

This is a summary of the decision of the Commissioner.

IN THE MATTER OF:-

Complainant {A parent}

VERSUS

Respondent 1 {Administration of a government primary school}

and

Respondent 2 {Parent Teacher Association (PTA)}

The Data Protection Office received a complaint whereby Complainant declared the following:

- Pictures of minor children and infants pre-primary were taken from mobile phone by the head mistress at that time and a few pictures were exposed on the internet.
- President of the PTA at that time was using the school website to insult parents and to make his own propaganda to stay as President of the PTA.
- Signatures of members of the PTA were being used for other purposes.
- Signatures of parents were taken on blank papers.
- Receipts were being issued in the name of minors/infants for contributions paid by parents to the PTA.

This office requested Respondent 1 to provide a statement on the issue. The head mistress denied having posted any pictures of pupils on the internet be it with or without the consent of respective parents and responsible parties. She also acknowledged that the President led the PTA for 4 years and then resigned. Moreover, she pointed out that the school has no website of its own and the use of the supposed school website to insult parents is a mere allegation without foundations. In addition, signatures of PTA members were kept in custody of the Secretary of the PTA and were safe guarded, and as an adviser to the PTA, she had no access to this document without authorisation of the Secretary. The head mistress also stated that members' signatures have never been used for any illegal or improper purpose except for the use they were given/obtained freely. She vehemently denied the fact that parents' signatures were obtained on a blank sheet of paper. With regard to receipts of the PTA, she stated that it was the Treasurer who was issuing such receipts and that she didn't issue any. This office also tried to obtain the statement of Respondent 2. Subsequently, this office was informed through a memo that the school was not functional and was frozen, and the President already resigned and no longer formed part of the PTA. The content of the memo was quite unclear and therefore, this office sought clarification from Respondent 1. The actual head master declared that as far as he knows the school has no website. He has never known the President of the PTA at that time. The school has always been functional; it was the PTA which was not functional and frozen. As a result, Complainant was informed that in the absence of concrete evidence regarding any offence under the Data Protection Act, this office would not take any further action on this issue and so requested Complainant to inform this office within 21 days in case of any concrete evidence for a breach of Data Protection Act. The office did not receive any reply from Complainant.

The Data Protection Commissioner has decided as follows:-

In view of the evidence adduced above and in particular, the statement of Respondents 1 and 2 and the fact that Complainant has not addressed any further issues nor evidence, the enquiry is now closed to the satisfaction of all parties and no offence is found committed under the Data Protection Act.