



# PRIVACY POLICY

## Introduction

This Privacy Policy sets out how Penola Catholic College manages personal information provided to or collected by it.

## Background

Penola Catholic College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. In relation to health records, Penola Catholic College is also bound by the Health Records Act 2001.

Penola Catholic College may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to Penola Catholic College's operations and practices and to make sure it remains appropriate to the changing school environment.

## What kinds of personal information does Penola Catholic College collect and how does Penola Catholic College collect it?

Penola Catholic College collects and holds 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 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, 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.

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- job applicants, staff members, volunteers and contractors; and name, contact

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detail (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 Penola Catholic College.

### **Personal Information you provide**

Penola Catholic 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. (such as job applicants and contractors) provide personal information to the College.

### **Personal Information provided by other people**

- In some circumstances Penola Catholic 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.
- 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 and Health Records Act 2001/Health Records Regulations 2012, the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to Penola Catholic College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between Penola Catholic College and employee.

**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 where the treatment is directly related to a current or former employment relationship between Penola Catholic College and employee. Penola Catholic College handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*.

**Anonymity:** Penola Catholic College 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 Penola Catholic College may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

## **How will Penola Catholic College use the personal information you provide?**

Penola Catholic 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, Penola Catholic College's primary purpose of collection is to enable Penola Catholic College to provide schooling for the pupil. This includes satisfying the needs of Parents, the needs of the pupil and the needs of Penola Catholic College throughout the whole period the pupil is enrolled at Penola Catholic College.

The purposes for which Penola Catholic 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 Penola Catholic College;
- looking after pupils' educational, social and medical wellbeing;
- seeking donations and marketing for Penola Catholic College; and
- seeking feedback from students and parents on school performance and improvement including through school improvement surveys
- to satisfy Penola Catholic College's legal obligations and allow Penola Catholic College to discharge its duty of care.
- to satisfy Penola Catholic College service providers' legal obligations, including the Catholic Education Commission of Victoria Ltd (CECV) and the Catholic Education Offices.

In some cases where Penola Catholic College requests personal information about a pupil or Parent, if the information requested is not provided, Penola Catholic 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, staff members and contractors**

In relation to personal information of job applicants, staff members and contractors, Penola Catholic College'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 Penola Catholic College uses personal information of job applicants, staff members and contractors include:

- in administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking donations and marketing for Penola Catholic College; and

- to satisfy Penola Catholic College's legal obligations, for example, in relation to child protection legislation.

## **Volunteers**

Penola Catholic College also obtains personal information about volunteers who assist Penola Catholic College in its functions or conduct associated activities, such as Penola Catholic College Collegian's and Penola Catholic College Parents and Friends, to enable Penola Catholic College and the volunteers to work together. Penola Catholic College needs to confirm their suitability and manage their visits

## **Counsellors**

Penola Catholic College 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 College to know for the well-being or development of the student who is counselled or other students at the College.

## **Parish:**

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

## **Marketing and fundraising**

Penola Catholic College treats marketing and seeking donations for the future growth and development of Penola Catholic College as an important part of ensuring that Penola Catholic College continues to provide a quality learning environment in which both pupils and staff thrive. Personal information held by Penola Catholic College may be disclosed to organisations that assist in Penola Catholic College's fundraising, for example, as Penola Catholic College Collegians' and Penola Catholic College Parents and Friends. 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 Penola Catholic College disclose personal information to and store your information with?**

Penola Catholic College may not use or disclose information about an individual other than in specified circumstances. Under these specified circumstances Penola Catholic College may disclose personal information, including sensitive information, held about an individual to:

- another school;
- government departments;
- medical practitioners;
- people providing services to Penola Catholic College, including specialist visiting teachers,
- counsellors and sports coaches;
- recipients of School publications, such as newsletters and magazines;
- parents;
- anyone you authorise Penola Catholic College to disclose information to; and

- anyone to whom we are required to disclose the information to by law.

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

- Penola Catholic College service providers which provide educational, support and health services to the College, (either at the College 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 including to its teachers to facilitate the transfer of a student
- Federal and State government departments and agencies
- health service providers
- recipients of School publications, such as newsletters and magazines
- 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
- anyone who we are required or authorised to disclose the information to by law, including child protection laws.

### **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.

### **Sending and storing information overseas**

Penola Catholic College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, Penola Catholic 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 currently uses an online psychology testing service, which resides in Canada.

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.

Penola Catholic 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.

Penola Catholic 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.

Penola Catholic College 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:

- **[List countries or regions to the extent possible or provide a link to the list which may be updated as required]**

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.

### **How does Penola Catholic College treat sensitive information?**

In referring to 'sensitive information', Penola Catholic 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**

Penola Catholic College's staff are required to respect the confidentiality of pupils' and Parents' personal information and the privacy of individuals.

Penola Catholic 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 log in 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 School know immediately.

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

Under the Commonwealth Privacy Act Health Records Act 2001 / Health Records Regulations 2012, an individual has the right to obtain access to any personal information which Penola Catholic College holds about them and to advise Penola Catholic 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 Penola Catholic College holds about you or your child, please contact the Principal in writing. Penola Catholic College may require you to verify your identity and specify what information you require. Penola Catholic 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, Penola Catholic 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**

Penola Catholic College respects every Parent's right to make decisions concerning their child's education. Generally, Penola Catholic College will refer any requests for consent and notices in relation to the personal information of a pupil to the pupil's Parents. Penola Catholic 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 Penola Catholic College about them or their child by contacting the Principal. 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 Penola Catholic College's duty of care to the pupil.

Penola Catholic College may, at its discretion, on the request of a pupil grant that pupil access to information held by Penola Catholic 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 the pupil's personal circumstances so warranted.

## Enquiries and complaints

If you would like further information about the way Penola Catholic College manages the personal information it holds, or wish to complain that you believe that Penola Catholic College has breached the Australian Privacy Principles please contact the Principal. Penola Catholic College 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.

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](http://www.oaic.gov.au)