



## Privacy

1. Liston College promotes and protects the privacy of all individuals associated with the school, i.e. students, staff, parents, whānau, guardians, and any others.
2. We follow the key principles of the Privacy Act 2020, which describe how we may collect, use, store, and dispose of **personal information**.
3. The Office of the Privacy Commissioner administers the Act and encourages best practice.
4. Our privacy officer deals with requests for personal information and, if required, liaises with the Privacy Commissioner in any investigations.
5. Our Privacy Guidelines inform:
  - a. how we collect, store, and dispose of information
  - b. what information we collect
  - c. how we use and disclose information about individuals, including **official information requests**
  - d. how individuals may access information relating to them that is held by the school
  - e. how to manage the **rights of parents** regarding information about their child.
6. It is important that staff understand the school's privacy guidelines, especially in relation to personal information and reporting breaches.

### 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.

#### 1. Guidelines for collecting, using, storing, and disposing of personal information.

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

##### a. Purpose, source, and manner of collecting personal information.

- 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 manner [1,3]
  - in a lawful and fair manner and avoid intruding on people's privacy as much as possible, especially vulnerable children or young people [4].



## **b. Storage, access, correction, and accuracy of personal information**

- We have reasonable safeguards in place to protect personal information from loss, unauthorised access, use, or disclosure. 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].

## **c. Holding, disclosing, and disposing of personal information**

- 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. We securely dispose of personal information that is no longer needed. [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 are allowed, or 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 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-riden by other legislation or law, including a court order.
    - it is necessary for the protection of individual or public health and safety [11].

## **2. Disclosing personal information outside New Zealand**

Liston College only discloses personal information outside New Zealand if:

- a parent authorises the disclosure, and understands that we cannot guarantee the security of the information once it is sent outside New Zealand (for example, sending a report to an international student's parents), or
- we reasonably believe the country where the information is sent has comparable privacy safeguards [12].



## 3. Unique identifiers

Where necessary, and when it's useful for administrative purposes, we use the National Student Number (NSN) or other personal ID numbers. Except for the NSN, the school doesn't use the same ID number for a student that another agency also uses for them [13].

## 4. Official Information Requests

When a person asks Liston College for information, Liston College follows the requirements of the relevant legislation and guidelines.

### OIA requests

The board will assess any official information request and respond within 20 working days, as required by the OIA, or may refuse the request, if appropriate.

Reasons why a request may be refused include:

- legal reasons for withholding the information.
- the information requested is or will soon be publicly available.
- the information does not exist or cannot be found.
- it would take substantial collation or research to compile the information.
- the request is considered frivolous, trivial, or vexatious.

If a request is refused, the board will give reasons for the refusal and ensure the person who requested the information knows they have the right to make a complaint to the Ombudsman.

### Charges

Charges may apply, and Liston College will ensure the person who requested the information agrees to the costs before proceeding.

Requests for information may be amended to lessen estimated costs or because they would otherwise be refused due to the need for substantial collation or research.

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### Legislation

- Official Information Act 1982
- Local Government Official Information and Meetings Act 1987
- Privacy Act 2020
- Education and Training Act 2020
- Oranga Tamariki Act 1989

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### Resources

- Privacy Commissioner: [Sharing information about vulnerable children](#)
- Simply Privacy: [Collecting personal information from children](#) Ministry of Education
- Educational Leaders: [How should the school respond to requests for official information?](#)
- NZSTA: [Responding to information requests](#)
- Ombudsman: [The OIA and school boards of trustees](#) and [Complaining about access to official information](#)



## Adopted by Board of Trustees

Review Date:

27-MAR-2024

Chairperson:

### Reviewed:

31.09.06.

23/09.08

27.06.17.

**Next Review:** 2027 – every three years



## Privacy Act 2020 and the Privacy Principles

[The Privacy Act 2020](#) governs how organisations and businesses can collect, store, use and share your information.

It ensures that:

- you know when your information is being collected.
- your information is used and shared appropriately.
- your information is kept safe and secure.
- you can get access to your information.

The Privacy Act has 13 privacy principles that govern how businesses and organisations should collect, handle and use personal information.

- [Principle 1 - Purpose for collection](#)
- [Principle 2 - Source of information - collection from the individual](#)
- [Principle 3 - What to tell the individual about collection](#)
- [Principle 4 - Manner of collection](#)
- [Principle 5 - Storage and security of information](#)
- [Principle 6 - Providing people access to their information](#)
- [Principle 7 - Correction of personal information](#)
- [Principle 8 - Ensure accuracy before using information](#)
- [Principle 9 - Limits on retention of personal information](#)
- [Principle 10 - Use of personal information](#)
- [Principle 11 - Disclosing personal information](#)
- [Principle 12 - Disclosure outside New Zealand](#)
- [Principle 13 - Unique identifiers](#)