

# PRIVACY

## POLICY

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

This policy was endorsed by school council on (date).

This policy shall be reviewed in 2014 and updated if required.

All staff of Murchison 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 Health Records Act 2001, provide for the protection of personal and health information.

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

### **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 reasonable be 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 (DEECD). Information provided to a School through job applications is also considered staff information.

### **Policy Context**

Personal Information is collected and used by Murchison 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 DEECD 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.

### **Collection of Personal Information**

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

## **Use and disclosure of the personal information provided**

### **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 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.

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.

Murchison 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 the office manager.

### **Images/ Photos**

At Murchison Primary School we celebrate the efforts of our students by mentioning their participation in school events and their achievements in our school newsletter. Occasionally photographs of students are included. On the school website there are images of students but we try to use group photographs and we identify a student only by their first name, class or year number. If an individual photograph and full name is required, we will only publish this on the website with the consent of the parent and student.

We allow parents to record school performances as this creates a memento that can be shared with other family members. Video or audio recording is permitted at school under a copyright license paid by DEECD on behalf of all government schools (AMCOS/ARIA license).

We invite local press to school events and they are expected to follow school policy on the publication of photographs of students. When a story is about an individual achievement we will always seek your consent before passing information or photographs to the press for publication. Unless a story features an individual child only group photos are published and students' identified by first name and year only.

### **Security**

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

- DEECD's Acceptable Use policy for Internet, email, and other electronic communications.
- DEECD's IT Security Policy
- Murchison Primary School's Technology Policy

### **Web Sites**

Murchison Primary School has a Wikispace that we use as our school website. Using this educational platform (wikispaces) enables us to have a site that does not contain ads or cookies. We do use ClustrMaps to keep track of how many people access our wikispace and their general location. ClustrMaps do not pass information to any third parties, are not cookies or spyware and no software is downloaded.

### **Complaints under Privacy**

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

### **Further Information about this policy**

If you require additional information about this policy or how the school complies with the privacy legislation please feel free to contact Murchison Primary School on (03) 58 262 391 or email [murchison.ps@edumail.vic.gov.au](mailto:murchison.ps@edumail.vic.gov.au)

### **Evaluation:**

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

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

