



ST MICHAEL'S PARISH SCHOOL ASHBURTON

Privacy Policy

August 2019

1. Rationale

This policy outlines how St Michael's Parish School uses and manages personal information that is provided to it and that it collects. It is also a guide to St Michael's staff as to the standards to be applied in respect of handling personal information and ensures consistency in the School's approach to Privacy.

The School is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act and will collect, use and retain personal information in accordance with those Principles.

The School may, from time to time, review and update this policy to take into account new laws and technology, changes to the School's operations and practices and to make sure it remains appropriate to changes in the School environment.

This policy applies to all employees, School Advisory Council members, consultants, volunteers and contractors of the School and all events and activities conducted by the School or those attended as representatives of the School, whether on or off site.

2. Australian Privacy Principles

Thirteen Australian Privacy Principles (APPs) apply to Australian organisations and Australian Government (and Norfolk Island Government) agencies. The APPs set minimum standards that relate to the collection, security, storage, use, correction and disclosure of personal information and access to that information.

3. Definitions

The Privacy Act covers the following types of information:

3.1 Personal information

Personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable whether the information is true or not, and whether the information is recorded in a material form or not. It includes all personal information regardless of its source. Personal information does not include information that has been de-identified so that the individual is no longer identifiable.

3.2 Sensitive information

Sensitive information means a type of personal information that is given extra protection and must be treated with additional care. It includes any information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, or criminal record. It also includes health information.

3.3 Health information

Health information means any information or opinion about the health or disability of an individual, the individual's expressed wishes about the future provision of health services and a health service provided to an individual currently or in the future. Health information also includes personal information collected in the course of providing a health service.

4. Procedure

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 including:

- name, contact details (including next of kin), date of birth, gender, language background, previous school and religion
- Parents' education, occupation and language background
- medical information (eg details of disability and/or allergies, and details of any assistance the student receives in relation to those disabilities, medical reports, names of doctors)
- conduct and complaint records, or other behaviour notes, school attendance and school reports
- information about referrals to government welfare agencies
- counselling reports
- health fund details and Medicare number
- any court orders
- volunteering information (including Working With Children Checks)
- photos and videos at school events.
- job applicants, staff members, volunteers and contractors, including:
 - name, contact details (including next of kin), date of birth and religion
 - information on job application
 - professional development history
 - salary and payment information, including superannuation details
 - medical information (eg details of disability and/or allergies and medical certificates)
 - complaint records and investigation reports
 - leave details
 - photos and videos at school events
 - work emails and private emails (when using work email address) and internet browsing history
- other people who come into contact with the School, including name and contact details and any other information necessary for the particular contact with the School.

Personal Information you provide: The School will generally collect personal information held about an individual directly from that individual by way of forms filled out by parents or students, face-to-face meetings and interviews, online surveys, emails and telephone calls. On occasions people other than parents and students may provide personal information.

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. The type of information the School may collect from another school may include:

- academic records and/or achievement levels; and
- information that may be relevant to assisting the new school meet the needs of the student including any adjustments.

Exception in relation to employee records: Under the Privacy Act the APPs 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. The School handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*.

Anonymity: The School needs to be able to identify individuals with whom it interacts and to collect identifiable information about them to facilitate the delivery of schooling to its students and its educational and support services, conduct the job application process and fulfil other obligations and processes. However, in some limited circumstances some activities and interactions with the School may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

5. Use of Personal Information Provided by Third Parties

The School will use personal information it collects from third party individuals 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 the third party individual, or to which the third party individual has consented.

5.1 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 students enrolled at the School (including educational and support services for the student), exercise its duty of care and perform necessary associated administrative activities which will enable students to take part in all the activities of the School.. 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;
- seeking feedback from students and parents on school performance and improvement, including through school improvement surveys; 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.

5.2 Job applicants, staff members, committee members and contractors

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

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

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

5.3 Volunteers

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

5.4 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 St Michael's Parent and Friends Association or alumni organisation (or, on occasions external fundraising organisation.)

5.5 Counsellors

The School contracts with external providers to provide counselling services for some students. The principal may require the Counsellor to inform him or her or other teachers of any issues the principal and the Counsellor believe

may be necessary for the School to know for the well-being or development of the student who is counselled or other students at the School.

5.6 Parish

The School may disclose limited personal information to the school parish to facilitate religious and sacramental programs, and other activities such as fundraising.

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.

