

## PRIVACY POLICY

### RATIONALE:

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 Baden Powell College has under other laws. Essentially this policy will apply when other laws do not regulate the use of personal information.

### DEFINITION:

- 1.1 **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 be determined from the information or opinion. For example this includes all paper and electronic records, photographs and video recordings.
- 1.2 **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.
- 1.3 **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.  
In this policy *personal information* refers to personal information, health information and sensitive information unless otherwise specified.
- 1.4 **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.
- 1.5 **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 Early Childhood Development (DEECD). Information provided to a College through job applications is also considered staff information.

### GOALS:

The goal of the Privacy Policy is:

- 2.1 To provide direction as to the collection and use of information related to the necessary functions and activities of Baden Powell College.
- 2.2 To ensure that the practices and procedures implemented at Baden Powell College are informed by the Information Privacy Principles.

- 2.3 To have clear directions related to the collection and use of information provided by families.
- 2.4 To have a standard approach to the notification of the usual use of student images and work

<b>GUIDELINES:</b>
--------------------

Personal Information is collected and used by Baden Powell College to:

- Provide services or to carry out the College statutory functions
  - Assist the College services and its staff to fulfil its duty of care to students
  - Plan, resource, monitor and evaluate College 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 the College, its services or its staff
  - Comply with laws that impose specific obligations regarding the handling of personal information
- 3.1 The form "Primary School Privacy Notice" is provided to all families once a child is enrolled at Baden Powell College. This confidential enrolment form provides details related to emergency contacts, student backgrounds information, religious affiliation, immunisation status, visa status. The form also provides information related to the updating and access of the child's records.
  - 3.2 The College provides an Internet Usage – Student Agreement that students and parents are expected to sign.
  - 3.3 The College will provide information to parents related to the use of student work and photographs.

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, and
- 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 Work Cover, satisfying the College's legal requirements, and

- 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 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 College 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.

**Consent for the use and disclosure of personal information**

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

Baden Powell College will generally seek the 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 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*.

**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 office staff.

## Security

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

- *DEECD's Acceptable Use policy for Internet, email, and other electronic communications.*
- *DEECD's IT Security Policy*

## Complaints under Privacy

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

### IMPLEMENTATION:

- 4.1 At the start of each year a statement related to the College's usual approach to taking and using Student photographs will be published in the College Newsletter to Parents.
- 4.2 **Student Photographs**
  - A form to gain general consent for the use of student images will be provided to parents at the start of each year.
  - A data base will be kept of those families not consenting to the use of student images will be maintained.
  - Prior notification of events that might include the taking of photographs will be provided to families.
- 4.3 As part of induction to Baden Powell College, new staff will be informed as to the expectations related to the privacy policy.
- 4.4 Annual briefings to staff will be conducted in relation to the guidelines and implementation of the privacy policy.

### EVALUATION:

- 5.1 The policy will be reviewed as part of the Baden Powell college's two year review cycle, individually, in teams and with the community in 2014.