

Privacy Policy

PURPOSE

The Department of Education and Training (which includes all Victorian government schools, central and regional offices) values the privacy of every person and is committed to protecting information that schools collect. This policy explains how our school collects and manages personal and health information, consistent with Victorian privacy law.

SCOPE

This policy applies to all staff including contractors, service providers and volunteers of the Department, and this Victorian government school (our school), must comply with Victorian privacy law and this policy.

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). In addition, the Department and Victorian government schools must comply with the *Victorian Data Sharing Act 2017*.

DEFINITION

Personal information is recorded information or opinion, whether true or not, about a person whose identity is apparent, or can reasonably be ascertained, from the information. The information or opinion can be recorded in any form. A person's name, address, phone number and date of birth (age) are all examples of personal information.

Sensitive information is a type of personal information with stronger legal protections due to the risk of discrimination. It includes information or opinion about an identifiable person's racial or ethnic origin, political opinions or affiliations, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, criminal record, or membership of a trade union.

Personal and sensitive information is regulated in Victoria under the *Privacy and Data Protection Act 2014 (Vic)*.

Health information is information or opinion about an identifiable person's physical, mental or psychological health or disability. Health information is a type of personal information which, because of its sensitivity, also has different and stronger legal protections.

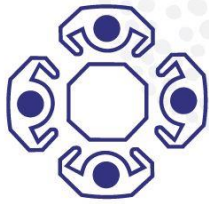
Health information is regulated in Victoria under the *Health Records Act 2001 (Vic)*.

POLICY

Our school collects the following type of information:

- information about students and their families, provided by students, their families and others
- information about job applicants, staff, volunteers and visitors; provided by job applicants, staff members, volunteers, visitors and others.
- Information about the activities of students, staff and families if they are on school grounds (for example captured through CCTV) or using school or departmental systems (such as school networks or school-acquired software).

Our school collects information in a number of ways, including:



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- in person and over the phone: from students and their families, staff, volunteers, visitors, job applicants and others
- 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
- through online tools: such as apps and other software used by our school
- through any CCTV cameras located at our school
- through photographs, film and other recordings
- through polls, surveys and questionnaires
- and, in some cases, through authorised information sharing arrangements with other services.

When our school collects information about you, our school takes reasonable steps to advise you of how the information will be handled. This includes the purpose of the collection, and 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 students who are mature minors) upon enrolment.

Consent is when someone voluntarily agrees for their information to be collected, used and/or shared within or outside the school or the Department.

Consent, when required, is sought in different ways and can be verbal, online or in writing, depending on the circumstances. There are many consent processes that may be applied during the school year.

Some consents are annual, for example the yearly photography consent process, while some will be for a specific purpose such as to collect information for a school event or use of a new software application.

When seeking consent for photographing students, schools apply the [Photographing, Filming and Recording Students Policy](#).

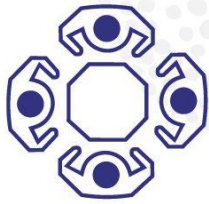
Health services conducted in schools use specific consent forms, which include consent for use and disclosure of health information. For example, our school uses the [Student Support Services consent form](#) to access these services for students.

Our College 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.

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Our school collects information about students and their families when necessary to:

- educate students
- support students' social and emotional wellbeing, and health
- fulfil legal requirements, including to:
 - take reasonable steps to reduce the risk of reasonably foreseeable harm to students, staff and visitors (duty of care)



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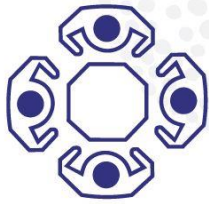
- make reasonable adjustments for students with disabilities (anti discrimination law)
- ensure, as far as is reasonably practicable, the health and safety of people in school workplaces (occupational health and safety law)
- enable our school to:
 - communicate with parents about students' schooling matters and celebrate the efforts and achievements of students
 - maintain the good order and management of our school
- enable the Department to:
 - ensure the effective management, resourcing and administration of our school
 - fulfil statutory functions and duties
 - plan, fund, monitor, regulate and evaluate the Department's policies, services and functions
 - comply with reporting requirements
 - investigate incidents in schools and/or respond to any legal claims against the Department, including any of its schools.

Our school collects information about staff, volunteers and job applicants:

- to assess applicants' suitability for employment or volunteering
- to administer employment or volunteer placement
- for insurance purposes, including public liability and WorkCover
- to fulfil various legal obligations, including employment and contractual obligations, occupational health and safety law and to investigate incidents
- to respond to legal claims against our school/the Department.

