



# Privacy Policy



All staff of Footscray West Primary School are required by law to protect the personal and health information the school collects and holds.

The Victorian privacy laws, the Privacy and Data Protection Act 2014 and the *Health Records Act 2001*, provide for the protection of personal and health information.

The privacy laws do not replace any existing obligations Footscray West 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 recorded information or opinion, whether true or not, about a person whose identity is apparent, or can reasonably be ascertained, from the information. The information or opinion can be recorded in any form.

Health information means information or opinion about a person's physical, mental or psychological health or disability that is also personal information. This includes information or opinion about a person's health status and medical history.

Sensitive information means information or opinion (that is also personal information) about a person's racial or ethnic origin, political opinions, religion, philosophical beliefs, sexual preferences or practices, membership of a political association, professional/trade association or trade union, or an individual's criminal record.

***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 (DET). Information provided to a school through job applications is also considered staff information.

## Policy context

Personal information is collected and used by Footscray West 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 the Department's 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

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.

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.

The school will use and disclose personal information about a student, parent or staff when:

- it is required for general administration duties and statutory functions
- the purpose 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 consent from the parent. Footscray West Primary School will generally seek 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 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.

### **Updating personal information**

The school aims to keep personal information it holds accurate, complete and up-to-date. A person should update their personal information by contacting the principal or delegate.

### **Security**

School staff and students have use of digital technologies provided by the school. This use is directed by:

- DET's acceptable use policy for hardware, software, network systems, file sharing, online environments, Internet, email and other electronic communications
- DET's ICT security policy.

### **Web sites**

#### **Information collected**

- Footscray West Primary School's web and web server does not make any records when accessed by visitors.

### **Complaints under privacy**

Should the school receive a complaint about personal information privacy this will be investigated in accordance with the Departments *Information Privacy Complaints Handling Policy*.

### **Evaluation:**

- This policy will be reviewed annually.