

ATEA College Privacy Policy

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The privacy policy is put in place so that learning occurs in peace, and that order be maintained in the classroom. The policy follows the key principles of the Privacy Act 2020, which describe how we may collect, use, and store personal information. The Act also created the position of Privacy Commissioner to administer it. Among the many functions of the Privacy Commissioner's Office is that of investigating any alleged breaches of the Privacy Act.

We've used the word "parent" throughout this section to refer to parents and guardians.

Each school has a privacy officer who deals with requests for personal information, and who, if required, liaises with the Privacy Commissioner in any investigations. At this school, the role belongs to the principal.

The policy gives us [guidelines \(Office of the Privacy Commissioner | Privacy Act 2020 and the Privacy Principles\)](#) about:

- how we collect and store information

- what information we collect

- how we use and disclose information about individuals

- how individuals may access information relating to them that is held by the school

- how to manage the rights of parents regarding information about their child.

It is important that staff understand the school's information management and confidentiality guidelines. This is particularly important to guard against situations where information is not shared, resulting in a child being placed at risk. All related procedures in the Teachers' Handbook are to be interpreted with this policy as their foundation.

Legislation

Privacy Act 2020
Official Information Act 1982
Education and Training Act 2020
Oranga Tamariki Act 1989

Resources

Office of the Privacy Commissioner
Section 2 of the Teachers' Handbook

Privacy Guidelines

The Privacy Act 2020 is primarily concerned with good information handling practices, and is made up of 13 information privacy principles. The following guidelines apply these principles.

Guidelines for Collecting, Using, and Storing Personal Information

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

When we collect personal information about an individual, we make known the purpose of collecting it, who will have access to it, and whether it is compulsory or optional information. We advise that individuals have the right to request access to, and correction of, their personal information.

We only collect personal information:

for purposes connected with the function of the school, and only when it is necessary to have this information [1]

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 we collect the information from elsewhere [2]

in a transparent and respectful manner. [1,3,4]

We have reasonable safeguards 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. We may require volunteers and third party contractors to sign confidentiality agreements. [5]

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. [6,7]

We take reasonable steps to make sure personal information is correct, up to date, relevant and not misleading. [8]

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 forward the relevant information that we hold. [9]

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). [10]

We safeguard students' information and we do not release that information to third parties unless we

This policy will be reviewed every three years, or as any legislation or incidents identify the need for revision prior to that.

are required to release information by law. This covers disclosure to persons other than those able to legitimately access material about their own children. 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 overridden by other legislation

it is necessary for the protection of individual or public health and safety. [11]

For most purposes, the best guide is to use good sense and to treat information about people with great respect. When in doubt, seek advice from the school's privacy officer or the [Office of the Privacy Commissioner](#).

Legislation

Privacy Act 2020

Resources

Privacy Commissioner: Sharing information about vulnerable children

Personal Information

The school collects personal information to provide the highest standard of educational services in the promotion of learning. Collecting personal information allows us to:

record and maintain:

student records of academic progress through for example, portfolios, digital learning stories, etc accounts

provide:

library and information technology services

learning behaviour programmes

accurate information to other education providers to ensure proper and safe transfer of students

information to the school's fundraising group for school liaison and fundraising purposes

report/disclose information to government bodies or other agencies for the purposes of funding/support

or to meet contractual/legislative obligations, e.g. Ministry of Education, Work and Income, Oranga

Tamariki – Ministry for Children, district health boards, etc

produce the school newsletter and maintain the school's website and management systems.

To do this, the school collects and holds the following information:

Personal – full name, date of birth, gender, names and ages of siblings, ethnicity (statistical), citizenship/residency status/eligibility criteria, iwi, first language, and religion (optional).

Health – doctor's name, extract of immunisation certificate if provided, medical conditions/health matters/disabilities about which the school should be aware.

Education – information relevant to the student's learning for example, the student's interests, any aspect of behaviour, performance in class, test results, electronic images including photographs, videos and audio recordings (for teaching and learning and reporting purposes).

Parents or legal guardians – contact details (address, phone, email), relationship to the student, occupation (optional), and day-to-day care arrangements.

Eligibility to study in New Zealand – a copy of the student's birth certificate/passport.

Parents and the Privacy Act

Independent schools must observe the Privacy Act, and the Education and Training Act. The Official Information Act does not apply to independent schools.

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 information about the progress of their child under the Education and Training Act 2020. They are also entitled to access educational information.

In practice there are very few occasions when a school would be justified in withholding any information from a parent, e.g. where any form of abuse is suspected. When in doubt, seek advice from the school's privacy officer or the Office of the Privacy Commissioner.

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 parent to alert the school of any such Order. See *The Rights of the Guardian and the School*.

The school 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.

See also *Official Information Requests*.

Third Party Providers

We use the information that parents share with us at enrolment to support their child's learning, and to communicate with parents quickly and effectively. We use personal information for a range of purposes, for example:

- sending interim reports and academic progress information
- informing parents if their child is sick or injured
- inviting parents to interviews or meetings
- keeping parents informed during a disaster or other significant emergency affecting the school
- sending home school—related communications (e.g. newsletters and parent surveys)
- informing parents about specific activities (e.g. camps, day trips, sporting events) providing access to school-related digital spaces of interest (e.g. blogs, Facebook groups).

From time to time, ATEA College may use third-party providers:

- to facilitate communication between school and home
- to provide services to our school to support teaching and learning.

This may involve sharing some information (e.g. an email address or phone number) with the provider.

We only use such services when the school is satisfied that the third party provider's privacy policy, settings, and controls, are secure and managed appropriately, and that the use of the service complies with our privacy policy, and the purpose for which any information was gathered in the first place.