Our school uses or discloses information consistent with Victorian privacy law, as follows:

1. for a primary purpose – as defined above
 2. 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
 3. with notice and/or consent – including consent provided on enrolment and other forms (the information collected will not be disclosed beyond the Department of Education and Training without consent, unless such disclosure is lawful)
 4. when necessary to lessen or prevent a serious threat to:
 - a person's life, health, safety or welfare
 - the public's health, safety or welfare
- when required or authorised by law– including as a result of our anti-discrimination law, occupational health and safety law, child wellbeing and safety law, family violence law, or reporting obligations to agencies such as the Department of Health and the Department of Families, Fairness and Housing and complying with



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tribunal or court orders, subpoenas, summonses or search warrants, and in some circumstances to meet our duty of care

- when required under the Child and Family Violence Information Sharing Schemes, with other Victorian schools and Victorian services to promote the wellbeing or safety of children, or to assess or manage family violence risk
- to investigate or report suspected 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
- as de-identified information, for research or school statistics purposes, or to inform departmental policy and strategy
- to establish or respond to a legal claim.

The Department assigns a unique identifier to every Victorian government school student in its student records system to enable schools to carry out their functions effectively. In addition, the Department uses a unique [Victorian Student Number](#) (VSN) assigned to each student by the Victorian Curriculum and Assessment Authority (VCAA) when they enrol in a Victorian government school, independent or Catholic school. The use of the VSN is regulated and can only be used as stipulated by legislation.

Students undertaking vocational or university education can also register for a Federal Government issued and managed unique identifier, [Unique Student Identifier](#) (USI). The USI is used to create an online record of a student's recognised Australian training and qualifications. Students are required to have a USI before they can receive their qualification or statement of attainment.

When a student has been accepted at, and is transferring to, another Victorian government school, the current school transfers information about the student to that school. This may include copies of the student's school records, including any health information. Parental consent is not required for this.

This enables the new 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.

When a student has been accepted at, and is transferring to or from a non-government school in Victoria, the current school provides a transfer note from the student records system to the new school, with parental consent.

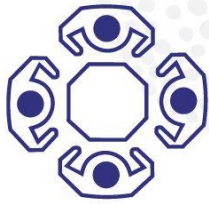
Additionally, the current school may share information with the new school to promote the wellbeing or safety of the student or to assess or manage family violence risk pursuant to the Information Sharing Schemes.

When a student has been accepted at and is transferring to or from a school outside Victoria, the current school provides a transfer note to the new school, with parental consent.

NAPLAN is the national assessment for students in years 3, 5, 7 and 9, in reading, writing, language and numeracy.

Schools use NAPLAN data to evaluate their educational programs by analysing results for students who attended their school.

Victorian government schools can access student NAPLAN results from the student records system. When a student transfers to or from an independent, Catholic or interstate school, with parental consent, the school where the assessment was undertaken can provide a student's NAPLAN results to the new school.



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On occasion, Victorian government schools and the Department's central and regional offices receive complaints from parents and others. Schools and/or the Department's 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)

Complaints specifically about the Department's or a school's handling of personal information are managed according to the [privacy complaints process](#).

All individuals, or their authorised representative(s), have a right to access, update and correct information that a school holds about them, providing access to information or records doesn't increase a risk to the safety of a child or children.

Our School only provides school reports and ordinary school communications to students, parents, carers or others who have a legal right to that information. Requests for access to other student information or by others must be made by lodging a [Freedom of Information](#) (FOI) application through the Department's Freedom of Information Unit.

In some circumstances, an authorised representative may not be entitled to information about the student. These circumstances include when granting access would not be in the student's best interests or would breach our duty of care to the student, would be contrary to a mature minor student's wishes or would unreasonably impact on the privacy of another person.

Additionally, the Child and Family Violence Information Sharing Schemes allow prescribed organisations to share confidential information with each other to promote the wellbeing or safety of children, or to assess or manage family violence risk. Victorian schools and a range of other Victorian services fall under these schemes.

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 Department's Freedom of Information Unit.

Victorian government schools take reasonable steps to protect information from misuse and loss, and from unauthorised access, modification and disclosure. They store all paper and electronic records securely, consistent with the Department's records management policy and information security standards. All school records are formally disposed of, or transferred to the State Archives (Public Record Office Victoria), as required by the relevant Public Record Office Victoria record Retention and Disposal Authorities.

Victorian government schools are provided with tools and information to help them assess software and contracted service providers for privacy and information handling risk. Privacy Impact Assessments (PIAs) help schools to assess third party software used in a school that handles personal, sensitive or health information. Conducting PIAs helps schools to identify privacy and security risks, evaluate compliance with Victorian privacy laws and document actions required to manage any identified risks.

It is important that the information we hold about students, families and staff is accurate, complete and up to date. Please contact the school's general office when information you have provided to them has changed.

RELATED POLICIES AND RESOURCES

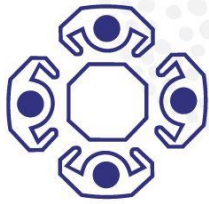
To make a FOI application contact:

Freedom of Information Unit

Department of Education and Training
2 Treasury Place, East Melbourne VIC 3002
(03) 7022 0078

foi@education.vic.gov.au

For more information about FOI, see <https://www.education.vic.gov.au/about/working/Pages/foi.aspx>.



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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@education.vic.gov.au

COMMUNICATION

- Portland Secondary College Website
- Annual communication to school community
- Staff induction process

REVIEW CYCLE

DATE	VERSION	RATIFIED BY	NEXT REVIEW
April 2024	4	N/A	March 2026