



Privacy Options for Complaint Resolution

Information Technology Directorate

Introduction

The Department provides access to Microsoft Office 365 and Google Apps for Education for staff and students. Specific privacy information sheets have been developed for each service. If you have a complaint about the handling of your child's information, please consider the information in this flyer to ensure your complaint can be resolved effectively.

What happens if I have a complaint about the way my child's information has been dealt with?

Under NSW and Australian privacy legislation the personal information of your children is protected.

If you have a complaint about how your child's information has been dealt with, you have a legal right to make a complaint. The way in which you complain depends on who you consider has not protected your child's personal information.

What happens if my complaint is about how a government school has dealt with my child's information?

The Department of Education and Communities has clear privacy procedures which are underpinned by the Privacy and Personal Information Protection Act 1998 (NSW) and the Health Records and Information Privacy Act 2002 (NSW) – together known as “the privacy legislation”. You can find out more about these Acts and how the Department deals with personal information from the links in DEC Information below.

If you consider that a government school, or the Department of Education and Communities, has not protected your child's personal information you can seek an Internal Review under the privacy legislation. That requires the Department to consider the conduct complained of and, if appropriate, seek to remedy any misuse of personal information. If you have such a complaint you can submit it on the

Department's Privacy Internal Review Application Form. Or you can contact the DEC Privacy Contact Officer on 9561 8151.

Such a complaint is overseen by the NSW Privacy Commissioner, and if you are not satisfied with the Department's handling of a complaint, or want further advice about privacy, you can contact the Information and Privacy Commission of NSW.

What if I think Google or Microsoft have misused my child's personal information?

Both Google and Microsoft have privacy policies which indicate how they deal with complaints.

As Google and Microsoft are private corporations, they are subject to the Commonwealth Privacy Act 1988. If you are not satisfied by the way Google or Microsoft have dealt with your complaint you can also raise such issues with the Office of the Australian Information Commissioner.

DEC Information

- Google Apps for Education and Microsoft Office 365 Privacy Information Sheets
 - <http://<URL TO BE DETERMINED AT ROLLOUT>/>
- How the Department of Education and Communities deals with personal information
 - <http://www.dec.nsw.gov.au/about-us/plans-reports-and-statistics/privacy>
- Privacy Internal Review Application Form
 - <https://www.det.nsw.edu.au/media/downloads/about-us/plans-reports-and-statistics/privacy/privacy-review-form.pdf>

NSW Privacy Information

- Information and Privacy Commission - <http://www.ipc.nsw.gov.au/>

Australian Privacy Information

- Office of the Australian Information Commissioner - <http://www.oaic.gov.au/>