



PRIVACY and CONFIDENTIALITY POLICY

Rationale:

All staff at Lorne P-12 College are required by law to protect the personal and health information the school collects and holds. Protecting the personal and health information of staff and students is a serious moral, professional and legal responsibility that our school recognises and upholds.

Aim:

To collect, handle, use, store and disclose personal information of staff and students in a manner compliant with the Health Records Act and the Information Privacy Act, as well as other laws that impose specific obligations in regard to handling personal and health information that directly or indirectly identifies a person. The privacy laws do not replace any existing obligations Lorne P-12 College has under other laws.

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 reasonably be determined from the information or opinion. For example this includes all paper and electronic records, photographs and video recordings. In this policy *personal information* refers to personal information, health information and sensitive information unless otherwise specified.

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.

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 identified 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 as staff information.

Implementation:

- Personal information is collected and used by Lorne P-12 College 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 DET reporting requirements,
 - Comply with statutory and or other legal claims against the school, its services or its staff, and
 - Comply with laws that impose obligations regarding the handling of personal information.

- The school collects and holds personal information about students, parents and staff. 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 the suitability for employment,
 - Administering the individual's employment or contract,
 - For insurance purposes, such as 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 member 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.
 - 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 parent and will treat consent by the parent as consent given on behalf of the student.
 - 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*.
 - 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 Principal or delegate.
 - School staff and students have use of information communication technologies (ICT) provided by the school. The use is directed by :
 - DET's *Acceptable Use policy for internet, email, and other electronic communications*
 - DET's *IT Security Policy*.
 - Should the school receive a complaint about personal information privacy this will be investigated in accordance with DET's *Privacy Complaints Handling Policy*.
 - All staff at our school will be provided with up to date professional development in relation to Privacy, will be provided with and made aware of DET's Privacy policy guidelines.
 - While Privacy legislation is detailed, practising privacy involves:
 - COLLECTING** only information the school needs.
 - INFORMING** people why you need the information and how we will use it.
 - DISCLOSING** only the information that is necessary for the purpose of the service.
 - ACCESSING** by providing people with access to their own records.
 - SECURING** information against unauthorised use or disclosure.

- All information collected at our school (including enrolment, excursion and medical permission forms etc.) will be subjected to the above principles.
- All collected information at our school will be retained in either the fireproof safe (in the case of staff), or in the secure storage in the office as appropriate, or either disposed of or transferred to the Public Record Office of Victoria after use consistent with the Public Record Office Standards.
- All relevant information and records relating to students (e.g. enrolment forms, consent forms, assessments, psychological reports, academic reports etc) will all be retained in secure storage in the office.
- All records will be maintained and kept up to date by office administration staff.
- All requests for information (other than brief, easy to retrieve information solely about the person making the request, or standard information requests from parents about their children, or information requested by staff in the course of their work about students) will be referred to the principal and possibly the Freedom of Information Unit.
- Under no circumstances, will personal private information be disclosed to unauthorised people.

Evaluation:

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

