Te Tāhuhu o te Mātauranga
Ministry of Education

# Te Rito – Protecting Student Information

A summary of the Te Rito Privacy Impact Assessment (PIA) in plain language

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Te Kāwanatanga o Aotearoa
New Zealand Government

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# Background

The Ministry of Education (the Ministry) wants to make sure everyone's:

- privacy is protected
- digital information is safe.

The Ministry also wants to help schools and students manage information, especially when students change schools.

## What is this document for?

This document is part of the Ministry's information for students, parents, teachers, and other interested parties, to help them understand how Te Rito protects student information. In this document, we cover:

- what Te Rito is and what it will do
- what personal information is
- how the Privacy Act applies
- what a Privacy Impact Assessment (PIA) is
- what was found in the Ministry's PIA for Te Rito
- how the Ministry will make sure student information is kept safe.

## What is the problem?

When a student changes schools, it can be difficult for teachers and support staff to get information about students to support their learning.

Parents and whānau have to provide a lot of information when their child changes schools. Moving information from one school to another can take a lot of time and effort. Sometimes it happens without much attention to security or privacy.

## How are we fixing it?

The Ministry is providing Te Rito to make these tasks easier. The school's Student Management System (SMS) will share some student information with Te Rito.

When a student starts at a new school, staff at the new school will be able to access the student's existing information in Te Rito. The SMS for the new school will then send updates of the student's information to Te Rito for as long as the student goes to that school. Once the student leaves the school, the school and their staff lose access to the student's information in Te Rito.

## What terms have we used?

To keep the language simple in this document, the terms 'school' and 'student' include kura and ākonga. A te Reo Māori version of this document will be available in the Privacy section of the Te Rito website in the future.

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# What is Te Rito?

Te Rito is an application that stores student and staff information. Te Rito is based on the principle that it will protect and uphold the mana of the child and their whānau. Te Rito:

- limits access to student information based on who the person is in the student's life
- will be rolled out over time to include more schools, users, and functions
- is co-designed, co-governed, and co-delivered with the education sector, through the Ngā Rau Whakatupu working groups (more information about the groups is available Ngā Rau Whakatupu | Te Rito).

## Who can use Te Rito?

The Ministry of Education provides Te Rito free of charge to schools. Te Rito is delivered by Edsby, a worldwide company that provides educational services.

We are rolling out Te Rito in stages. The first stage will include school staff using basic functions at a few schools. Over time:

- all schools will be able to opt in to Te Rito
- we will offer more functions
- students, parents, and whānau will be able to access Te Rito.

## What information is stored and used in Te Rito?

Te Rito stores and uses **all users'** 'biographical' information. This includes details like the user's name, email address, profile photo, and what role they have (for example, teacher, student, parent). It also stores 'usage' information, such as when and how they log in.

Te Rito stores and uses **students'**:

- enrolment information, assessments, attendance, and learning content
- extra biographical information, such as their date of birth, school photo, National Student Number (NSN), or health information the school needs, such as food allergies
- 'pastoral' information (providing care for the student), such as individual education plans, learning support information, and medical information relevant to their attendance or learning needs.

Te Rito stores and uses the details of **staff members'** teaching roles, such as their classes.

Any changes to storing or using Te Rito information will be added to the webpage Privacy statement | Te Rito.

## How does Te Rito work?

Schools collect information about students:

- when they enrol (or pre-enrol) at a school
- during the student's time at the school.

Schools store this information in their Student Management System (SMS). Some information is also stored in Ministry applications such as ENROL (the enrolment application) and e-asTTle (used for some assessments). The school's SMS and some Ministry applications will pass some of the information they collect to Te Rito.

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Te Rito makes sure that people can only access the information they need to support the student. This means that principals, teachers, students, parents, and whānau will have access to different information. School staff can only access a student's Te Rito information while a student is enrolled at their school. Teachers can only access information about students in their class(es).

## What is not affected by Te Rito?

These things will be the same when Te Rito is used:

- how a student enrols at a school (including what information is collected)
- how schools use information
- what information is shared with the Ministry
- schools' responsibilities under the Privacy Act.

## What happens behind the scenes?

The way information flows between the different systems is shown in Figure 1 below.

