

# PRIVACY POLICY

## PRIVACY STATEMENT

Responsibility of: IT and Information Services  
Effective Date: May 2018  
Next Review Date: May 2020  
Target Audience: Staff/Parents/Community

DET File: FILE2018/943  
EDOC 2018/37860  
Version Number: 1

This document should be read in conjunction with the Information Privacy Principles outlined in Schedule 2 of the *Information Act* and the Northern Territory Government Records Management Standards.

### 1. POLICY STATEMENT

The Department of Education is committed to protecting your privacy. This privacy statement contains the department's policies for the management of the personal and sensitive information collected, used and disclosed by the department. This statement is part of the department's ongoing commitment to protect the privacy of your personal information in accordance with the Information Privacy Principles (IPPs) set out in the Northern Territory (NT) *Information Act*<sup>1</sup>.

### 2. SCOPE

#### Collection

The department only collects personal and sensitive information necessary for or related to its activities and functions and only by fair and lawful means. The personal information collected by the department is used for direct service provision and such information may also be used for statistical, research, planning and reporting purposes aligned with the functions of the department. Where possible, personal information is de-identified before reuse. The department may collect your personal information (or your child's information) in a number of ways, including:

- enrolment forms and other forms used to facilitate delivery of departmental services to you;
- through written correspondence or orally, such as when you write a letter or telephone the department; and/or
- employment forms.

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<sup>1</sup> <https://legislation.nt.gov.au/en/Legislation/INFORMATION-ACT>

## How do we collect this information?

Our school 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 our department collects information about you, we take 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 caregivers (or independent students) upon enrolment.

## Unsolicited information about you

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

## Why do we collect this information?

### *Primary purposes of collecting information about students and their families*

Our department 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 the department and our schools
  - 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 and/or respond to any legal claims against the department, including any of its schools.

### ***Primary purposes of collecting information about others***

Our department 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 Work Cover
- 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 schools/the department.

### **Use and disclosure**

The department endeavours to only use personal information for the purpose for which it was collected and takes reasonable steps to acquire consent for disclosure to third parties. Personal information is only used or disclosed for another purpose if that purpose is related to the primary purpose and the person would reasonably expect the information to be used or disclosed or the individual has consented to the use or disclosure.

The department may also use or disclose personal information for any other purpose if it is required or authorised by law or the use or disclosure is believed necessary to prevent a threat to an individual's or the public's health and safety.

### **Security of information**

Where reasonably possible, the department has security procedures in place to protect personal information from misuse and loss, and from being seen, changed, used or disclosed by individuals who are not authorised to do so.

The department endeavours to ensure that records held by the department are managed in accordance with the Northern Territory Government Records Management Standards at all times.

### **Student transfers between Northern Territory government schools and educational facilities**

When a student has been accepted at, and is transferring to, another Northern Territory government school or educational facility, our school 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 and to support the student's social and emotional wellbeing and health.

### **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 Northern Territory 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 Northern Territory government school to enable that school to evaluate their education program. For more information about NAPLAN please go to the [Department of Education website](#)<sup>2</sup>.

### **Access to your information**

The department undertakes to provide access to personal information requested under the *Information Act* and endeavours to meet requests to correct any personal information that is inaccurate, incomplete or out of date unless there is an applicable exemption under the relevant provisions of the *Information Act*.

### **Accuracy of information**

The department endeavours to ensure the personal information collected, used and disclosed by the department is, and remains, accurate, complete and up to date. If you feel that your personal information held by the department requires changing or updating, please contact the Department of Education or the relevant Northern Territory Government school.

### **Storing and securing information**

Our department takes reasonable steps to protect information from misuse and loss, and from unauthorised access, modification and disclosure. Our department stores all paper and electronic records securely, consistent with the department's records management policy and information security standards. All departmental and school records are disposed of, or transferred in accordance with the Northern Territory Government Records and Information Management Standard.

When using software and contracted service providers to manage information, our department assesses these according to the appropriate departmental processes.

