

POLICY: PRIVACY



1.0 INTRODUCTION

This Privacy Policy sets out how the School manages personal information provided to or collected by it.

The School is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. In relation to health records, the School is also bound by the Victorian Health Records Act

The School may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the School's operations and practices and to make sure it remains appropriate to the changing school environment.

2.0 WHAT KINDS OF PERSONAL INFORMATION DOES THE SCHOOL COLLECT AND HOW DOES THE SCHOOL COLLECT IT?

The type of information the School collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about:

- students and parents and/or guardians ('Parents') before, during and after the course of a student's enrolment at the School;
- job applicants, staff members, volunteers and contractors; and
- other people who come into contact with the School.

2.1 *Personal Information you provide:*

The School will generally collect personal information held about an individual by way of forms filled out by Parents or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than Parents and students provide personal information.

2.2 *Personal Information provided by other people:*

In some circumstances the School may be provided with personal information about an individual from a third party, for example a report provided by a medical professional or a reference from another school.

2.3 *Exception in relation to employee records:*

Under the Privacy Act and Victorian Health Records Act, the Australian Privacy Principles and Health Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the School's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the School and employee.

3.0 HOW WILL THE SCHOOL USE THE PERSONAL INFORMATION YOU PROVIDE?

The School will use personal information it collects from you for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected by you, or to which you have consented.

3.1 *Students and Parents:*

In relation to personal information of students and Parents, the School's primary purpose of collection is to enable the School to provide schooling for the student. This includes satisfying the needs of Parents, the needs of the student and the needs of the School throughout the whole period the student is enrolled at the School.

The purposes for which the School uses personal information of students and Parents include:

- to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- day-to-day administration of the School;
- looking after students' educational, social and medical wellbeing;
- seeking donations and marketing for the School; and
- to satisfy the School's legal obligations and allow the School to discharge its duty of care.

In some cases where the School requests personal information about a student or Parent, if the information requested is not provided, the School may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

3.2 *Job applicants, staff members and contractors:*

In relation to personal information of job applicants, staff members and contractors, the School's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

The purposes for which the School uses personal information of job applicants, staff members and contractors include:

- in administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking donations and marketing for the School; and
- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

3.3 *Volunteers:*

The School also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, such as [alumni associations], to enable the School and the volunteers to work together.

3.4 *Marketing and fundraising:*

The School treats marketing and seeking donations for the future growth and development of the School as an important part of ensuring that the School continues to provide a quality learning environment in which both students and staff thrive. Personal information held by the School may be disclosed to organisations that assist in the School's fundraising, for example, the School's Foundation or alumni organisation or, on occasions, external fundraising organisations.

Parents, staff, contractors and other members of the wider School community may from time to time receive fundraising information. School publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

4.0 WHO MIGHT THE SCHOOL DISCLOSE PERSONAL INFORMATION TO AND STORE YOUR INFORMATION WITH?

The School may disclose personal information, including sensitive information, held about an individual to:

- another school;
- government departments;
- medical practitioners;
- people providing services to the School, including specialist visiting teachers, counsellors and sports coaches;
- recipients of School publications, such as newsletters and magazines;
- Parents;
- anyone you authorise the School to disclose information to; and
- anyone to whom we are required to disclose the information to by law.

4.1 *Sending and storing information overseas:*

The School may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, the School will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (in some cases this consent will be implied); or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

The School may also store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.

5.0 HOW DOES THE SCHOOL TREAT SENSITIVE INFORMATION?

In referring to 'sensitive information', the School means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information and biometric information about an individual.

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

6.0 MANAGEMENT AND SECURITY OF PERSONAL INFORMATION

The School's staff are required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals.

The School has in place steps to protect the personal information the School holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerised records.

7.0 ACCESS AND CORRECTION OF PERSONAL INFORMATION

Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to obtain access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy. Students will generally be able to access and update their personal information through their Parents, but older students may seek access and correction themselves.

There are some exceptions to these rights set out in the applicable legislation.

To make a request to access or update any personal information the School holds about you or your child, please contact the School Principal in writing. The School may require you to verify your identity and specify what information you require. The School may charge a fee to cover the cost of verifying your application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the School will advise the likely cost in advance. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

8.0 CONSENT AND RIGHTS OF ACCESS TO THE PERSONAL INFORMATION OF STUDENTS

The School respects every Parent's right to make decisions concerning their child's education.

Generally, the School will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. The School will treat consent given by Parents as consent given on behalf of the student, and notice to Parents will act as notice given to the student.

As mentioned above, parents may seek access to personal information held by the School about them or their child by contacting the School Principal. However, there will be occasions when access is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of the School's duty of care to the student.

The School may, at its discretion, on the request of a student grant that student access to information held by the School about them, or allow a student to give or withhold consent to the use of their personal information, independently of their Parents. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

9.0 ENQUIRIES AND COMPLAINTS

If you would like further information about the way the School manages the personal information it holds, or wish to complain that you believe that the School has breached the Australian Privacy Principles please contact the School Principal. The School will investigate any complaint and will notify you of the making of a decision in relation to your complaint as soon as is practicable after it has been made.

