



PRIVACY POLICY

1 Rationale

Moreland Primary School is committed to protecting the personal and health information that we collect, use and disclose. Protecting the personal and health information of staff and students is a serious moral, professional and legal responsibility that our school recognises and accepts.

2 Aim

To collect, handle, use, store and disclose personal and health information of staff and students in a manner compliant with the *Privacy and Data Protection Act 2014 (Vic)* and the *Health Records Act 2001 (Vic)*.

3 Implementation

Throughout this policy:

- *Health information* means information or opinion about a person's physical, mental or psychological health or disability that is also personal information. This includes information or opinion about a person's health status and medical history.
- *Personal information* means 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.
- *Sensitive information* means information or opinion (that is also personal information) about a person's racial or ethnic origin, political opinions, religion, philosophical beliefs, sexual preferences or practices, membership of a political association, professional/trade association or trade union, or an individual's criminal record.
- *Victorian privacy law* means the *Privacy and Data Protection Act 2014 (Vic)* and the *Health Records Act 2001 (Vic)* collectively.

3.1 Purpose of data collection

Personal and health information is collected and used by the School for the following purposes:

- to plan, fund, implement, monitor, regulate and evaluate the School's services and functions
- to fulfil statutory and other legal functions and duties
- to comply with reporting requirements
- to investigate incidents in schools and/or defend any legal claims against the School, its schools or its employees

3.2 Collection of Personal Information

The School will only collect personal information if the information is necessary for one of its functions or activities.

Where the personal information of an individual is collected, reasonable steps should be taken to ensure that the individual is aware of:

- the identity of the School and how to contact it,



PRIVACY POLICY

- the fact that the individual is able to gain access to the information,
- who the School usually discloses information of that kind to,
- any law that requires the particular information to be collected, and
- the main consequence (if any) for the individual if all or part of the information is not provided to the School.

3.3 Collection of Health Information

The School will only collect health information if the information is necessary for one of its functions or activities and:

- the School has gained consent from the individual, or
- collection is necessary to prevent or lessen a serious or imminent threat to the life, health, safety or welfare of any individual, or
- collection is necessary to prevent or lessen a serious threat to public health, safety or welfare, or
- collection is necessary for the establishment, exercise or defence of a legal or equitable claim.

Where the health information of an individual is collected, reasonable steps should be taken to ensure that the individual is aware of:

- the identity of the School and how to contact it,
- the fact that the individual is able to gain access to the information,
- the purposes for which the information is being collected,
- who the School usually discloses information of that kind to,
- any law that requires the particular information to be collected, and
- the main consequence (if any) for the individual if all or part of the information is not provided to the School.

3.4 Use and Disclosure

The School must only use or disclose personal and health information for the primary purpose for which it was collected, unless:

- use or disclosure is for a related secondary purpose and the individual would reasonably expect the School to use or disclose the information for that secondary purpose, or
- the individual has provided consent, or
- use or disclosure is necessary for research, or the compilation of statistics, in the public interest, or
- use or disclosure is reasonably necessary to carry out a law enforcement function, or
- use or disclosure is otherwise required, permitted or authorised by law. For example, the School may be required to share information to fulfil its duty of care to students, staff and visitors or the School may be required to share information to provide a safe workplace in accordance with occupational health and safety law.

In cases where the use or disclosure is necessary for research or the compilation of statistics, in the public interest, the School will usually only do so with the individual's consent. Where it is impracticable to seek the individual's consent, and when the research or the compilation of statistics cannot be undertaken with de-identified information, research or compilation of statistics will be carried out in accordance with the



PRIVACY POLICY

National Statement on Ethical Conduct in Research Involving Humans or, for health information, in accordance with the Statutory Guidelines on Research.

4 Evaluation

To be reviewed as required by developments in relevant legislation or DET requirements etc.

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