

# Separately Incorporated Schools (generic)

## Privacy Statement



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## 1 Purpose

This Privacy Statement applies to *(name of College)* which is operated and administered by *(name of incorporated governing body)* and hereinafter referred to as the College and sets out how the College manages personal information provided to or collected by it.

The College is bound by the Australian Privacy Principles contained in the Commonwealth *Privacy Act 1988*.

From time to time this Privacy Statement may be reviewed and updated to take account of new laws and technology, changes to the College's operations and practices and to make sure it remains appropriate to the changing school environment.

## 2 Scope

The provisions of this statement applies to *(name of College)* owned and operated by *(name of incorporated governing body)*.

## 3 Statement

### 3.1 What kind of personal information does the College collect and how does the College collect it?

The type of information the College collects and holds include (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 College:
  - 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 (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors);
  - conduct and complaint records, or other behaviour notes, and school reports;
  - information about referrals to government welfare agencies;
  - counselling reports;
  - health fund details and Medicare number;
  - any court orders;
  - volunteering information; and
  - photos and videos at school events;
- job applicants, staff members, volunteers and contractors:
  - 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 (e.g. details of disability and/or allergies, and medical certificates);
- complaint records and investigation reports;
- leave details;
- photos and videos at College events;
- workplace surveillance information;
- work emails and private emails (when using work email address) and Internet browsing history; and
- other people who come into contact with the College, including name and contact details and any other information necessary for the particular contact with the College.

**Personal Information you provide:** The College 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 College 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 1988, this Privacy Statement 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 College and employee.

### 3.2 How will the College use the personal information you provide?

The College 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, or to which you have consented.

**Pupils and Parents:** In relation to personal information of pupils and parents, the College's primary purpose of collection is to enable the College to provide schooling to pupils enrolled at the College, exercise its duty of care, and perform necessary associated administrative activities, which will enable pupils to take part in all the activities of the College. This includes satisfying the needs of parents, the needs of the pupil and the needs of the College throughout the whole period the pupil is enrolled at the College.

The purposes for which the College 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;
- looking after pupils' educational, social, spiritual and medical wellbeing;
- seeking donations and marketing for the College; and
- to satisfy the College and its legal obligations and allow the College to discharge its duty of care.

In some cases where the College requests personal information about a pupil or Parent, if the information requested is not obtained, the College 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 College'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 College 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 funds and marketing for the school; and
- satisfying the College's legal obligations, for example, in relation to child protection legislation.

**Volunteers:** The College also obtains personal information about volunteers who assist the school in its functions or conduct associated activities, such as alumni associations, to enable the College and the volunteers to work together.

**Marketing and fundraising:** The College treats marketing and seeking donations for the future growth and development of the school as an important part of ensuring that the College continues to be a quality learning environment in which both pupils and staff thrive. Personal information held by the College may be disclosed to an organisation that assists in the College's fundraising, for example, the College'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. College publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

**Exception in relation to related schools:** The Privacy Act 1988 allows the College to share personal (but not sensitive) information with other schools conducted by (*name of incorporated governing body*). Other College schools may then only use this personal information for the purpose for which it was originally collected by the College. This allows schools to transfer information between them, for example, when a pupil transfers from the College to another interstate / intrastate school conducted by the College's governing body.

### 3.3 Who might the College disclose personal information to and store your information with?

The College may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes. This may include to:

- other schools and teachers at those schools;
- government departments (including for statement and funding purposes);
- Catholic Education South Australia, the Catholic Education Commission (CEC), the College's local diocese and parish, other related church agencies/entities, and other schools;
- medical practitioners;
- people providing educational, support and health services to the College, including specialist visiting teachers, sports coaches, volunteers, and counsellors;
- providers of learning and assessment tools;
- assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA) and NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN);
- people providing administrative and financial services to the College;
- recipients of school publications, such as newsletters and magazines;

- pupils' parents or guardians;
- anyone you authorise the College to disclose information to; and
- anyone to whom we are required or authorised to disclose the information by law, including child protection laws.

***Sending and storing information overseas:*** The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, the College 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 College may use online or 'cloud' service providers to store personal information and sensitive information and to provide services to the College that involve the use of personal information and sensitive information, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may be stored in the 'cloud' which means that it may reside on a cloud service provider's servers which may be situated outside Australia.\*\*

An example of such a cloud service provider is Google. Google provides the 'Google Apps for Education' (GAFE) including Gmail, and stores and processes limited personal information for this purpose. School personnel, the College, the CEC and their 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 GAFE and ensuring its proper use. \*\* ***[If GAFE is not applicable to your College, replace this paragraph with one relevant to the platform used by the Diocese / ...System(e.g. Microsoft 0365)]***

### 3.4 How does the College treat sensitive information?

In referring to 'sensitive information', the College 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.

### 3.5 Management and security of personal information

The College's staff are required to respect the confidentiality of pupils' and parents' personal information and the privacy of individuals.

The College has in place steps to protect the personal information the College 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.

### 3.6 Access and correction of personal information

Under the Commonwealth Privacy Act, an individual has the right to seek and obtain access to any personal information which the College holds about them. There are some exceptions to this right set out in the Act. 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 College holds about you or your child, please contact the College's Principal by telephone or in writing.

The College may require you to verify your identity and specify what information you require. The College 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 College will advise the likely cost in advance. If the College cannot provide you with access to that information, you will be provided with written notice explaining the reasons for refusal.

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

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

Generally, the College will refer any requests for consent and notices in relation to the personal information of a pupil to the pupil's parents. The College 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 College about them or their child by contacting the College's Principal 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 College's duty of care to the pupil.

The College 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.

## 4 Enquiries and complaints

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

\*\* If applicable

## 5 Definitions

**the College** includes the (*insert name of the College*) as well as sites on which staff or others engaged in duties or activities such as excursions or conference attendance sanctioned by the College.

**Staff** means staff employed by any Catholic School or the Catholic Education Offices.

**Parents** means parents and/or guardians.

**Personal information** is 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.

**Sensitive information** is 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.

## 6 Related Policies, Procedures and Resources

This Statement is to be read in conjunction with, and is additional to, any other relevant South Australian Commission for Catholic Schools (SACCS), College statement, procedure or support document including:

- SACCS Privacy Policy (2014) available at [CESA privacy collection](#)
- Privacy collection notices available at [CESA privacy collection](#)

## 7 Resources

Privacy Amendment (Enhancing Privacy Protection) Bill 2012

[www.comlaw.gov.au/privacy\\_amendments](http://www.comlaw.gov.au/privacy_amendments)

National Catholic Education Commission and National Council of Independent Schools' Association Privacy Compliance Manual April 2014

[CESA privacy collection](#)

Office of the Federal Privacy Commissioner

[www.privacy.gov.au](http://www.privacy.gov.au)

Privacy Collection – privacy statement, statements and collection notice templates for schools, privacy information for enrolments, employees, volunteers, contractors, etc.

[CESA privacy collection](#)



## 8 Revision Record

<b>Document Title</b>	Privacy Statement
<b>Document Type</b>	Statement
<b>Document Date</b>	October 2018
<b>Process Owner</b>	People & Culture Standing Committee
<b>Contact</b>	Michael Kenny ☎ 8301 6600 ✉ michael.kenny@cesa.catholic.edu.au
<b>Approval Authority</b>	SACCS People & Culture Standing Committee
<b>Review Date</b>	July 2023
<b>Revision History</b>	2009, 2018