



# NEW PLYMOUTH BOYS' HIGH SCHOOL

TE KURA TAMATĀNE O NGĀMOTU

<b>Title</b>	<b>PRIVACY</b>
<b>Reference Number</b>	A103
<b>Section</b>	Administration
<b>Written By</b>	BOT Policy Committee
<b>Checked By</b>	BOT Policy Committee
<b>Approved By</b>	NPBHS Board of Trustees
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<b>Review Date</b>	November, 2025
<b>Associated Policies</b>	
<b>Associated Procedures</b>	

## RATIONALE:

The Privacy Act 2020 is based on thirteen information privacy principles which set out its substantive requirements. While the principles themselves do not confer enforceable legal rights, they set out the grounds on which a person may complain to the Privacy Commissioner of an interference with that individual's privacy.

These principles have been taken to form a basic policy. However other acts, eg. the Education Act may override the policy at various times.

## PURPOSE:

1. To ensure that personal information given to the school remains confidential to the school.
2. To ensure that personal information given to the school is used for the legal purposes for which it was collected.
3. To ensure that personal information given to the school is used only by those persons authorised to use it.

## GUIDELINES:

1. The Principal will act as the Privacy Officer. He/she should be familiar with the twelve principles of the Privacy Act and ensure they are met. These are:
  - 1.1 Personal information shall not be collected by the school unless it is needed for lawful purpose connected with a function or activity of the school.
  - 1.2 Personal information shall be collected directly from the individual concerned or the individual's legal guardian.
  - 1.3 When collecting personal information, the school must ensure that the person knows in advance –
    - that the information is being collected and why;
    - who will receive and hold the information;
    - the law under which the information is being collected;



- the consequences for not providing the information;
  - the person's right to have access to, and request correction of, any personal information.
- 1.4. Personal information shall not be collected unlawfully or unfairly; or by means that intrude unreasonably on the personal affairs of an individual.
  - 1.5. The school shall ensure any personal information it holds is protected by reasonable security safeguards against loss, unauthorised access, use, modification, or disclosure; or other misuse.
  - 1.6. Where personal information is readily retrievable, the individual concerned is entitled to know whether the school holds such personal information and if so to have access to that information. Individuals who are given access to personal information shall be advised that they may request correction of that information.
  - 1.7. Where the school holds personal information, the individual concerned is entitled to request correction of the information and, if that correction is not made, to request that there be attached to the information a statement of the correction sought but not made.
  - 1.8. The school when holding personal information shall not use that information without the required authority and without taking reasonable steps to ensure that, having regard to the purpose for which the information is proposed to be used, the information is accurate, up to date, complete, relevant, and not misleading.
  - 1.9. The school shall not keep that information for longer than is required for the purposes for which the information may lawfully be used.
  - 1.10. The school shall not use information obtained in connection with one purpose for any other purpose.
  - 1.11. The school shall not disclose personal information collected to another person or agency.
  - 1.12. Unique identifiers are not to be assigned to individuals unless that is necessary to enable the school to carry out functions efficiently.
- 2 Staff personnel records will be kept in locked storage. Employees are entitled to access the information contained in his or her file.
  - 3 Student records are confidential to the student, teacher, their family and other agencies with legal rights to access.
  - 4 No information regarding a staff member or student will be passed on to any other person, agency or organisation without the approval of the Principal or staff member concerned.
  - 5 The school is not "collecting" personal information when it receives unsolicited information. However, once the school holds unsolicited information, it must apply good information handling policies to that information — including proper storage and checking accuracy before use.
  - 6 The advent of the internet, the role of computers and mobile technology in teaching, does not alter the privacy rights of students. The school will have clear internet, computer and cellphone policies that reflect the right to privacy.
  - 7 Anyone who believes the school has interfered with their privacy or their child's privacy may make a complaint, usually to the Privacy Commissioner.



**Relevant Legislation:**

<ul style="list-style-type: none"><li>• Privacy Act 2020 (Privacy Commission <a href="http://www.privacy.org.nz">www.privacy.org.nz</a>)</li></ul>	<ul style="list-style-type: none"><li>• Human Rights Commission Act</li></ul>
<ul style="list-style-type: none"><li>• Education Act 1989, 2006, 2020</li></ul>	<ul style="list-style-type: none"><li>• Children, Young Persons and their Families Act</li></ul>
<ul style="list-style-type: none"><li>• Official Information Act</li></ul>	<ul style="list-style-type: none"><li>• NZ Bill of Rights Act</li></ul>

