

Rationale:

In Victorian Government schools, the management of 'personal information' and 'health information' is governed by the Privacy and Data Protection Act 2014 (Vic) and Health Records Act 2001 (Vic) (collectively, Victorian privacy law).

Lowanna College values the privacy of every person and is committed to protecting all information that is collected.

Aim:

- To explain how Lowanna College collects and manages personal and health information, consistent with Victorian privacy law.
- To inform the school community that information about students can be shared to fulfil the schools' core functions of educating and supporting our students.
- To establish a clarified 'need to know' framework, where school staff share information about students with other staff who need to know as part of their role. This is consistent with Victorian privacy law.

Implementation:

1. Our school collects the following type of information:
 - a. Information about students and their family, provided by students, their family and others;
 - b. Information about job applicants, staff, volunteers and visitors; provided by job applicants, staff members, volunteers, visitors and others.
2. Our school collects information in a number of ways, including:
 - a. In person and over the phone: from students and their family, staff, volunteers, visitors, job applicants and others;
 - b. From electronic and paper documentation: including job applications, emails, invoices, enrolment forms, letters to our school, consent forms (for example: enrolment, excursion, Student Support Services consent forms), our school's website or school-controlled social media;
 - c. Through online tools: such as apps and other software used by our school;
 - d. From any CCTV cameras located at our school.
3. When our school collects information about you, our school takes reasonable steps to advise you of certain matters. This includes:
 - a. The purpose of the collection, and
 - b. How to access, update and correct information held about you.

For information about students and their families, a collection notice is provided to parents (or mature minor students) upon enrolment.
4. Our school may receive information about you that we have taken no active steps to collect. If permitted or required by law, our school may keep records of this information. If not, we will destroy or de-identify the information when practicable, lawful and reasonable to do so.
5. Our school collects information about students and their families when necessary to:
 - a. Educate students;

- b. Support students' social and emotional wellbeing, and health;
 - c. Fulfil legal requirements, including to:
 - i. take reasonable steps to reduce the risk of reasonably foreseeable harm to students, staff and visitors (duty of care);
 - ii. make reasonable adjustments for students with disabilities (anti-discrimination law);
 - iii. provide a safe and secure workplace (occupational health and safety law).
 - d. Enable our school to:
 - i. communicate with parents about students' schooling matters and celebrate the efforts and achievements of students;
 - ii. maintain the good order and management of our school;
 - e. Enable the Department of Education and Training (DET) to:
 - i. ensure the effective management, resourcing and administration of our school;
 - ii. fulfil statutory functions and duties;
 - iii. plan, fund, monitor, regulate and evaluate the Department's policies, services and functions;
 - iv. comply with reporting requirements;
 - v. investigate incidents in schools and/or respond to any legal claims against the Department, including any of its schools.
6. Our school collects information about staff, volunteers and job applicants:
- a. To assess applicants' suitability for employment or volunteering;
 - b. To administer employment or volunteer placement;
 - c. For insurance purposes, including public liability and WorkCover;
 - d. To fulfil various legal obligations, including employment and contractual obligations, occupational health and safety law and to investigate incidents;
 - e. To respond to legal claims against our school/the DET.
7. Our school uses or discloses information consistent with Victorian privacy law, as follows:
- a. For a primary purpose – as defined above;
 - b. For a related secondary purpose that is reasonably to be expected – for example, to enable the school council to fulfil its objectives, functions and powers;
 - c. With notice and/or consent – including consent provided on enrolment and other forms;
 - d. When necessary to lessen or prevent a serious threat to:
 - i. a person's life, health, safety or welfare;
 - ii. the public's health, safety or welfare.
 - e. When required or authorised by law – including as a result of our duty of care, anti-discrimination law, occupational health and safety law, reporting obligations to agencies such as Department of Health and Human Services and complying with tribunal or court orders, subpoenas or Victoria Police warrants;
 - f. To investigate or report unlawful activity, or when reasonably necessary for a specified law enforcement purpose, including the prevention or investigation of a criminal offence or seriously improper conduct, by or on behalf of a law enforcement agency;
 - g. For Departmental research or school statistics purposes;
 - h. To establish or respond to a legal claim.

