



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.

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).

This policy explains how our school collects and manages personal and health information, consistent with Victorian privacy law.

SCOPE

All staff, service providers (contractors) and agents, (whether paid or unpaid) of the Victorian Department of Education and Training, Victorian government schools, including Melba College, must comply with Victorian privacy law and this policy. This policy therefore applies to all students, staff, families and the wider community of Melba College.

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.

TYPES OF INFORMATION COLLECTED

Melba College collects the following type of information:

- information about students and their family, provided by students, their family and others
- information about job applicants, staff, volunteers and visitors; provided by job applicants, staff members, volunteers, visitors and others.

INFORMATION COLLECTION PROCESS

Melba College collects information in a number of ways, including:

- in person and over the phone: from students and their family, 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.

COLLECTION NOTICES

When Melba College collects information, the College will always takes reasonable steps to advise you of certain matters. 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 mature minor students) upon enrolment.

UNSOLICITED INFORMATION

Melba College may receive information about students or families that we have taken no active steps to collect. If permitted or required by law, the College may keep records of this information. If not, we will destroy or de-identify the information when practicable, lawful and reasonable to do so.

PURPOSE FOR COLLECTING INFORMATION

The primary purposes of collecting information about students and their families

Melba College 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)
 - make reasonable adjustments for students with disabilities (anti discrimination law)
 - provide a safe and secure workplace (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.

PRIMARY PURPOSES OF COLLECTING INFORMATION ABOUT OTHERS

Melba College 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.

DISCLOSURE OF INFORMATION

Melba College uses or discloses information consistent with Victorian privacy law, as follows:

- for a primary purpose – as defined above
- 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
- with notice and/or consent – including consent provided on enrolment and other forms
- 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 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

- 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
- for Departmental research or school statistics purposes
- to establish or respond to a legal claim.

A unique identifier (a CASES21 code) is assigned to each student to enable the school to carry out its functions effectively.

STUDENT TRANSFERS BETWEEN VICTORIAN GOVERNMENT SCHOOLS

When a student has been accepted at, and is transferring to, another Victorian government school, Melba College 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.

NAPLAN RESULTS

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

When a student transfers to another Victorian government school, their NAPLAN results are able to be transferred to that next school.

Additionally, a student's NAPLAN results are able to be provided to the student's previous Victorian government school to enable that school to evaluate their education program.

RESPONDING TO COMPLAINTS

On occasion, Melba College and the Department of Education and Training's central and regional offices receive complaints from parents and others. Melba College and/or the Department of Education and Training'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).

The [privacy complaints process](#) can be found on this link.

ACCESSING INFORMATION

All individuals, or their authorised representative(s), have a right to access, update and correct information that our school holds about them.

ACCESS TO STUDENT INFORMATION

Melba College 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 Department's Freedom of Information Unit (see below).

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.

ACCESS TO STAFF INFORMATION

Melba College 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.

STORING AND SECURING INFORMATION

Melba College takes all reasonable steps to protect information from misuse and loss, and from unauthorised access, modification and disclosure. Melba College stores all paper and electronic records securely, consistent with the Department's records management policy and information security standards. All College records are disposed of, or transferred to the Public Records Office Victoria, as required by the relevant Public Records Office Standard.

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 Department's password policy.

UPDATING INFORMATION

At Melba College we endeavour to ensure that information about students, their families and staff is accurate, complete and up to date. The College's Administration office is responsible for updating student, family and staff information. The Melba College Administration can be contacted on **03 9955 5700**.

MORE INFORMATION

Information for parents:

- [School Privacy Policy—English \(docx - 108.02kb\)](#)
- [School Privacy Policy—English \(pdf - 228.81kb\)](#)
- [Schools' Privacy Policy translations](#)

FREEDOM OF INFORMATION [FOI] 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](#).

For all questions and complaints about privacy, 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

FURTHER INFORMATION AND RESOURCES

This policy should be read in conjunction with the following school policies:

- Duty of Care Policy
- Engagement and Wellbeing Policy

EVALUATION

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

Policy Reviewed by School Council	Person Responsible for Policy	Next School Council Review
2019	Assistant Principal - Accountabilities	2022