Publishing Student Information

Images of our students (photographs, video clips, etc), and examples of their school work, are sometimes published in our newsletters, on our school website, and other online channels such as the school/class blogs, Facebook page, YouTube, etc.

The school 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.

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 student, any information that could identify the student is kept out of the website/newsletters.

Parents are welcome to contact the school's privacy officer to discuss these issues.

Protecting Students' Privacy

ATEA College:

- publishes images and students' work that positively depict the student and school seeks parents' written consent before their child's image or work is published online. Parents give this consent at enrolment, or as needed if their child is already enrolled, by completing a student information consent form. Parents can withdraw their consent at any time.

- seeks students' consent before publishing their work

- takes special care with personal information about students. Personal information refers to information that identifies an individual. With consent, we share no more than a student's first name, image, or work in the school newsletter, on the school website, or in the wider online community.

Protecting Copyright

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 ATEA College, we prefer to identify the student by their first name and year at school only to protect their privacy. The school's privacy officer considers requests for a student's full name to be published.

Legislation

- Copyright Act 1994

- Privacy Act 2020

Sharing Images of Students

ATEA College follows guidelines to protect students' privacy and safety at school when we publish student information. This includes sharing photos of our students. We encourage parents to also consider privacy issues when sharing photos and videos taken at school events.

Parents are required to ask the Privacy Officer's permission before taking photos/videos of children at school or at public school events. This ensures everyone can enjoy school events without worrying what will end up on social media.

If parents want to share photos/videos on social media, they should consider the following:

- Show the images to your children and discuss them before posting them on social media. This will help your children understand that they should always think about what goes out to the public on the internet.

If the images have pictures of other students, edit it to remove them. Make sure that other students are not named in any online posts. Parents should remember that posting photos of other people can amount to harassment and they should take care to ensure photos are fair to other people.

Students are also expected to consider privacy and cybersafety issues when sharing photos and using social media.

The Rights of the Guardian and the School

Except where there are any court orders in place, both parents, and any other guardians, are entitled to:

- receive school newsletters and a copy of the child's school reports
- discuss their child's educational progress with the principal and teachers
- contribute to major education decisions ~ for example, which school the child attends, special class admission, religious instruction, etc.
- participate in parent groups or meetings and other school functions
- see their child's school records, subject to any legal restrictions.

The guardians themselves must take the initiative in exercising these rights.

The school requests that both parents attend the same interview. Where this is not possible, parents should contact the school to request separate interviews.

Types of Requests

Requests for a person's own information are dealt with under the Privacy Act. See ATEA College's Privacy policy.

For requests for information under the Oranga Tamariki Act or Family Violence Act, see Sharing Information.

Requests for other types of information, including parents' requests for information about their child are covered by ATEA College's Privacy policy. See Parents and the Privacy Act.

Official Information Requests

As an independent school, requests made under OIA do not apply to the school.

Sharing Information

There are times when it is necessary or good practice for schools to share personal information about a student with other professionals. ATEA College's sharing provisions follow the regulations of the Privacy Act, Oranga Tamariki Act, and Family Violence Act.

In all circumstances, ATEA College is carefully guided by privacy considerations in the sharing of information.

School boards are classified as child welfare and protection agencies (CWPA) under the Oranga Tamariki Act and as such may proactively share information with other professionals, request information from other professionals, and/or receive a request for information under section 66C of the Act from another CWPA or an "independent person" (as defined in the Act). ATEA College follows Oranga Tamariki guidance on the information sharing provisions under the Act and how to respond to any requests for information.

School boards are also classified as "family violence agencies" and teachers with current practising certificates or limited authority to teach are classified as "social services practitioners" under the regulations of the Family Violence Act. Schools must consider sharing information if they receive a request for information from another family violence agency or social services practitioner, or believe sharing information within this sector may protect a victim from family violence. In such

circumstances, ATEA College follows the Ministry of Justice's guidance for decision-making and safe information sharing under the Family Violence Act.

ATEA College may, at the discretion of the Privacy Officer, follow the Ministry of Education's guidance for sharing learning support information under the learning support delivery model, which includes considerations and template protocols for sharing personal information, sharing aggregate information, and sharing information about an individual without identifying them.

In line with the regulations in the *Handbook of Cambridge International Education*, when a student enters to write an external *Cambridge* examination, we will share the relevant section of the Handbook with the student's parents, and ask for their consent to share information with *Cambridge*. The signed consent form will be filed at school.

Legislation

- Oranga Tamariki Act 1989
- Privacy Act 2020
- Family Violence Act 2018

Regulations

- Cambridge International Education's annual Cambridge Handbook*

Related topics

- Privacy
- Personal Information
- Parents and the Privacy Act
- Third Party Providers
- Child Protection

Resources

- Ministry of Education: Sharing information
- Oranga Tamariki — Ministry for Children: Information sharing
- Ministry of Justice: Information sharing guidance

ATEA College Student Information Consent

Images of our students (photographs, video clips, etc), and examples of their school work, are sometimes published in our newsletters, on our school website, and other online channels such as the school/class blogs, etc.

We publish student material to celebrate students' work and achievement, to encourage students to participate in our school community, and to promote the school.

We believe it is important to acknowledge students' achievements, but are aware of the potential risks when such personal information or material is published online.

In the interest of safety and security we require parents to give consent before publication. With consent, we share no more than a student's first name, image, or work in the school newsletter, on the school website, or in the wider online community.

When completing the enrolment form for their child, parents are given the opportunity to give their permission for their child's name, image, and work to be published in the school newsletter, on the school website, or the wider online community (as indicated above).