

# Long Bay Primary School

## Privacy Policy

NAG 6



### Rationale

The Privacy Act grants everyone the right to privacy of information concerning themselves. The Board is bound to uphold that right by putting in place guidelines and procedures to comply with the legislation on privacy.

### Purpose

- To promote and protect the privacy of individual students, staff, parents and all others in the collection, use, storage, security and disclosure of information about them.
- To have appropriate procedures for access by individuals to information relating to themselves that is held by the school.
- To establish guidelines for determining the accuracy of information and procedures for its correction if need be.
- To promote and protect the privacy within the school setting of students, staff, parents and any others from whom and about whom information is collected by the school or is transferred into the school's possession.

### Privacy Officer

The Principal will be the Privacy Officer for the school. The Privacy Officer will:

- Establish procedures to enable compliance with the information privacy principles set out in section 6 of the Privacy Act 1993, as well as other relevant provisions in the legislation
- Facilitate access and correction requests in support of any individual
- Deal with all requests for information from other agencies.
- Liaise with the Privacy Commissioner should there be a complaint

### Guidelines

In accordance with the Privacy Act 1993, the following guidelines shall be used to achieve the above purposes. Personal Information is defined in the Act as "information about an identifiable individual".

Note: The School noted within the policy refers to the Privacy Officer or delegated personnel.

#### 1 Purpose Of Collection Of Personal Information

- 1.1 Information is collected for a specific purpose related to a function or activity being carried out by the school and it is necessary for that purpose (such as enrolment forms, camp medical forms, statutory declaration).
- 1.2 Forms used for collecting information should be reviewed regularly to ensure they are relevant and comply with requirements of the Privacy Act.

#### 2 Source Of Personal Information

As far as is practicable, personal information will be collected from the individual concerned (i.e. staff member, student or parent/guardian) unless

- it is publicly available
- permission is gained
- the individual concerned cannot be identified

#### 3 Collection of information from individuals

When collecting personal information from an individual, reasonable steps will be taken to ensure that the person is aware:

- of the collection, purpose, location and availability of information
- that if the information is required by law, the consequences of refusing to provide the information
- the right of access to and correction of personal information.

#### **4 Manner of collection of personal information**

Personal information will be collected in a lawful and fair manner.

#### **5 Limits on Use / Disclosure of Personal Information**

The school shall not use/disclose personal information obtained in connection with one purpose for another purpose unless:

- it is publicly available
- authorised by the individual concerned e.g. enrolment information
- being available to prospective schools
- the purpose is directly related to the original purpose it was collected for
- the person is not identified
- non-compliance is necessary to avoid prejudice to the law, e.g. custodial arrangements
- it is necessary to protect the lives or health of students or individuals, e.g. medical information of a serious nature

The onus is on the school to prove the exception applies. Advice may be sought from the office of the Privacy Commissioner.

Any staff, parent/volunteer including staff support workers who support the community in any way must abide by the privacy principle set out in this policy. Nothing in this clause shall in any way inhibit the parent, volunteer or workers communicating information about a child / children with the appropriate staff on a need to know basis.

#### **6 Unique Identifiers**

- 6.1 The school will only assign a unique identifier to staff members where it is necessary to carry out a particular function (e.g. security alarm codes, computer passwords).
- 6.2 The chosen identifier will not be connected with any other agency (e.g. pin numbers for bank accounts).
- 6.3 Where appropriate, the unique identifier will be changed at least annually.  
If unique identifiers become known to other parties, they must be changed immediately.

#### **7 Storage and security of personal information**

- 7.1 Reasonable steps will be taken to ensure that all personal information is protected against loss, unauthorised access, erasure, modification or disclosure.
- 7.2 The School will ensure that only authorised people are given keys, codes and passwords to access personal information held on computers, printers, files etc. It will ensure that personal information is not in public view or accessible to unauthorised people, even inadvertently.

#### **8 Access to personal information**

Subject to the reasons listed below, individuals for whom the school holds personal information are entitled to have access to that information within 20 days of any request (this includes parents/legal guardians having access to information about their children). This could be in the form of a photocopy, opportunity to inspect the information, transcript, extract, or verbal information.

On receipt of the information the individual can request a correction of that information.

##### Reasons for Refusing Requests for Information

The Privacy Officer may refuse to disclose any information requested as above if:

- it would involve disclosure of another person's affairs
- the material is evaluative and would breach an express or implied promise
- the information would be likely to prejudice the physical or mental health of that individual
- the information would be contrary to that person's best interest
- the disclosure would be likely to prejudice the safe custody of a child
- medical or legal professional privilege would be breached
- the information is subject to an obligation of confidence
- the request is frivolous and the information trivial
- the information is not readily available, or does not exist, or cannot be found
- the information is not held by the school

**9 Correction of Personal Information**

- 9.1 The school takes reasonable steps to make sure personal information is correct, up to date, relevant and not misleading.
- 9.2 If an individual requests a correction to personal information which is shown to be incorrect, the school must correct it.
- 9.3 If there is uncertainty between the two parties about its correctness of the information the individual has a right to attach a statement setting out his or her version.

**10 Accuracy of Personal Information**

Information collected about staff, students, parents/legal guardians will be regularly reviewed to ensure, as far as is practical, that it remains accurate, up to date, complete, and is not misleading e.g. teacher qualifications for payroll and promotion, addresses of students.

**11 Retention of Personal Information**

Information which is no longer required for the purposes it was collected (e.g. curriculum vitae of job applicants), should be destroyed or returned to the individual unless consent to retain the material is gained, or it is required by law to be retained for a specified period of time.

**12** Any person who feels that their privacy or their dependent’s privacy has been breached, should inform the Privacy Officer who will undertake a thorough investigation of the allegation and report back to the person as soon as possible. If it is not felt appropriate to inform the Privacy Officer, the complainant should inform the Chairperson of the Board of Trustees.

**13** Discussions regarding individual students and staff must be done excluding the public at a Board of Trustees meeting.

**Approval**

When the Board approved this Policy it agreed that no variations of this Policy or amendments to it can be made except with the approval of the Board.

A copy of this policy is to be included in the School Policy Manual, a copy of which shall be available to all staff, and to students and parents at their request.

<b>DATE:</b> 2020 <b>Next Review:</b> 2024	<b>APPROVED BY:</b>	
	<b>PRINCIPAL</b> L. Barton	<b>CHAIRPERSON</b> K. Jackson-Cox