8. A unique identifier (a CASES21 code) is assigned to each student to enable the school to carry out its functions effectively.
9. When a student has been accepted at, and is transferring to, another Victorian Government school, our school transfers information about the student to that school. This may include copies of the student's school records, including any health information. This enables the next school to continue to provide for the education of the student, to support the student's social and emotional wellbeing and health, and to fulfil legal requirements.
10. NAPLAN is the national assessment for students in years 3, 5, 7 and 9, in reading, writing, language and numeracy.
 - a. When a student transfers to another Victorian Government school, their NAPLAN results can be transferred to that next school;
 - b. Additionally, a student's NAPLAN results can be provided to the student's previous Victorian Government school to enable that school to evaluate their education program.
11. On occasion our school, and the DETs central and regional offices, receive complaints from parents and others. Our school and/or the DETs central or regional offices will use and disclose information as considered appropriate to respond to these complaints (including responding to complaints made to external organisations or agencies).
12. All individuals, or their authorised representative(s), have a right to access, update and correct information that our school holds about them.
13. Our school only provides school reports and ordinary school communications to parents who have a legal right to that information. Requests for access to other student information must be made by making a Freedom of Information (FOI) application through the DETs Freedom of Information Unit (see below).
14. In some circumstances, an authorised representative may not be entitled to information about the student. These circumstances include when granting access would:
 - a. Not be in the student's best interests;
 - b. Breach our duty of care to the student;
 - c. Be contrary to a mature minor student's wishes;
 - d. Unreasonably affect the privacy of another person.
15. School staff may first seek access to their personnel file by contacting the Principal. If direct access is not granted, the staff member may request access through the DETs Freedom of Information Unit.
16. Our school takes reasonable steps to protect information from misuse and loss, and from unauthorised access, modification and disclosure. Our school stores all paper and electronic records securely, consistent with the DETs records management policy and information security standards. All school records are disposed of, or transferred to the Public Records Office Victoria, as required by the relevant Public Records Office Standard.
17. When using software and contracted service providers to manage information, our school assesses these according to the appropriate departmental processes. One example of this is that staff passwords for school systems are strong and updated on a regular basis, consistent with the DETs password policy.

Definitions

Personal information is information or opinion, whether true or not, about a person whose identity is apparent, or can reasonably be ascertained, from the information or opinion – that is recorded in any form. For example, a person's name, address, phone number and date of birth (age). De-identified information about students can also be personal information.

Health information is information or opinion about a person's physical, mental or psychological health or disability, that is also personal information – whether in writing or not. This includes information or opinion about a person's health status and medical history, immunisation status and allergies, as well as counselling records.

Sensitive information is information or opinion about a set of specific characteristics, including a person's racial or ethnic origin, political opinions or affiliations, religious beliefs or affiliations, philosophical beliefs, sexual preferences or practices; or criminal record. It also includes health information.

Staff includes principals, teachers, Student Support Service officers, youth workers, social workers, nurses and any other allied health practitioners and all other staff at our school. This includes employees, agents and service providers (contractors) of the Department, whether paid or unpaid.

Relevant information from the **DEPARTMENT OF EDUCATION AND TRAINING (DET)**

1. ENROLMENT FORM - INFORMATION for PARENTS, GUARDIANS and CARERS

(including privacy collection notice)

The Enrolment Form asks you for personal and health information about your child and your family. This information is collected to enable our school to educate your child and support your child's social and emotional wellbeing and health. Our school is also required by legislation, such as the *Education and Training Reform Act 2006*, to collect some of this information.

Our school relies on you to provide **health information** about any medical condition or disability that your child has, medication your child may take while at school, any known allergies and contact details of your child's doctor. If you do not provide all relevant health information, this may put your child's health at risk.

Our school requires current, relevant information about all **parents, guardians and carers** so that we can take account of family arrangements. Please provide our school with copies of all current parenting plans AND court orders regarding parenting arrangements. Please provide copies of court orders or plans when they change. If you wish to discuss any matters regarding family arrangements in confidence, please contact the principal.

