

# Privacy Policy



## **RATIONALE:**

This policy applies to members of the College staff and the College Council at Pakenham Secondary College and will be made available on request. The purpose of this policy is to ensure that information held by the College is protected.

## **STATEMENT:**

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

## **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 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 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 preference, or criminal record that is also classified as personal information about an individual.

**Parent** in this policy in relation to a child, includes a step parent, and 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 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.

## **POLICY:**

***In this policy personal information refers to personal information, health information and sensitive information unless otherwise specified.***

**Personal information is collected and used by Pakenham Secondary College to:**

- Provide services or to carry out the College statutory functions.
- Assist the College and its staff to fulfil its duty of care to students.
- Plan, resource, monitor and evaluate College services and functions.
- Comply with DET 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.
- Comply with laws that impose specific obligations regarding the handling of personal 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**

### **Students and Parents:**

**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.
- Allowing the College to discharge its duty of care.

**Staff:**

**The purposes for which the College 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 public liability or WorkCover.
- Satisfying the College's legal requirements.
- Investigating incidents or defending legal claims about the College, its services or staff.

**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.
- 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 College can disclose personal information for another purpose when:**

- The person consents.
- It is necessary to lessen or prevent a serious or imminent threat to life, health or safety.
- It is required by law or for law enforcement purposes.

*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.*

**ACCESSING PERSONAL INFORMATION**

A parent, student or staff member may seek access to their personal information, provided by them, that is held by the College.

*Access to other information may be 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. Refer to Pakenham Secondary College's "Request for Information about students Policy."*

**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 General Office on 5945 1433.

**SECURITY**

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

- *DET's Acceptable Use Policy for Information, Communications and Technology (ICT) resources.*
- *DET's IT Security Policy*

**COMPLAINTS UNDER PRIVACY**

Should the College receive a complaint about personal information privacy this will be investigated in accordance with *DET's Privacy Complaints Handling Policy*.

Ratified by College Council	16 August 2016
Review Cycle	2 Years
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