

Monbulk College

Policy:

Privacy

Date Ratified:

March 2018

Date of last Review:

February 2018

BASIC BELIEFS:

Monbulk College believes that:

- Privacy protects individuals from harm resulting from misuse of their information.
- They have a duty to respect and implement privacy legislation around information sharing, and will:
 - collect only the information that the College needs
 - inform individuals why the information is needed
 - disclose only that information that is necessary and in accordance with the guidelines
 - provide individuals with access to their own records upon written request
 - secure information against unauthorised use or disclosure.
- Information that identifies a person is personal information, including photographs or digital images of students.
- A parent/guardian, student or staff member may seek access to their personal information that is held by the College.

AIMS:

Monbulk College:

- will collect personal and health information when this is necessary or relevant to provide a required function or service
- collects, handles, uses, stores and discloses personal and health information on staff and students in a manner compliant with the Health Records Act (2001) and the Information Privacy Act (2000).
- Access to information maybe restricted according to the requirements of laws that cover the management of College records. These include the Public Records Act and the Freedom of Information Act.

IMPLEMENTATION PROCEDURES:

- A privacy permission form will be included in all College enrolment packages annually, for student and parental permission for all mention of student work or achievements in the media.
- All data will be maintained, stored and transmitted in accordance with DET requirements and expectations.
- All records will be maintained and kept up to date by the Office staff.
- All requests (including requests by staff) for information stored at the College must be made to the Principal or their delegate, including requests from the local Council.
- In all cases, before providing information about students, principals and teachers must be satisfied
 - of the identity of the person seeking information
 - that the person seeking information is entitled to access the information

- Under no circumstances will personal private information be disclosed to unauthorised people.
- Access to personal private information is limited to relevant personnel
- Further permissions will be sought where a student may be individually identified in the media, for example, where their photograph will be published with their name.

References

<http://www.education.vic.gov.au/school/principals/spag/safety/pages/requestinfo.aspx>

Approved By	School Council
Approval Authority (Signature & Date)	<i>M J Uren</i> 21/3/18
Responsible for Review	Assistant Principal – Policy and Planning Sub-Committee
Next Review Date	February 2022 (4 years)

Background

All staff of Monbulk College are required by law to protect the personal and health information the College 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 Monbulk College has under other laws. Essentially this policy will apply when other laws do not regulate the use of personal information.

Policy context

Personal information is collected and used by Monbulk College to:

- provide services or to carry out the College's statutory functions
- assist the College services and its staff to fulfil its duty of care to students
- plan, resource, monitor and evaluate College 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 College, its services, or its staff, and
- comply with laws that impose specific obligations regarding the handling of personal information.

Definitions

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 determined from the information or opinion. For example, this includes all paper and electronic records, photographs and video recordings.
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.
3. **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.
4. **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.
5. **Staff** in this policy is defined as someone who carries out a duty on behalf of the College, paid or unpaid, or who is contracted to, or directly employed by the College or the Department of Education and Training (DET). Information provided to a College through job applications is also considered staff information.

Collection of personal information

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

Use and disclosure of the personal information provided

1.1 The purposes for which the College 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 College's legal obligations, and
- allowing the College to discharge its duty of care.

1.2 The purposes for which the College 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 College's legal requirements, and
- investigating incidents or defending legal claims about the College, its services, or staff.

1.3 The College 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.

1.4 The College 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.

1.5. Where consent for the use and disclosure of personal information is required, the College will seek consent from the appropriate person. In the case of a student's personal information, the College 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.

Updating personal information

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

Security

College 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.

Complaints under privacy

Should the College 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.