

Rationale

All staff at Kerrimuir 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 Kerrimuir Primary School has under other laws. Essentially this policy will only apply when other laws do not regulate the use of personal information.

Definitions

- Personal Information means information or opinions that are recorded in any form 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 personal 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 classified as personal information about an individual.
- In this policy *personal information* refers to personal information, health information and sensitive information unless otherwise stated
- Parent in this policy in relation to a child includes step parent, an adoptive parent, a foster parent, or a person who has custody or daily care of the child
- Staff in this policy is defined as someone who carries out a duty on behalf of Kerrimuir Primary School, paid or unpaid, who is contracted to, or directly employed by Kerrimuir Primary School or the Department of Education and Early Childhood Development. Information provided to Kerrimuir Primary School through job applications is also considered staff information.

Policy Context

Personal information is collected and used by Kerrimuir Primary School to:

- Provide services or to carry out Kerrimuir's statutory functions,
- Assist Kerrimuir 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 Kerrimuir, its service or its staff
- Comply with laws that impose specific obligations regarding the handling of personal information

Collection of Personal Information

Kerrimuir collects and holds personal information about students, parents and staff.

Use and disclosure of the Personal Information Provided

Students & Parents

The purpose for which Kerrimuir uses personal information of students and parents may include:

- Keeping parents informed about matters related to their child/children's schooling,
- Providing for students educational, social and health needs
- Celebrating the efforts and achievements of students
- Day to day administration,
- Satisfying the school's legal requirements
- Allowing the school to discharge it's duty of care

Staff

The purpose for which Kerrimuir uses personal information of job applicants, staff members and contractors include:

- Assessing the suitability for employment
- Administering the individual's employment contract
- For insurance purposes, such as public liability or work cover
- Satisfying the School's legal requirement
- Investigate incidents or defend any legal claims against Kerrimuir, its service or its staff

Kerrimuir Primary 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 purpose 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 and there is no reason to believe they would object to the disclosure

Kerrimuir Primary 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 law enforcement purposes

Where consent is used and disclosure of personal information is required, the staff members at Kerrimuir Primary School will seek consent from parents/guardians. Kerrimuir Primary School will generally seek consent from the students' parents or guardians and will treat consent given by parents or guardians as consent given on behalf of the student.

Accessing Personal Information

- A parent/guardian, student or staff member may seek access to their personal information, that they have provided, that is held by Kerrimuir Primary School.
- Access to other information may be restricted according to the requirements of laws that cover management of school records. These include the Public Records Act and the Freedom of Information Act.

Updating Personal Information

Date: September 2016

Ratified: October 2016

Review: Sept 2019

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

Security

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

- *KPS Acceptable Use policy for the Internet, email and other electronic communications*

Complaints Under Privacy

Should the staff at Kerrimuir Primary School receive a complaint about the privacy or handling of personal information this will be investigated in accordance with the DEECD's *Privacy Complaints Handling Policy*.

Evaluation:

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