



Privacy Policy

This Privacy Policy sets out how St Mary MacKillop College ('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). In relation to health records, the College is also bound by the Health Records Act 2001 (Victoria) and the Health Privacy Principles in that Act.

The College may, from time to time, review and update this Privacy Policy 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.

What kinds of personal information does the College collect and how does the College collect it?

The type of information the College 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 College, including:
 - name, contact details (including next of kin), date of birth, previous school and religion;
 - medical information (e.g. details of disability and/or allergies and details of any assistance the student receives in relation to those disabilities);
 - 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); and
 - 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 (e.g. details of disability and/or allergies and medical certificates);

- complaint records and investigation reports;
 - leave details;
 - photos and videos at school events; and
 - work emails and private emails (when using work email address) and internet browsing history.
- 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. The type of information the College may collect from another school may include:

- academic records and/or achievement levels;
- 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 Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the College'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 College and employee. The College handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*

Anonymity: The College needs to be able to identify individuals with who it interacts and to collect identifiable information about them to facilitate the delivery of schooling and its pupils 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 College may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

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 by you, 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 (including educational and support services for the pupil), exercise its duty of care and perform

necessary associated administration 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 of the College;
- looking after pupils' educational, social and medical wellbeing;
- seeking donations and marketing for the College; and
- to satisfy the College's legal obligations and allow the College to discharge its duty of care.
- to satisfy the College's service providers' legal obligations, including the Catholic Education Commission of Victoria Ltd (CECV) and the Catholic Education Offices.

In some cases where the College requests personal information about a pupil or Parent, if the information requested is not provided, 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 donations and marketing for the College; and
- to satisfy 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 College in its functions or conduct associated activities, to enable the College and the volunteers to work together, to confirm their suitability and to manage their visits.

Counsellors: The College contracts with external providers to provide counselling services for some pupils. The principal may require the Counsellor to inform him or her or other teachers of any issues the Counsellor believes may be necessary for the College to know for the well-being or development of the pupil who is counselled or other pupils at the College.

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

Marketing and Fundraising: The College treats marketing and seeking donations for the future growth and development of the College as an important part of ensuring that the College continues to provide a quality learning environment in which both pupils and staff thrive. Personal information held by the College may be disclosed to organisations that assist in the College's fundraising.

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

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:

- College service providers which provide educational, support and health services to the College, (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, 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;
- 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;
- assessment and educational authorities including the Australian Curriculum, Assessment and Reporting Authority;
- another school including to its teachers to facilitate the transfer of a student;
- pupil's parents or guardians and their emergency contacts;
- State and Federal government departments and agencies;
- your local Parish;
- medical practitioners;
- health service providers;
- people providing services to the College, including specialist visiting teachers, counsellors and sports coaches;
- recipients of College publications, such as newsletters and magazines;
- anyone you authorise the College to disclose information to; and
- anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

Nationally Consistent Collection of Data (NCCD) on School Students with Disability

The College is required by the Federal *Australian Education Regulation 2013 (the Regulation)* to provide certain information under the NCCD on students with a disability. The school provides the required information to the CECV, as an approved authority, to provide on the school's behalf. Under the NCCD, the following information is required for each student with a disability:

- their level of education (i.e. primary or secondary)
- their category of disability (i.e. physical, cognitive, sensory or social/emotional)
- their level of adjustment (i.e. support provided within quality differentiated teaching practice, supplementary, substantial or extensive adjustment).

Student information provided for the purpose of the NCCD does not explicitly identify any student. However, the College will disclose students' names to the CECV, to enable CECV to undertake

financial modelling about funding for particular students, including ongoing evaluation of the adequacy of the funding for individual students under the NCCD. The CECV will not disclose a student's identity for the NCCD.

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 also store personal information [including sensitive information] in the 'cloud'. This means that the information is held on the servers of third party cloud service providers engaged by the College. The servers may be situated in or outside Australia.

The College 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.

*The College has made reasonable efforts to be satisfied about the protection of any personal information that cloud and third party service providers collect and process or hold outside Australia as not all countries are bound by laws which provide the same level of protection as the APPs.

College 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. As not all countries are bound by laws which provide the same level of protection for personal information provided by the APPs, the College makes reasonable efforts to be satisfied about the security of any personal information collected, processed and stored outside Australia, including that of cloud and third party service providers.

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

- <https://www.google.com/about/datacenters/inside/locations/index.html>

Where personal and sensitive information is retained by a cloud service provider on behalf of CECV to facilitate Human Resources and staff administrative support, this information may be stored on servers located in or outside Australia. This includes the ICON system.

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.

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. This includes responding to any incidents which may affect the security of the personal information it holds. 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. It is recommended that parents and the school community adopt secure practices to protect themselves. You should ensure that all passwords you use are strong and regularly updated and that your login details are kept secure. Do not share your personal information with anyone without first verifying their identity and organisation. If you believe any of your personal information has been compromised, please let the College know immediately.

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 and health records respectively which the College holds about them and to advise the College 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 College holds about you or your child, please contact the College Principal in writing by email: Principal@mackillopsh.vic.edu.au. 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 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 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.

As mentioned above, parents may seek access to personal information held by the College about them or their child by contacting the College 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, 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 College 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 pupil's personal circumstances so warranted.

Notifiable Data Breach Scheme

Changes to the Privacy Act 1988 (Cth) make it compulsory for schools and other organisations to notify specific types of data breaches to individuals affected by the breach, and to the Office of the Australian Information Commissioner (OAIC). A data breach occurs when personal information is lost or subject to unauthorised access, modification, disclosure, or other misuse or interference.

Where a data breach has occurred that is likely to result in serious harm to any of the individuals to whom the information relates, it is considered 'eligible' and must be reported to the OAIC. Serious harm could include serious physical, physiological, emotional, economic and financial harm, as well as reputation.

The school follows procedures according to the St Example's Data Breach Response Plan. This requires that any breaches are reported to the principal and a risk assessment is conducted. If a serious breach is identified, then the principal completes *Data Breach Statement: What must be included*

Notification to the OAIC is only required if the consequences of a data breach are likely to cause serious harm. Examples of data breaches that may likely to cause serious harm and include:

- loss or theft of a laptop or other device containing the personal information of students or staff
- hacking of a database containing personal information
- mistaken provision of personal information to the wrong person.

Enquiries and Complaints and contact details

If you would like further information about the way the College manages the personal information it holds about you, or wish to complain that you believe that the College has breached the Australian Privacy Principles please contact the College Principal by writing or telephone at 03 5032 9771.

The College will investigate any complaint in accordance with the College's Concerns and Complaints Policy, 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.

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

References:

Catholic Education Victoria Network

Australian Privacy Principal Guidelines 2014

(Privacy Act 1988 and Privacy Amendment

(Enhancing Privacy Protection) 2012

Related documents:

Concerns and Complaints Policy

Ratified: August 2019

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