



## 6.3 Privacy Policy

### Statement of Intent:

Onslow College complies with the New Zealand Privacy Act 2020 (the Act) when dealing with personal information. Personal information is information about an identifiable individual (a natural person).

This policy sets out how the school will collect, use, disclose and protect personal information. This policy does not limit or exclude individual rights under the Act.

The school collects personal information when:

- personal information is provided to the school through an enrolment, registration or subscription process. This may occur via the website and any related service, contact with the school (e.g. in person, telephone call or email), or when a person purchases a product or uses a service or facility.
- A person has authorised a third party to collect or hold information related to a school matter, or the information is publicly available.

### Definitions

*Identifiable Individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person*

### Board Expectations:

Onslow College will use an individual’s personal information:

- for purposes authorised by that individual
- to respond to communications from the individual
- to conduct research and statistical analysis (on an anonymised basis)
- for any other purpose authorised by you or the Act.

Onslow College may disclose an individual’s personal information to:

- any organisation that supports our school systems, including any person that hosts or maintains any underlying IT system or data centre that is used to provide the website or other services and products: such organisations may be located outside New Zealand. This may mean personal information is held and processed outside New Zealand.
- other third parties (for anonymised statistical information)
- a person who can legitimately require the School to supply an individual’s personal information (e.g. a regulatory authority such as the Ministry of Education)
- any other person authorised by the Act or another law (e.g. a law enforcement agency)

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- any other person authorised by the individual.

### **Protecting your personal information**

The school will take reasonable steps to keep personal information safe from loss, unauthorised activity, or other misuse.

### **Accessing and correcting your personal information**

Subject to certain grounds for refusal set out in the Act, any individual has the right to access readily retrievable personal information held by the school and to request a correction to that personal information. Before you exercise this right, the school will need evidence to confirm that the individual is in fact the individual to whom the personal information relates.

In respect of a request for correction, if the school believes the correction is reasonable and the school is reasonably able to change the personal information, the correction will be made. If the correction requested is not made, the school will inform the individual that it has not made the correction, and will take reasonable steps to note on the personal information that the correction was requested.

If you want to exercise either of the above rights, please contact the school.

### **Supporting Documents:**

- Cybersafety Policy
- Staff Guidelines for the Safe Use of Digital Technology at Onslow College
- Cybersafety Use Agreement
- Privacy Act (2020)
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- Privacy Guidelines

### **Delegations**

The implementation of this policy is delegated to the Principal.

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## 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. The number in brackets after each guideline refers to the relevant information privacy principle.

When personal information about an individual is collected the purpose for collection should be known, and that information only collected:

1. Information should be collected directly from the person concerned or, if a student, their parent or guardian, unless it is publicly available from elsewhere or the person's interests are not prejudiced when that information is collected from elsewhere.
2. Safeguards will be in place to protect personal information from loss, unauthorised access, use, or disclosure. These safeguards include the use of individual logins for computers, and lockable filing cabinets.
3. If an individual wants access to the information the school holds about them, that information will be provided. Individuals may request correction of this information.
4. Reasonable steps will be taken to make sure personal information is correct, up to date, relevant and not misleading.
5. Information will only be kept 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, the relevant information will be provided.
6. 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).
7. 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.

## Parents and the Privacy Act.

All 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:

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- 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.

Note: in the case of separated parents, each parent is entitled to educational information about their child, for example, school reports, and matters which are preventing or slowing a student's progress at school or harming the student's relationships with teachers or other students. 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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