Rationale:
- All staff of Gembrook Primary School are required by law to protect the personal and health information the school collects and holds.
- The Victoria privacy laws, the Information Privacy Act 2000, provide for the protection of personal and health information.
- The first consideration is always privacy legislation; however there are a number of situations in which information sharing is lawful. A list of the agencies that can lawfully request information is available as part of the DEECD Privacy Policy.

Aims:
- To protect the privacy of students, families and staff.
- To ensure that information provided about students is only done when lawful and when the identity of the person seeking information is confirmed and when that person is entitled to access the 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 recording.

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.

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.

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 Department of Education and Training (DE&T). Information provided to a school through job applications is also considered staff information.

Policy Context
Personal information is collected and used by Gembrook 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 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

**Implementation:**

**Use and disclosure of the personal information provided**

**Students and parents**
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.

**Staff**
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 Work Cover
- 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 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 school can disclose personal information for another purpose when:
- the person gives consent, or
- it is necessary to lessen or prevent a serious or imminent threat to life, health or safety
- 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 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. Gembrook Primary School 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. Where there is any uncertainty, advice should be sought from the Legal Services Unit.
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 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.

Updating personal information

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 school office

Security

School staff and students have use of information and communications technologies (ICT) provided by the school. This use is directed by:

- Gembrook Primary school and the DEECD acceptable use policy for Internet, email and other electronic communications
- Department of Education and Training IT security policy.

Student, family and staff information will be held in locked storage.

Students will only be identified by their first name in the school newsletter and on the school website.

Images and film of students will only be published with the permission of parents.

Request for use of student images by third parties will be forwarded to parents for permission.

Visitors and Volunteers in the school will be reminded of the need for maintaining privacy of student, family and staff information.

Web sites

Information collected

Gembrook Primary School web and web server may make a record of the IP address and browser type of sites visited by students and staff logged into the school system this includes the Internet protocol (IP) address of websites being visited, the top level domain name (for example .com, .gov, .au, .uk etc).and the machine and user that is connecting to the server.

Complaints under privacy

Should the school receive a complaint about personal information privacy this will be investigated in cooperation with the DEECD Freedom of Information and Privacy Unit.

Ratified 2014
**Evaluation:**
The personal and health information of students, families and staff is secure and only released in response to lawful and legitimate requests.
This policy will be reviewed as part of the three year cycle unless otherwise stated.

**References:**
Lists agencies that can lawfully request information.