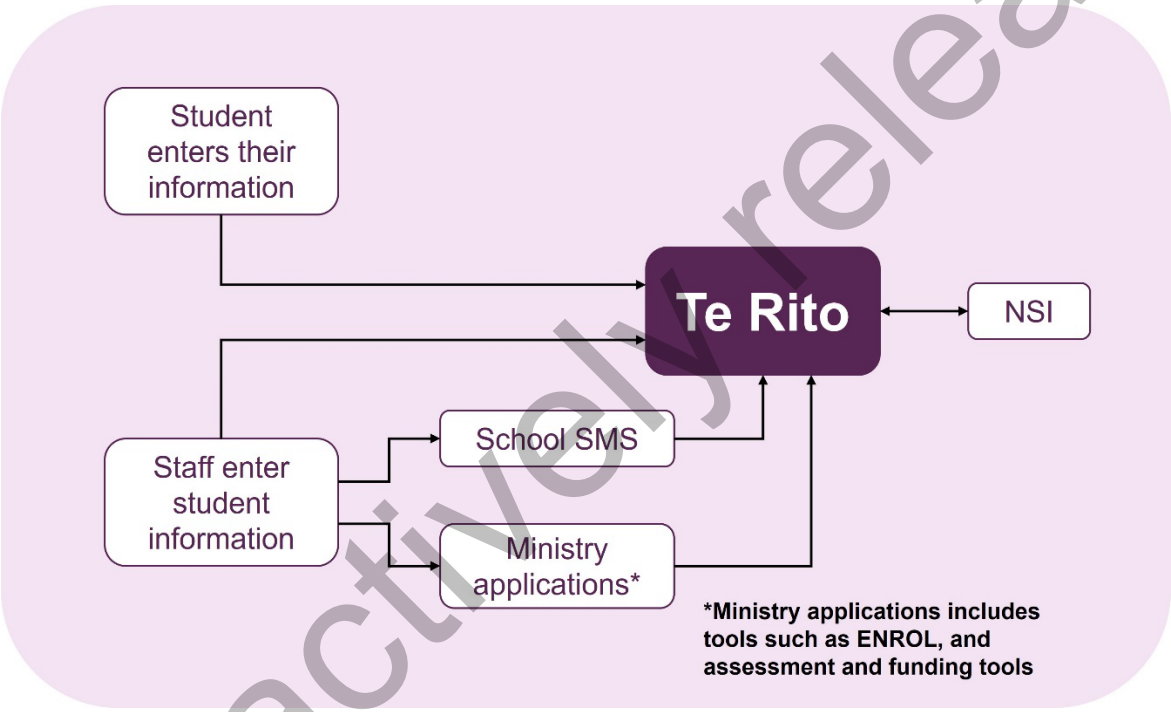



**Figure 1: Information flow to Te Rito**

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# What is Privacy?

## Why is privacy important?

When we say ‘privacy’ we mean keeping people’s personal information safe.

In New Zealand, the main way we make sure personal information is kept safe is by doing what the Privacy Act 2020 says we should.

## What is personal information?

Personal information is any information about you. Personal information doesn’t have to include your name. It could be something like your phone number, home address, or gamertags.

## What is the Privacy Act 2020?

The Privacy Act 2020 tells people and groups how they are allowed to collect, store, use and share your personal information.

It makes sure that:

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

You can get more information about the Privacy Act 2020 and keeping personal information safe at these links:

- Office of the Privacy Commissioner
- Netsafe’s OWLS (child-friendly explanation)
- Hector’s World (resources for primary schools).

## What are the Privacy Principles?

The Privacy Act has thirteen principles, as well as guides for specific areas. The privacy principles that most apply to Te Rito are:

- Principle 1 - Purpose for collection
- Principle 3 - What to tell the individual about collection
- Principle 5 - Storage and security
- Principle 8 - Accuracy
- Principle 10 - Use of personal information
- Principle 11 - Disclosing personal information.

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# How did we check privacy is protected?

We designed Te Rito to make sure it will keep students' personal information safe, and that people can only see the information they need to support the student.

To make sure Te Rito works correctly, we made sure Te Rito aligned with the Privacy Act and its principles, by asking questions like:

- what are the intended uses of Te Rito information?
- will Te Rito share information safely?
- will shared information be kept to the minimum?
- will people only be able to access student information they need?
- will each student be able to see their own information and no one else's?

We answered these questions and others by completing a Privacy Impact Assessment, described below.

## What is a Privacy Impact Assessment?

A Privacy Impact Assessment (PIA) works out privacy risks and ways to reduce them.

When we prepared the PIA for Te Rito, we consulted with the Government Chief Privacy Officer and the Office of the Privacy Commissioner.