Policy First Ratified:	June, 2004
Revised:	March 2014
Due for Review:	March 2017

APPENDIX ST MARY OF THE ANGELS SECONDARY COLLEGE NATHALIA

COLLECTION NOTICES

STANDARD COLLECTION NOTICE

1. The College collects personal information, including sensitive information about pupils and parents or guardians before and during the course of a pupil's enrolment at the College. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the College to provide schooling to the pupil and to enable them to take part in all the activities of the College.
2. Some of the information we collect is to satisfy the School's legal obligations, particularly to enable the School to discharge its duty of care.
3. Laws governing or relating to the operation of a school require certain information to be collected and disclosed. These include relevant Education Acts, and Public Health [and Child Protection]* laws.
4. Health information about pupils is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. We may ask you to provide medical reports about pupils from time to time.
5. The School from time to time discloses personal and sensitive information to others for administrative and educational purposes, including to facilitate the transfer of a pupil to another school. This includes to other schools, government departments, [Catholic Education Office, the Catholic Education Commission, the School's local diocese and the parish, Schools within other Dioceses/other Dioceses]* medical practitioners, and people providing services to the College, including specialist visiting teachers, sports and other coaches, volunteers and counsellors. The College's bus drivers will also receive some health information about students who travel on their bus, when that student has been identified (through the enrolment process, or later notification) as having a chronic or serious health condition (Government bus drivers will not receive this information).
6. Personal information collected from pupils is regularly disclosed to their parents or guardians.
7. The College may store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia. **
8. The College's Privacy Policy sets out how parents or pupils may seek access to personal information collected about them. However, there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the College's duty of care to the pupil, or where pupils have provided information in confidence.

9. The College Privacy Policy also sets out how you may complain about a breach of privacy and how the College will deal with such a complaint.
10. As you may know the School from time to time engages in fundraising activities. Information received from you may be used to make an appeal to you. [It may also be disclosed to organisations that assist in the School's fundraising activities solely for that purpose.] We will not disclose your personal information to third parties for their own marketing purposes without your consent.
11. On occasions information such as academic and sporting achievements, pupil activities and similar news is published in School newsletters and magazines [and on our website or phone app]. Photographs of pupil activities such as sporting events, school camps and school excursions may be taken for publication in College newsletters and magazines and on our intranet. The School will obtain separate permissions from the pupils' parent or guardian prior to publication if we would like to include photographs or other identifying material in promotional material for the school or otherwise make it available to the public such as on the internet. [12. We may include pupils' and pupils' parents' contact details in a class list and School directory.] †
- 12/13. If you provide the School with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose this information to third parties.

* As appropriate

** If applicable

† Schools may wish to seek specific consent to publish contact details in class lists and School directories

EMPLOYMENT COLLECTION NOTICE

1. When receiving employment applications an 'employment collection notice' should be sent to the individual with the acknowledgment. This notice could be worded as follows:

Employment Collection Notice

1. In applying for this position you will be providing St Mary of the Angels Secondary College with personal information. We can be contacted PO Box 141, Nathalia 3638, info@smotanathalia.catholic.edu.au, 03 5866 2222.
2. If you provide us with personal information, for example, your name and address or information contained on your resume, we will collect the information in order to assess your application for employment. We may keep this information on file if your application is unsuccessful in case another position becomes available.
3. The School's Privacy Policy contains details of how you may complain about a breach of the APPs or how you may seek access to personal information collected about you. However, there may be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others.
4. We will not disclose this information to a third party without your consent.
5. [We are required to [conduct a criminal record check] collect information [regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences] under Child Protection laws. *] We may also collect personal information about you in accordance with these laws.*
6. The School may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties.*

* If applicable

2. The employee records exemption (see Section 25) does not apply to job applicants. Therefore, under the access provisions in APP 12 (see Section 16) job applicants may seek access to records of personal information which the School holds about them. The School should be mindful of this when collecting personal information (eg. references, making notes and reports). The APPs provide that personal information should be de-identified or destroyed when it is no longer needed. If Schools wish to retain this information on file, in case another position becomes available, this should be included in the Collection Notice. The same applies to contractors.
3. When collecting sensitive information, APP 3.3 requires that consent be obtained, unless an exception applies (such as where collection is required by law – see APP 3.4(a)). Regardless of whether consent for collection is required, APP 3 must still be complied with. This issue is discussed in Paragraph 9.2.
4. If unsolicited job applications are received and the School wishes to retain the applicant's information, the 'employment collection notice' should be sent. However, if you intend to pass on information to a related School, you should make the applicant aware of this in the 'employment collection notice'.

CONTRACTOR/VOLUNTEER COLLECTION NOTICE

1. All new contractors and volunteers should be sent a modified version of the 'employment collection notice'. This notice could be worded as follows:

Contractor / Volunteer Collection Notice

1. In applying to provide services to the School, you will be providing St Mary of the Angels with personal information. We can be contacted PO Box 141, Nathalia, info@smotanathalia.catholic.edu.au, 03 5866 2222.
2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information in order to assess your application. We may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information for five years.
4. The School's Privacy Policy sets out how you may seek access to your personal information and how you may complain about a breach of the APPs.
5. We will not disclose this information to a third party without your consent.
6. [We are required to [conduct a criminal record check] collect information [regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences] under Child Protection law.*] [We may also collect personal information about you in accordance with these laws.*]
7. The School may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.*
8. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties.

* If applicable