



## Privacy Legislation Policy

### Rationale

This Privacy Policy sets out how St. Joseph's Catholic Primary School manages personal information provided to or collected by it.

St. Joseph's Catholic Primary School is bound by the Australian Privacy Principles contained in the Commonwealth *Privacy Act 1988*. In relation to health record, 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 School operations and practices and to make sure it remains appropriate to the changing school environment.

### What kinds of personal information does the School collect and how does the school collect?

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 before, during and after the course of a pupil's enrolment at the School;
- Job applicants, staff members, volunteers, contractors; and
- Other people who come into contact with the school.

**Personal Information you provide:** The School will generally collect personal information held by 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, a reference from another school.

**Exemption 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 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 fulfil other obligations and processes. However, some activities and interactions with the school may be done anonymously where practicable, which may include making an enquiry, complaint or providing feedback.

### How will the School use the personal information?

St. Joseph's Catholic Primary School will use personal information it collects 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 St. Joseph's Catholic Primary 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
- Looking after pupil's educational, social and medical wellbeing
- Seeking donations and fundraising for the School; and
- Satisfying the School's legal obligations, for example, in relation to child protection legislation.

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 enroll or continue the enrolment of the pupil or permit the pupil to take part in a particular activity.

***Job applicants, staff members 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, 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:

- Administering the individual's employment or contract, as the case may be
- For insurance purposes
- Seeking funds and marketing for the School
- To satisfy the School's legal obligation, 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 [Parents and Friends Association], 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 Parents and Friends Association [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.

### **Who Might the School Disclose Personal Information to?**

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

- School Service providers, including the Catholic Education Commission of Victoria, (CECV), Catholic Education Melbourne specialist visiting teachers, counsellors and sports coaches, and other diocese;
- third party service providers that provide educational support services to schools and school systems such as the Integrated Catholic Online Network system (ICON)
- Government departments
- another school to facilitate the transfer of a student
- Medical Practitioners
- Recipients of School publications, such as newsletters and magazines
- Student's parents or guardians
- Anyone you authorize the School to disclose information to; and
- Anyone to whom we are required or authorised to disclose the information to by law

***Sending 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.

The countries that the school discloses personal and sensitive information to are:

- United States

Where personal and sensitive information is retained by the CECV by a cloud service provider to facilitate HR and staff administrative support, this information will be stored on servers located within Australia. This includes the Integrated Catholic Online Network (ICON) system.

### **How Does the School Treat Sensitive Information?**

In referring to 'sensitive information', the School means: information relating to a person's racial or ethnic origins, political opinions, religion, trade union or other professional or trade association membership,

philosophical beliefs, sexual preferences 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 pupil's and parents' personal information and the privacy of individuals.

St Joseph's Catholic Primary 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 pass worded access rights to computerised records.

### **Access to Personal Information Held by St Joseph's**

Under the Commonwealth *Privacy Act* and *Health Records Act*, an individual has the right to obtain access to 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 update any personal information the School hold about you or your child, please contact the School Principal 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 a 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 St Joseph's Catholic Primary School about them or their child by contacting the Principal by telephone or in writing. 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 pupil.

St Joseph's Catholic Primary 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 so warranted.

## **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.