6. Disclosure of Personal Information

For administrative, educational, financial and support purposes the School may from time to time disclose personal and sensitive information held about an individual to:

- School service providers which provide educational, support and health services to the School, (either at the School or off campus) including the Catholic Education Commission of Victoria Ltd (CECV), Catholic Education Offices, specialist visiting teachers, volunteers, counsellors, sports coaches and providers of learning and assessment tools;
- third party service providers that provide online educational and assessment support services, services in relation to school improvement surveys, document and data management services, or applications to schools and school systems including the Integrated Catholic Online Network (ICON) and Google's G Suite, including Gmail and, where necessary, to support the training of selected staff in the use of these services;
- CECV, and Catholic Education offices, to discharge its responsibilities under the Australian Education Regulation 2013 (Regulation) and the Australian Education Act 2013 (Cth) (AE Act) relating to students with a disability, other third parties which the school uses to support or enhance the educational or pastoral care services for its students or to facilitate communications with Parents;
- another school;
- government departments;
- medical practitioners;
- people providing services to the School, including specialist visiting teachers, counsellors and coaches and debt collectors;
- recipients of School publications, such as newsletters, magazines and the Yearbook;
- student's parents or guardians and their emergency contacts;
- assessment and educational authorities including the Australian Curriculum Assessment and Reporting Authority;
- anyone you authorise the School to disclose information to; and/or
- anyone to whom we are required to disclose the information by law.

6.1 Nationally Consistent Collection of Data on School Students with Disability

The school is required by the Federal *Australian Education Regulation (2013)* and *Australian Education Act 2013 (Cth)* (AE Act) to collect and disclose certain information under the *Nationally Consistent Collection of Data (NCCD)* on students with a disability. The school provides the required information at an individual student level to the Catholic Education Offices and the CECV, as an approved authority. Approved authorities must comply with reporting, record keeping and data quality assurance obligations under the NCCD. Student information provided to the federal government for the purpose of the NCCD does not explicitly identify any student.

6.2 Sending information overseas

Personal information about an individual may be sent to overseas recipients, for instance, when staff or students utilise digital tools to conduct on-line surveys, or when storing personal information with 'cloud' service providers that are situated outside Australia, or to facilitate a school exchange. However, the School will not directly disclose personal information about an individual to an overseas recipient without:

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

The School may from time to time use the services of third party online service providers (including for the delivery of services and third party online applications, or Apps relating to email, instant messaging and education and assessment, such as Google's G Suite, including Gmail) which may be accessible by you. Some personal information [including sensitive information] may be collected and processed or stored by these providers in connection with these services. These online service providers may be located in or outside Australia.

School personnel and the school's service providers, and the CECV and its service providers, may have the ability to access, monitor, use or disclose emails, communications (e.g. instant messaging), documents and associated administrative data for the purposes of administering the system and services ensuring their proper use.

The school makes reasonable efforts to be satisfied about the security of any personal information that may be collected, processed and stored outside Australia, in connection with any cloud and third party services and will endeavour to ensure the cloud is located in countries with substantially similar protections as the APPs.

The countries in which the servers of cloud service providers and other third party service providers are located may include: United States of America

7. Treatment of Sensitive Information

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 required or allowed by law.

8. Management and Security of Personal Information

School staff members are required to respect the confidentiality of personal information and the privacy of individuals. Through the use of various methods, including locked storage of paper records, data encryption and password access rights to computerised records, the School takes active steps to protect the personal information it holds from misuse, interference, loss and unauthorised access, modification or disclosure. If we assess that anyone whose information is affected by such a breach is likely to suffer serious harm as a result, we will notify them and the Office of the Australian Information Commissioner of the breach.

9. Access and Correction of Personal Information

Under the Commonwealth Privacy Act an individual has the right to obtain access to any personal information that the School holds about them and to advise the School of any perceived inaccuracy and request correction. 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 Principal or the Deputy 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.

The School will respond to all requests for access or correction within a reasonable time.

There may be occasions when access may be denied. Such occasions would include where release of the information might 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 an individual. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

10. 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.

Parents may seek access to personal information held by the School about them or their child by contacting the Principal or the Deputy Principal in writing. However, there may 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, where the disclosure may result in a breach of the School's duty of care to the student, or where students have provided information in confidence.

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.

11. 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 Principal or the Deputy Principal in writing. 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.

Contact details for further information, request for access, correction or complaints:

St Michael's Parish School

268 High Street

Ashburton VIC 3147

Phone: (03) 9885 3105

If you are not satisfied with the School's decision you may make a complaint to the Office of the Australian Information Commissioner (OAIC) whose contact details are:

GPO Box 5218, Sydney, NSW 2001

Telephone: 1300 363 992

www.oaic.gov.au

10. Evaluation

This policy will be reviewed as part of the St Michael's School Improvement Plan review cycle.

11. Ratification

This policy was ratified by Michael Fletcher (SAC Chairperson) on 23/08/2019