

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

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

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.

What kinds of personal information does the school collect and hold?

The school collects and holds personal information, including health and other sensitive information, about:

- students before, during and after the course of a student's enrolment at the school including:
 - name, contact details (including next of kin), date of birth, gender, language background, previous school and religion
 - medical and welfare information (e.g. details of disability and/or allergies, and details of any assistance the student receives in relation to those disabilities, medical reports, cognitive assessments, names of doctors)
 - conduct and complaint records, or other behaviour notes, school attendance and school reports
 - information about referrals to government welfare agencies
 - information obtained during counselling
 - any court orders
 - photos and videos at school events.
- Parents/guardians/carers of students including:
 - name, address and contact details
 - education, occupation and language background
 - health fund details and Medicare number
 - any court orders
 - volunteer information (including Working with Children Check).
- job applicants, staff members, volunteers and contractors, including:
 - name, contact details (including next of kin), date of birth and religion
 - information on job application
 - information provided by a former employer or a referee
 - 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
 - employee records
 - photos and videos at school events
 - workplace surveillance information
 - work emails and private emails (when using work email address) and internet browsing history.
- other people who come into contact with the school, including name and contact details and any other information necessary for the particular contact with the 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 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.).

How will the school collect and hold personal information?

Personal information provided

The school will generally collect personal information held about an individual by way of:

- forms filled out by parents/guardians/carers or students
- face-to-face meetings and interviews
- emails and telephone calls
- through the school's online portals – Operoo

On occasion, people other than parents/guardians/carers and students, such as job applicants and contractors, provide personal information to the school.

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. The type of information the school may collect from another school may include:

- academic records and/or achievement levels
- information that may be relevant to assisting the new school to meet the needs of the student, including any adjustments.

Anonymity

The school 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 the school may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

Holding personal information

The school's approach to holding personal information is to ensure that it is stored securely and that access is provided only to persons who need such access. Depending on the nature of the personal information, it may be stored in locked rooms or cabinets (in the case of paper records), on secure digital devices or on the school computer systems with appropriate password protection.

How will the school use the personal information you provide?

The school will use personal information it collects from parents/guardians/carers 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 consented to, by parents/guardians/carers.

Students and parents/guardians/carers

In relation to the personal information of students and parents/guardians/carers, the school's primary purpose of collection is to enable the school to provide schooling to students enrolled at the school (including educational and support services for the student), exercise its duty of care and perform necessary associated administrative activities which will enable students to take part in all the activities of the school. This includes satisfying the needs of parents/guardians/carers, the needs of the student and the needs of the school throughout the whole period the student is enrolled at the school.

In particular, the purposes for which the school uses the personal information of students and parents/guardians/carers include:

- to keep parents/guardians/carers informed about matters related to their child's schooling, through correspondence, newsletters and magazines
- day-to-day administration of the school
- looking after students' educational, social and medical wellbeing

- seeking donations and marketing for the school
- to satisfy the school's legal obligations to discharge its duty of care
- to satisfy the legal obligations of the school's governing authority – Melbourne Archdiocese Catholic Schools Ltd (MACS) and the Catholic Education Commission of Victoria Ltd (CECV)
- to satisfy the school service providers' legal obligations.

In some cases where the school requests personal information about a student or parent/guardian/carer, if the information requested is not provided, the school may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

Job applicants and contractors

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

The purposes for which the school uses the 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
- satisfying the school's legal obligations, for example, in relation to child protection.

Volunteers

The school also obtains personal information about volunteers who assist the school in its functions or conduct associated activities.

The purposes for which the school uses the personal information of volunteers includes:

- enabling the school to manage the engagement process of volunteers
- for insurance purposes
- satisfying the school's legal obligations, for example, in relation to child protection
- to confirm their suitability and to manage their visits.

Counsellors

The school contracts with external providers to provide counselling and/or psychology services for some students. The principal may require the counsellor and/or psychologist to inform him or her or other teachers of any issues the principal and the counsellor and/or psychologist believe may be necessary for the school to know for the wellbeing or development of the student who is counselled or other students at the school.

Parish

The school will not disclose any personal information to the school parish to facilitate religious and sacramental programs, or other activities such as fundraising, without consent.

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 students 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 occasion, external fundraising organisations.

