



# Timaru Christian School Procedures

## LR3 - Privacy Guidelines

The Act is primarily concerned with good information handling practices, and is made up of information privacy principles. These principles are summarised in the following guidelines.

### Guidelines for collecting, using and storing personal information:

- When we collect information we make the purpose known, and only collect it:
  - for purposes connected with the function of the school, and only when it is necessary to have this information
  - directly from the person concerned, unless it is publicly available from elsewhere
  - in as unobtrusive a manner as possible.
- In general, we collect information directly from the person concerned unless it is publicly available from elsewhere or the person's interests are not prejudiced when we collect the information from elsewhere.
  - We have reasonable safeguards in place to protect information from loss, unauthorised access, use, or disclosure. These safeguards include the use of individual logins for computers, and lockable filing cabinets.
- If an individual wants access to information we hold about them, we provide it. Individuals may request correction of this information or, when not corrected, that a record of the request is attached to the information.
- We take reasonable steps to make sure personal information is correct, up to date, relevant and not misleading.
- We only keep information for as long as it is needed, and for the purposes for which it was obtained. When a student moves to a new school and their records are requested, we cull the file and forward the remaining relevant information.
- Information is only used for the purposes for which it was obtained except in certain circumstances (for example, for statistical purposes where the person's identity is not disclosed).
- As a general rule, information about any person is not given to a third party without the person's knowledge, unless:
  - the information is already publicly available
  - it is being passed on in connection with a purpose for which it was obtained, for example, to the student's new school.
  - the right to privacy is over-ridden by other legislation
  - it is necessary for the protection of individual or public health and safety.

For most purposes, the best guide is to use good sense and to treat information about people with great respect.



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## Parents and the Privacy Act

State and state-integrated schools must observe the Privacy Act, and also the Official Information Act, and the Education Act.

Under the Privacy Act, individuals are entitled to access personal information held about them. There is no age limit to this, children and young people have the same rights as everyone else. This means that parents have no automatic right to access all of the information the school may hold about their child.

Parents and guardians are entitled to access educational information, and are usually able to access other information if they request it, through the provisions of the Official Information Act. This act overrides the Privacy Act in most circumstances. In considering a request from a parent, the school must consider the following:

- Is it information that the parent has a right to, for instance, about their child's academic progress, or is it information the child has a right to keep private?
- Is the parent acting as the child's representative, or acting without the child's consent?
- Is the child of an age or maturity that allows them to decide to give consent or not?
- Is disclosure of the information a breach of the child's confidentiality?
- Is it in the child's best interest?
- Does other legislation affect the decision? For example, the Education Act, 1989, requires principals to tell parents about matters which are preventing or slowing a student's progress at school, or harming the student's relationships with teachers or other students.

In practice there are very few occasions when a school would be justified in withholding any information from a parent. One example of such a situation might be a child at school who finally has confidence to confide in a counsellor who is trying to help the child and the child insists that the parents or (perhaps in a situation of abuse), a particular parent, are not to be told the child's information by the counsellor. A counsellor is required to respect and consider the wishes of the child.

When in doubt, seek advice. A good place to start is the Office of the Privacy Commissioner.

**Note:** in the case of separated parents, each parent is entitled to educational information about their child, for example, school reports. These should be provided unless there is a Court Order preventing it. It is the responsibility of the custodial parent to alert the school of any such Order.

Parents have no automatic right to request corrections of information held about their child. The school, however, is bound by the principles of the Privacy Act and one of them is to endeavour to keep information about a person up-to-date and correct. If a parent points out that information is incorrect, the school should correct it.

Parents are not entitled to information about other parents, or students who are not their own children.



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## **Publishing Student Information**

The school sometimes publishes students' photographs and work in the newsletter and/or online, and has an obligation to:

- protect students' privacy and safety in relation to information about them, or images of them, published by the school, and
- protect students' copyright in relation to the material they create.

Images of students and/or their work are published to recognise student achievement, report on learning to the school and wider community, and to promote the school.

The following guidelines help us to protect our students:

- The school seeks parents' written consent before their child's photo or work is published online. Parents give this consent at enrolment, or verbally for social occasions at their discretion. Parents can withdraw their consent at any time.
- The school takes special care with personal information about students, that is, information that identifies an individual. With consent, we share no more than a student's first name and/or photograph via the newsletter, or the wider online community via the school website.
- The school publishes photos and students' work that positively depict the student and school.
- The school seeks students' consent before publishing their work.
- As the author of a copyright work, a student has the right to be identified when their work is exhibited in public, such as on the internet. At Timaru Christian School we prefer to identify the student by their first name and year at school only to protect their privacy. Requests for a child's full name to be published are considered by the privacy officer.

If the school is aware of a special circumstance regarding a student's presence at the school, such as a court order preventing access to the child, any information that could identify the child is kept out of the website/newsletters.