POLICIES AND PROCEDURES

Privacy

Statement of Context

Federal privacy laws regulate how schools can collect, use, keep secure and disclose personal information. Certain laws including Public Health and Child Protection laws require specific information to be collected.

The School is committed to protecting and maintaining the privacy, accuracy and security of personal information.

Under the Privacy Act 1988 (Cth) individuals have the right to obtain access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy (subject to some exceptions permitted by law).

Reference Points / Background Papers

Australian Privacy Principles under the Privacy Act 1988 (Cth)
Health Records Act 2001
Independent Schools Victoria Privacy Manual

Aim

The primary purpose of collecting personal information is to enable the School to provide schooling for its students and to enable the School to discharge its duty of care. If the School does not obtain the required information, then it may not be able to enrol or continue the enrolment of the student(s) involved.

Policy details

What is Personal Information?

Personal information is information or an opinion, in any form and whether true or not, about an identified individual or an individual who is reasonably identifiable. Examples include an individual's name, address, contact number and email address.

Sensitive information is a special category of personal information. Sensitive information includes health information and information about a persons’ race, ethnic origin, political opinions, membership of political, professional or trade associations, religious or philosophical beliefs, sexual preferences and criminal history.

Collection of Personal Information

- The School collects personal information, including sensitive information about pupils and parents or guardians before and during and after the course of a pupil’s enrolment at the School
- The School collects personal information about staff members, job applicants, volunteers and contractors, visitors and other people who come in contact with the School
- Information is collected by way of forms, face to face meetings and interviews, telephone calls, fax, letters and email and other communications
- In some circumstances, the School may be provided with personal information about an individual from a third party, e.g. a report or reference from another school, a report from a health professional

Kinds of Personal Information that the School Collects

The kinds of personal information that the School collects and holds depends on the circumstances of collection. For pupils, the School collects information such as name, age, contact details, interests, academic level, record and history and emergency contact details, and may collect sensitive information
(such as information about a pupil’s health, criminal history or racial or ethnic origin). The School also collects and holds details relating to the passing of a present or past student. For persons who deal with the School in some other capacity (for example, as a staff member, parent or guardian, volunteer, contractor or visitor), the School may collect the relevant individual’s name, contact details and next of kin details, child custody arrangements, medical history and any other information they choose to provide to the School or are required by law to provide to the School, including, but not limited to details of VIT registration and Working with Children and Police Checks

Use and Disclosure of Personal Information

- The School uses and discloses personal information for a range of administrative, educational and promotional purposes including:
  - Providing schooling for its students
  - Keeping parents informed about matters related to their child’s schooling through correspondence, newsletters, magazines and social media pages
  - Day-to-day administration
  - Looking after students’ educational, social and medical well-being
  - Fundraising and promoting the School (including on its social media pages)
  - Satisfying legal obligations
  - Discharging duty of care

- The School may take images (including photographs and video footage) of School activities, students, staff and visitors to the School for administrative, educational and promotional purposes. Without limitation, the School may display these images at the School and/or publish these images and names of students, staff and visitors in School newsletters, magazines, website and social media pages (including the School’s Facebook page). On an annual basis, the School will obtain the permission of parents/guardians of students to use images of that student which were taken by the School.

- For job applicants, staff members and contractors, the primary purpose for collecting information is to assess and (if successful) engage the applicant, staff member or contractor as the case may be. Purposes for which such information may be used include:
  - Administering the individual’s employment or contract
  - For insurance purposes
  - Seeking funds and marketing the School
  - Satisfying legal requirements, e.g. in relation to child protection legislation or teacher registration
  - For reporting to educational and Governmental authorities

- In relation to "employee records" the School is not bound by the Australian Privacy Principles, and this policy does not apply, in relation 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 the employee.

- For volunteers, the School obtains personal information to assist the School in its functions and associated activities, to enable the School and volunteers to work together, and for legal reasons e.g. in relation to child protection legislation.

- Personal information may be disclosed to organisations that assist in the School’s fundraising. Parents, staff members, past students, contractors and other members of the wider School community may from time to time receive fundraising information. Further, School publications, which include personal information, may be used for marketing purposes

- Personal information may be disclosed to other schools, government departments, medical practitioners, recipients of School publications and people providing services to the School, including specialist visiting teachers, sports coaches and volunteers, or any other authorised individual or body.

- Personal information collected from pupils is regularly disclosed to their parents or guardians. On occasions information such as academic and sporting achievements, pupil activities and other news is published in School newsletters, magazines and on our website.
Disclosure to Overseas Recipients
The School uses a learning management system which stores information on servers located in the US. As a result, personal information of students, teachers and parents/guardians may be transferred outside of Australia and stored on servers located in the US.

Protection and Storage of Personal Information

- Staff are required to respect the confidentiality of students’, parents’ and others’ personal information and the privacy of individuals
- The School has steps in place which protect the personal information the School holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerised records
- The School endeavours to keep accurate, complete and up to date records of personal information
- The Australian Privacy Principles require the School not to store personal information longer than necessary

Implications for Practice

- In some cases where the School requests personal information about a student or a parent and the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the student
- The School or a person may request to check or update personal information held by the School at any time
- The School may, from time to time, review and update this policy to take account of laws and new technology
- The School will ensure that this policy is made available on the School’s internet site

Other Considerations

- The School will treat consent given by parents as consent given on behalf of the student, and notice to parents will act as notice given to the student
- Parents may seek access to personal information held by the School about them or their child by contacting the Principal. Occasions when access would be denied would include when the release of 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. This would normally be done only when the student involved had reached 18 years of age, but the School could do so in other circumstances when the maturity of the student and / or the student's personal circumstances so warranted
- Other persons who wish to access or correct the personal information that the School holds about them should contact the Corporate Services Manager on 9262 7700. The School will generally provide them with access to their personal information, but may charge an access fee to cover the cost of retrieving and supplying the information
- Any staff member found to be in breach of the requirements of this policy may be subject to disciplinary action in accordance with the School’s relevant policies and procedures

Enquiries and Complaints

- Persons who would like further information about the way the School manages the personal information it holds, or wish to make a complaint because they believe that the School has breached the Australian Privacy Principles, should contact the Corporate Services Manager on 9262 7700
- The School will investigate any complaint and will notify the person who made the complaint of the School's decision as soon as practicable after it has been made