## What have we covered in the PIA?

The PIA for Te Rito looked at risks related to:

- sharing information in Ministry systems and Student Management Systems (SMSs) with Te Rito
- the intended use of Te Rito by schools and users who will use Te Rito information.

During the PIA, we made sure Te Rito meets the requirements of the Privacy Act, as well as:

- setting up the Te Rito Data Kaitiakitanga Group (see below)
- reviewing earlier Te Rito PIAs and their controls
- working with the Ngā Rau Whakatupu Working Groups (more information about the groups is available at Ngā Rau Whakatupu | Te Rito)
- checking the independent privacy analysis of Edsby by the US Common Sense Privacy Programme Edsby – Privacy Evaluation (commonsense.org)
- checking Te Rito against the:
  - Safer Technology for Schools (ST4S) programme
  - UK Information Commissioner's Office (ICO) Age-Appropriate Design Code (AADC) (see below)
  - Government's Data Protection and User Policy (DPUP).

### What is the Te Rito Data Kaitiakitanga Group?

The Te Rito Data Kaitiakitanga Group is an independent group. It will regularly review how Te Rito uses and shares students' information. More information about this group is available at Our governance | Te Rito.

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### What is the Age-Appropriate Design Code?

The Age-Appropriate Design Code has been put in place in the United Kingdom (UK) to ensure children's digital information is kept safe by online services. Similar codes are currently being set up in Europe and in several states in America.

More information about the UK code is available here - AADC introduction.

### What is the Data Protection and User Policy (DPUP)?

The Government's Data Protection and User Policy (DPUP) aims to build trust and to encourage data practices that focus on the wellbeing of people and communities.

You can learn more about DPUP at Learn about DPUP.

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# How does Te Rito manage privacy risks?

The main steps in managing Te Rito's risks are:

1. identifying Te Rito's risks.
2. deciding how serious each risk is (called their 'risk level' - see next section).
3. working out which actions will reduce or manage each risk (called 'controls').
4. making sure the controls are in place.
5. recording the risk levels after the controls are in place (called 'residual risks').

## How do we work out how serious risks are?

We use risk levels to describe how serious a risk is. Risk levels are based on:

- how likely it is that the event will happen
- how much harm it may cause.

A risk can be reduced by:

- making it less likely to happen
- reducing the harm that the risk could cause.

Here is an image showing how likelihood (probability) and harm (impact) combine to give different risk levels:

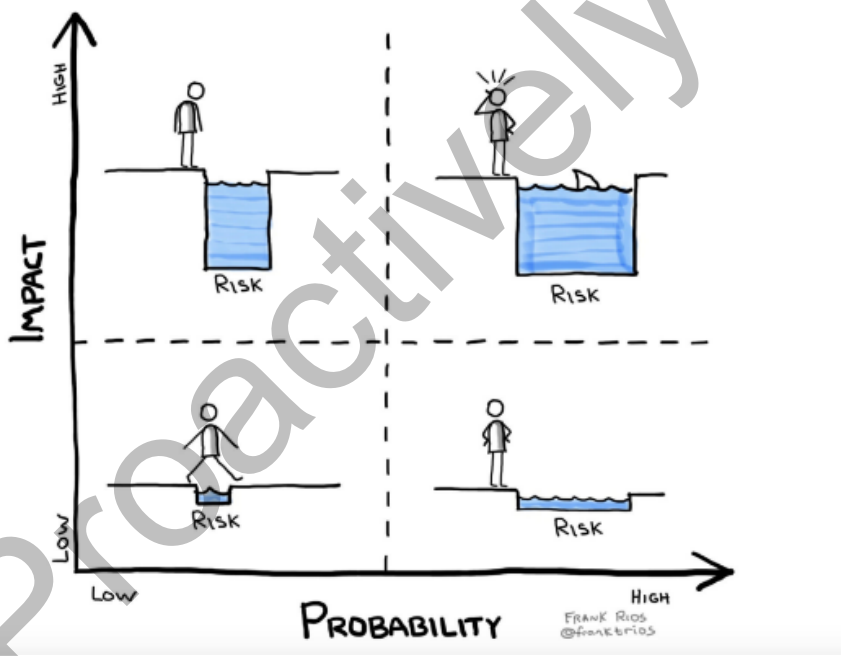



**Figure 2: Examples of risk levels**

Source: © franktrios. Frank Rios, from an original by Jean-Pierre Ciriades.

