POLICY

BLOMFIELD SPECIAL SCHOOL & RESOURCE CENTRE
PRIVACY POLICY

RATIONALE:
The Board of Trustees must comply with the Privacy Act 2020, and the IPP3A additions to the Act introduced in May 2026, to ensure the responsible governance and protection of personal information.

PURPOSE:

To safeguard individual privacy by ensuring:

- Appropriate collection, use, and disclosure of personal information.
- Individual access to their own information held by the school.
- Correction of inaccurate personal information.

GUIDELINES:

General
The Principal is appointed as Privacy Officer and may delegate duties as needed.
All procedures for collecting, using, and disclosing personal information must follow the Privacy Act.
Any form collecting personal information must state its purpose, intended use, and disclosure details.

Student Information
On enrolment, parents/carers will be requested to sign separate consent for each agency with whom the school may need to share or collect personal information. For each agency a clear purpose will be stated. Whether sharing is mandatory such as the Ministry of Education, or optional will be made clear. Parents will be advised of a right to withdraw consent at any time . For new highly specific interventions , such as emergency psychological referral explicit and specific consent will be gained as required.
Routine pre-planned third party collections of student information, such as Ministry of Education data requirements are covered by the enrollment consent form . For unexpected or highly specialised third party data collections parents and carers should be notified. The exception to this would be where any such disclosure of information is requested through the application of other applicable legislation.

Private or sensitive information about staff and pupils on display within the school must be positioned in such a way that it may not be seen by visitors or unauthorized staff. Permission will be sought annually for the use of students' images or work to appear on the school's official social media platforms including Facebook, Seesaw, the school website and local or national media. Such information which is used to support student learning programmes and celebrate student progress and achievement will be presented with due care and consideration for the privacy and dignity of any individual involved.

Student records created, collected, or held by the school are subject to the temporary care records protection instruction issued by the Archives New Zealand. This means that once the student has been recorded on ENROL or any other system that captures student enrolment details must be protected and retained indefinitely, or until such time as a relevant new retention and disposal order is confirmed. The protection order extends to hard-copy and digital records, including Student Management Systems and internal filing systems.

Information access for Parents

Under the Privacy Act, 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. Under the Privacy Act 2020 the Privacy Commissioner has the power to issue binding access directions for failure to give individuals access to their information.

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, 2020 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.
In accordance with the Privacy Act 2020 personal information may only be disclosed overseas if either:

The organisation receiving the information can provide a similar level of protection as New Zealand
OR
People are informed about how their information is being disclosed and provide authorisation for this.

Parents are not entitled to information about other parents, or students who are not their own children.
In the case of notifiable data breaches these will be reported to the Privacy Commissioner as well as the affected parties as soon as possible.

Staff Information

Both newly appointed staff and current staff will be required to sign a consent form with respect to personal information gathered regarding that individual. The personal file containing information about each individual staff member will be kept securely. Staff information will also be stored on the school's online approved Student Management System. Access will only be through the Privacy Officer or delegated representative. Staff requesting to have access to their personal file must make their request in writing to the Privacy Officer who will make the requested personal individual file available only to the named individual or their duly authorized representative or agent.

Any requests for a copy of information held on personal files will be provided at no expense to the staff member.

In collecting any information on employees from them directly or from a third party the school must take all reasonable steps to ensure that the employees give consent for the collection of this information and understand:

- the purpose for which it is being gathered

- who will receive the information
- whether such collection is compulsory or voluntary.
- what will happen if they do not provide the consent to gather the information.

All personal, employee information collected will be held in a secure place where only authorized personnel have access to it and all reasonable measures to prevent its theft or unauthorised disclosure will be made. When the employee information is no longer relevant it will be destroyed.

In the case of notifiable data breaches these will be reported to the Privacy Commissioner as well as the affected parties as soon as possible.

RESOURCES:
https://privacy.org.nz/privacy-act-2020/privacy-principles/

Approved by Board of Trustees 10.10.94
Reviewed Board of Trustees 30.10.2014
Reviewed Board of Trustees May 2018
Adopted Board of Trustees 17.05.2018
Reviewed and Approved by the Board of Trustees 19.08.2021
Reviewed and adopted by the Board of Trustees 29.10.2026

Presiding Member: _____ Date : _____