Protecting your privacy and sharing information

The information about your child and family collected through this Enrolment Form will only be shared with school staff who need to know to enable our school to educate or support your child, or to fulfil legal obligations including duty of care, anti-discrimination law and occupational health and safety law. The information collected will not be disclosed beyond the Department of Education and Training without your consent, unless such disclosure is lawful. For more about information-sharing and privacy, see our school's privacy policy at Lowanna College

Our school's use of online tools (including apps and other software) to collect and manage information

Our school may use online tools, such as apps and other software, to collect and manage information about your child. When our school uses these online tools, we do our best to ensure that your child's information is secure. These online tools enable our school to efficiently and effectively manage important information about your child and also to communicate with you. If you have any concerns about the use of these online tools, please contact us.

Emergency contacts

Emergency contacts are those people you nominate for the school to contact during an emergency. Please ensure your nominated emergency contact agrees to you providing their contact details to our school and that they have read the paragraph above. It is important that you inform them that their contact details may be disclosed beyond the Department if lawful.

Student background information

The enrolment form requests information about country of birth, aboriginality, language spoken at home and parent occupation. This information enables the Department to allocate appropriate resources to our school. The Department also uses this information to plan for future educational needs in Victoria and shares some information with the Commonwealth government to monitor, plan and allocate resources.

Immunisation status

Your child's immunisation status assists our school to manage health risks for children. The Department may also provide this information to the Department of Health and Human Services to assess immunisation rates in Victoria, but not in a way which identifies you.

Visa status

Our school also requires this information to process your child's enrolment.

Updating your child's personal and health information

Please inform our school if, and when, there are any updates to any of the personal or health information you provide on the Enrolment Form.

Accessing your child's records

Our school provides ordinary school communications and school reports to students and parents, guardians and carers who have legal decision-making responsibility for the student. Requests for any other type of student records may be made through a Freedom of Information (FOI) application. Please contact our school and we can advise you how to do this.

Student transfers between Victorian Government schools

When our students transfer to another Victorian Government school, our school will transfer the student's personal and health information to that next school. This may include copies of student's school records, including any health information. Transferring this information assist the next school to provide the best possible education and support to students.

2. PRIVACY INFORMATION for parents, guardians and carers

During the ordinary course of your child's attendance at our school, school staff will collect your child's personal and health information when necessary to educate your child, or to support your child's social and emotional wellbeing or health. Such information will also be collected when required to fulfil a legal obligation, including duty of care, anti-discrimination law and occupational health and safety law. If that information is not collected, the school may be unable to provide optimal education or support to your child, or fulfil those legal obligations.

For example, health information may be collected through the school nurse, primary welfare officer or wellbeing staff member. If your child is referred to a specific health service at school, such as a Student Support Service officer, or school-engaged psychologist, the required consent will be obtained.

Our school may use online tools, such as apps and other software, to collect and manage information about your child. When our school uses these online tools, we takes steps to ensure that your child's information is secure. These online tools enable our school to efficiently and effectively manage important information about your child and also to communicate with you. If you have any concerns about the use of these online tools, please contact us.

School staff will only share your child's personal or health information with other staff who need to know to enable the school to educate or support your child, or fulfil a legal obligation.

When our students transfer to another Victorian government school, personal and health information about that student will be transferred to that next school. Transferring this information is in the best interests of our students and assists that next school to provide optimal education and support to students.

In some limited circumstances, information may be disclosed outside of the school (and outside of the Department of Education and Training). The school will seek your consent for such disclosures unless the disclosure allowed or mandated by law.

Our school values the privacy of every person. When collecting and managing personal and health information, all school staff must comply with Victorian privacy law. For more information about privacy including about how to access personal and health information held by the school about you or your child, see our school's privacy policy above.

Freedom Of Information and privacy

To make a FOI application contact:

Freedom of Information Unit

Department of Education and Training
2 Treasury Place, East Melbourne VIC 3002
(03) 9637 3961
foi@edumail.vic.gov.au

For more information about FOI, see freedom of information requests.

If you have a query or complaint about privacy, please contact:

Knowledge, Privacy and Records Branch

Department of Education and Training
2 Treasury Place, East Melbourne VIC 3002
(03) 8688 7967
privacy@edumail.vic.gov.au

Evaluation:

This policy will be reviewed as part of the College's three-year review cycle.

This policy was last ratified by College Council on 18 June 2018.