The PIA divides risks into high-level, medium-level, and low-level risks. Te Rito has no high-level residual risks, three medium-level residual risks, and 15 low-level residual risks. A summary of the identified risks is in Table 1 of the PIA's Section 4 'Summary of findings'.

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## What are Te Rito's main controls for risk?

We set up Te Rito with some controls that manage a lot of the risks. Some of the technical controls in Te Rito that do this, are:

- designing Te Rito to protect privacy
- making sure that Te Rito keeps all data safe while it is stored and shared
- making sure Te Rito complies with the international standard 'ISO 27001 Information security, cybersecurity and privacy protections'
- limiting access to information based on what role (student, teacher, parent, whānau) people have (called 'role-based access control' or RBAC)
- reviewing risks, including checks by people outside the Ministry (called 'independent assurance')
- having ongoing testing, monitoring, and reporting
- making sure that only the right type of data is entered in fields (called 'data input validation') – for example, only letters, macrons, or apostrophes are entered for names.

We also provide some general controls by providing guidance and advice, such as:

- providing training and guidance for school staff
- making sure users understand their responsibilities by providing the Privacy statement | Te Rito, Terms of use | Te Rito and other guidance.

## What controls are there for medium-level risks?

As well as having controls that apply to many of Te Rito's privacy risks, we also have controls in place to manage specific risks. Some of the main medium-level ones are discussed below.

### How does Te Rito stop access by unauthorised organisations or people?

Schools, the Ministry, and Edsby are all responsible for making sure information in Te Rito is only accessed by appropriate people or organisations.

Schools are responsible for assigning users to roles in Te Rito, and manually removing assigned roles when required (for example, when a teacher changes school).

The Ministry and Edsby are responsible for making sure unauthorised people cannot access personal information, including by:

- limiting user's access to the specific student information that they need to support the student, based on their role
- testing and checking that users are only able to look at information they should, based on their role
- automatically removing teachers' access to Te Rito information when a school's SMS or the teacher's login portal (called ESL) shows they have left that school
- using technical controls to reduce accidental sharing.

### How do schools make sure passwords are secure?

Schools are responsible for making sure:

- their password processes are set up correctly
- that staff and students understand how to choose secure passwords and keep them safe.

Netsafe has more information on:

- how to choose a strong password.

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### What do schools need to do when they share information with other schools?

Schools may share information through Te Rito with other schools when a student:

- changes school
- is enrolled in more than one school.

School enrolment forms and privacy statements need to tell students and other users when information will be shared with other schools, including through Te Rito.

### How do we make sure Te Rito stores information for a reasonable time?

Te Rito has been set up so that it stores information following the requirements of New Zealand's Public Records Act 2005. More information is available at Archiving and disposing of school records.

This means Te Rito holds student information while the student is at school and for seven years afterwards. Te Rito also backs up student data every year and keeps the backup for seven years.

For example, information about a student who leaves school at age 18 will be removed from the live Te Rito system when they are 25. Their information will be removed from the backup system when they are 32.

## What controls are there for low-level risks?

Te Rito introduces some low-level risks that need controls, such as making sure that:

- when we add new functions and user groups, any new privacy risks are identified and controls are put in place
- Te Rito does not collect personal information that isn't needed.

Some low-level privacy risks already occur in some schools and service providers. Schools and service providers need to make sure:

- they use and share personal information appropriately
- they explain privacy and personal information in a way that students, whānau, and parents can understand
- educational applications that collect or use personal information meet privacy requirements, including having an educational purpose and getting consent.

A new low-level privacy risk for schools when they opt in to Te Rito, is that they need to make sure:

- students, parents and whānau get the information they need about Te Rito.

The Ministry of Education will help schools manage these risks by providing advice and guidance.

### How does Te Rito manage risks from advertising or selling data?

Te Rito manages the risks from having advertising or selling user information by not allowing both. Te Rito has also been set up so:

- Te Rito cannot send adverts to any users (schools may advertise events)
- information in Te Rito is not sold to anyone or shared with any unauthorised organisations or companies
- user profiles are not created, and geolocation data is not collected.

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## What else are we planning to do?

As we roll out Te Rito to more schools and offer more functions, we will have reviews, asking questions about Te Rito such as:

- are we still limiting Te Rito information to only what is needed?
- are we storing any Te Rito information for too long?
- are we still giving access to information to assigned roles appropriately?
- does Te Rito need additional technical controls to manage new cyber security threats?

We will also add to our plain language guidance for students and other users.

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