



# OUR LADY STAR OF THE SEA

## PRIVACY POLICY

### INTRODUCTION

The School is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988. In relation to health records, the School is also bound by the Health Records Act 2001 (Vic.)

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.

### PURPOSE

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

### PRINCIPLES

### DEFINITIONS

### PROCEDURES

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

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

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

**Exception in relation to employee records:** Under the Privacy Act, the Australian 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 unless required by law or organisational policy 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 collect identifiable information to facilitate the delivery of educational and support services, the job application process and fulfill other obligations and processes. However, some activities and interactions with the school may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

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.

**Pupils and Parents:** In relation to personal information of pupils and Parents, the School's primary purpose of collection is to enable the School to provide educational and support services for the pupil. This includes satisfying the needs of Parents, the needs of the pupil and the needs of the School throughout the whole period the pupil is enrolled at the School.

The purposes for which the School uses personal information of pupils 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 pupils' 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 pupil or Parent, if the information requested is not provided, the School may not be able to enrol or continue the enrolment of the pupil or permit the pupil to take part in a particular activity.

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

The purposes for which the School uses personal information of job applicants 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; and
- satisfying the School's legal obligations, for example, in relation to child protection legislation.

**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.

**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 pupils 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.

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

- School service providers, including the Catholic Education Commission of Victoria Ltd, (CECV), Catholic Education Offices specialist visiting teachers, counsellors and sports coaches, and other diocese;
- third party service providers that provide educational support services or applications to schools and school systems including the Integrated Catholic Online Network (ICON) and 'Google Apps for Education' (GAFE) including Gmail;
- applications, online tools or other services provided by a third party which the school uses to support or enhance the educational or pastoral care services for its students;
- another school to facilitate the transfer of a student;
- government departments;
- medical practitioners;
- recipients of School publications, such as newsletters and magazines;
- student's parents or guardians;
- anyone you authorise the School to disclose information to; and
- anyone to whom we are required or authorised to disclose the information to by law.

**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 **of third party cloud service providers** situated outside Australia. The School may also use the services of third party online service providers (including for the delivery of third party online applications or Apps, through GAFE or other platforms) to support its delivery of education and pastoral care services, which may be accessible by you. Only limited personal information will be disclosed. School personnel, the CECV and the 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 processed and stored outside Australia as not all countries are bound by laws

which provide the same level of protection for personal information provided by the APPs. The countries in which servers and third party online service providers are located may include:

- [List countries or regions to the extent possible]

Where personal and sensitive information is retained by a cloud service provider **on behalf of CECV** to facilitate HR and staff administrative support, this information will be stored on servers located within Australia. This includes the ICON system.

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.

### **Management and security of personal information**

The School's staff are required to respect the confidentiality of pupils' 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.

### **Access and correction of personal information**

Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to seek and obtain access to any personal information and health records respectively which the School holds about them and to advise the School of any perceived inaccuracy. Pupils will generally be able to access and update their personal information through their Parents, but older pupils 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 to update any personal information the School holds about you or your child, please contact the [School Principal] or [School Administrator] by telephone or 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.

### **Consent and rights of access to the personal information of pupils**

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 pupil to the pupil's Parents. The School will treat consent given by Parents as consent given on behalf of the pupil, and notice to Parents will act as notice given to the pupil.

Parents may seek access to personal information held by the School about them or their child by contacting the [School Principal] or [School Administrator] by telephone or 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, or where the release may result in a breach of the School's duty of care to the pupil. The School may, at its discretion, on the request of a pupil grant that pupil access to information held by the School about them, or allow a pupil 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 pupil and/or the pupil's personal circumstances warrant it.

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] by writing or telephone at [insert contact details here]. 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.

#### NOTES:

\*If the School uses applications or programs where the service provider or servers are located outside of Australia, the School should list the countries or regions **where this information will be held/stored to the extent possible. See Sections 12 and 23 for more information about the School's obligations when transferring personal information overseas.** If the School is **NOT** using applications involving overseas 'cloud' storage and is **NOT** using overseas third party service provider such as those who provide online apps, **this clause can be removed.**

## REFERENCES

## REVIEW

Draft Review: August 2, 2017

Implementation Date: August 2, 2017

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