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<sup>2</sup> <https://education.nt.gov.au/education/statistics-research-and-strategies/naplan>

## Consent

The department considers an individual to have consented to the collection, use or disclosure of their information if the individual has provided express consent or consent can be reasonably inferred from the conduct of the individual concerned.

### ***Consent by and on behalf of children***

Children can give consent to the collection, use and disclosure of their personal information where it is established that they are of sufficient understanding and maturity to do so or are living independently in accordance with the *NT Education Act*. Consent can also be given on behalf of a child, by the child's parent or a person authorised to do so. Proof of authorisation must be provided in writing.

### ***Consent on behalf of a person who has a disability***

Consent can be given on behalf of a person who has a disability, by a person authorised to do so, such as their legal guardian.

### ***Consent on behalf of deceased persons***

Consent can be given on behalf of deceased persons, within the first five years after death, by the administrator or executor of the deceased person's estate, or a person authorised to do so, such as their next of kin.

## 3. DEFINITIONS

**Personal information** – The definition of personal information can be found at [section 4A](#)<sup>3</sup> of the *Information Act*.

**Sensitive information** - The definition of sensitive information can be found at [section 4](#)<sup>4</sup> of the *Information Act*.

**Express consent** is permission for something that is given specifically, either verbally or in writing.

## 4. ROLES AND RESPONSIBILITIES

All departmental staff are required to:

- collect only that information which is needed for a particular purpose ('the primary purpose');
- collect sensitive information from the person concerned, wherever possible and with their consent;
- take reasonable steps to let the person concerned know why information about them is being collected and how the department will handle it;
- use and disclose personal information only for the primary purpose, or for another purpose (a 'secondary purpose') which is directly related to the primary purpose and one which the person would reasonably expect;
- take all reasonable steps to ensure the information they collect is stored securely, protecting it from unauthorised access, modification or disclosure;

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<sup>3</sup> <https://legislation.nt.gov.au/en/Legislation/INFORMATION-ACT>

<sup>4</sup> <https://legislation.nt.gov.au/en/Legislation/INFORMATION-ACT>

- take reasonable measures to ensure the information it collects is accurate, complete and up-to-date;
- provide the person concerned with access to information;
- ensure they are aware of the Information Privacy Principles and their obligations under the *Information Act* in regards to the collection, use and disclosure of personal and sensitive information.

## 5. RELATED POLICY, LEGISLATION AND DOCUMENTS

Departmental policies	<a href="#">Privacy Complaints Policy</a> <sup>5</sup> <a href="#">Privacy Complaint Handling Guidelines and Procedures</a> <sup>6</sup>
Northern Territory Government policies	<a href="#">Records Management Standards for public sector organisations in the NT</a> <sup>7</sup>
Northern Territory legislation <sup>8</sup>	<a href="#">Information Act</a> <a href="#">Education Act</a>

## 6. CONTACTS

If you wish to access or change your personal information, lodge a complaint about an interference with your privacy, or you have a query on how your personal information is collected, managed, used or disclosed please contact the department's Freedom of Information and Privacy officer at:

IT and Information Services  
Department of Education  
GPO Box 4821  
Darwin NT 0801

**Phone:** (08) 8901 4907  
**Email:** detfoi.det@nt.gov.au

Alternatively you can contact the department online via our [feedback form](#)<sup>9</sup> or using the contact details below.

Department of Education  
Mitchell Centre, 55-59 Mitchell Street  
Darwin NT 0800  
GPO Box 4821  
Darwin NT 0801

**Phone:** (08) 8999 5659  
**Email:** infocentre.det@nt.gov.au

<sup>5</sup> <https://education.nt.gov.au/education/policies/complaints>

<sup>6</sup> <https://education.nt.gov.au/education/policies/complaints>

<sup>7</sup> [http://www.nt.gov.au/dcis/info\\_tech/records\\_policy\\_standards/records\\_management\\_standards/index.shtml](http://www.nt.gov.au/dcis/info_tech/records_policy_standards/records_management_standards/index.shtml)

<sup>8</sup> <https://legislation.nt.gov.au/>

<sup>9</sup> <https://education.nt.gov.au/contact/feedback>