Parents/guardians/carers, 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 and sometimes people's images, 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 for educational, administrative and support purposes. This may include to:

- school service providers which provide educational, support and health services to the school, either at the school or off campus
- people providing educational support such as sports coaches, 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, training and support services, hosting services, and software-as-a-service applications, such as the Integrated Catholic Online Network (ICON) and Google G Suite
- authorised agencies and organisations to enable the school to discharge its responsibilities, e.g. under the Australian Education Regulation 2013 (Regulation) and the *Australian Education Act 2013* (Cth) relating to students with a disability, including Nationally Consistent Collection of Data (NCCD) quality assurance processes, participation in the Australian Early Development Census (AEDC) and government audits
- authorised organisations and persons who support the school by providing consultative services or undertaking assessments for the purpose of educational programming or providers of health services such as counsellors, psychologists, school nursing services, dental vans. Specific consent is obtained to collect and disclose this type of sensitive and health information as part of a service request which may include release of relevant medical or allied health reports, educational planning and evaluation documents such as personalised learning/behaviour/medical management plans
- 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/guardians/carers
- support the training of selected staff in the use of the school's systems, such as ICON and ROSAE
- another school including to its teachers to facilitate the transfer of a student
- federal and state government departments and/or agencies engaged by them
- health service providers
- recipients of school publications, such as newsletters and magazines
- students/parents/guardians/carers and their emergency contacts
- assessment and educational authorities including the Victorian Curriculum and Assessment Authority (VCAA) and the Australian Curriculum, Assessment and Reporting Authority (ACARA)
- anyone to whom the parent/guardian/carer authorises the school to disclose information
- anyone to whom the school is required or authorised to disclose the information by law, including under child protection and information sharing laws.

Nationally Consistent Collection of Data on School Students with Disability

The school is required by the Australian Education Regulation 2013 (Cth) and *Australian Education Act 2013* (Cth) to collect and disclose certain information to inform the Students with a Disability (SwD) loading via the NCCD. The school provides the required information at an individual student level to 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

The school may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange or a student overseas tour. However, the school will not send personal information about an individual outside Australia without either:

- obtaining the consent of the individual
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

The school 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 G Suite and Gmail) which may be accessible by the parent/guardian/carer. 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.

School personnel and the school's 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 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 Australian Privacy Principles.

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

- an online psychology testing service, which resides in Canada

Where personal and sensitive information is retained by a cloud service provider on behalf of the school to facilitate human resources and staff administrative support, this information may be stored on servers located in or outside of Australia.

Otherwise, it is not practicable to specify in this policy the countries in which overseas recipients of personal information are likely to be located.

How does the school treat sensitive information?

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 the parent/guardian/carer agrees 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 students' and parents/guardians/carers' 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. This includes responding to any incidents which may affect the security of the personal information it holds. If the school assesses 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.

Access and correction of personal information

Under the 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. Students will generally be able to access and update their personal information through their parents/guardians/carers, but older students may seek access and correction themselves.

There are some exceptions to the access rights set out in the applicable legislation.

To make a request to access or to update any personal information the school holds about parents/guardians/carer or children, please contact the school principal Chris Caldwell or the school administrator Jenny Vinten by telephone or in writing. The school may require verification of identity and specification of what information is required. The school may charge a fee to cover the cost of verifying the 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 the school cannot provide access to that information, we will provide written notice explaining the reasons for refusal.

There may be circumstances where the reason for refusal is not provided, if doing so may breach the privacy of another person.

Consent and rights of access to the personal information of students

The school respects every parent/guardian/carer's right to make decisions concerning their child's personal information.

Generally, the school will refer any requests for consent and notices in relation to the personal information of a student to the student's parents/guardians/carers. The school will treat consent given by parents/guardians/carers as consent given on behalf of the student, and notice to parents/guardians/carers will act as notice given to the student.

Parents/guardians/carers may seek access to personal information held by the school about them or their child by contacting the school principal Chris Caldwell or Jenny Vinten 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 student.

The school may, at its discretion on the request of a student, grant that student access to information held by the school about them, or allow a student to give or withhold consent to the use of their personal information, independently of their parents/guardians/carers. This would normally be done only when the maturity of the student and/or the student's personal circumstances warrant it.

Complaints

If parents/guardians/carers wish to complain that the school has interfered with their privacy because of an alleged breach of the Australian Privacy Principles, they should contact the school principal Chris Caldwell in writing at:

Chris Caldwell
Penola Catholic College
PO Box 637
GLENROY VIC 3046
Email: principal@penola.vic.edu.au

The school will investigate the complaint and will notify the parent/guardian/carer of the making of a decision in relation to the complaint as soon as is practicable after it has been made.

If the parents/guardians/carers are not satisfied with the school's decision they 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

An online privacy complaint form is available from www.oaic.gov.au.