years, Suspension and Welfare Records disposed of after 2 years etc.

Web sites

11.3 Information collected

Brunswick East Primary School web and web server makes a record of:

- School Newsletter
- Teacher Home Pages
- Student's work
- School calendar

Connections:

- web address: <http://www.beps.vic.edu.au>
- email address: brunswick.east.ps@edumail.vic.gov.au

13. 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 Training's privacy complaints handling policy.

It is highly recommended and general practice to go to the school with any complaint.

If complainant is not satisfied with the investigation and response *about personal information*, consultation can be made with the regional office of the Department of Education and Training or they can ask Privacy Victoria to accept the complaint.

If the complaint is *about health information*, a person can make the complaint to the Office of the Health Services Commissioner (OHSC) at any time, without having to first raise the issue at school or regional office.

This policy was last ratified by School Council on the 30th October 2006