



Privacy of Student Information Policy

Rationale:

The welfare of the student is the school's primary concern in regard to the privacy of their information.

Objective:

The College will comply with the Privacy Act 2020, as well as follow good practice advice and guidance from the Office of the Privacy Commissioner and the NZ School Trustees Association.

Guidelines:

1. Parents, custodial and non-custodial, as well as Family Court appointed guardians, are entitled to receive information on their children's progress at school and anything that is preventing that progress. This information includes school reports, attendance data, and other relevant information about a student's educational progress.
2. Any court orders which are in place will be followed. At enrolment, we will ask for a disclosure request from the primary caregiver enrolling the student if there are Family Court documents or other court orders in place prohibiting parental access to student information, and to whom those documents apply.
3. The school will take into account the confidentiality obligations of the school counsellors. Information a student has disclosed to a school counsellor is confidential, except in the case of imminent severe risk to themselves or others.

Related documentation:

- <https://www.justice.govt.nz/family/care-of-children>
- <https://www.privacy.org.nz>
- The Privacy Act 2020
- Te Puna Wai o Waipapa – Hagley College Child Protection Policy
- Non-Custodial Parent Access to Information on Students – guidelines (attached)

Approved by: _____  _____

Designation: _____ Presiding Member _____

Date Approved: _____ 28 Nov 2023 _____

Review Date: _____ Nov 2025 _____

Non-custodial Parent Access to Information on Students – Guidelines

Enrollers need to check that all parents are listed on enrolment forms and where necessary outline to the custodial parent the rights of a non-custodial parent to information on the young person, unless there is a court order stating the non-custodial parent is not to be given this information.

If a court order is in place, the College needs to be supplied with a copy of the order, which is kept in the student's file in the Enrolment Centre and an alert placed on Kamar.

If a non-custodial parent is seeking information about their child and is not listed on our database:

1. Check Kamar to see if a court order is in place prohibiting the release of information to the noncustodial parent.
2. Check to see if we have an earlier enrolment form or a copy of the student's Birth Certificate in the student's file in the Enrolment Centre which names this non-listed parent.

If we don't have an earlier enrolment form naming the non-custodial parent or a copy of the birth certificate, and there is no court order in place, we would need the non-listed parent to supply a copy of the birth certificate as proof of their right to the information sought.

Unless a court rules otherwise, both parents are entitled to:

- a copy of their child's reports
- discuss the educational progress of their child with school staff in the same way as any other parent
- contribute to major educational decisions affecting the child, eg decide which school the child attends, special class* admission
- participate in parent activities and functions at the school
- see such official records about the child as are normally shown to parents (eg attendance data)

Counselling information on students is NOT disclosed to parents, custodial or otherwise.

* Privacy Act 2020