



Privacy Policy

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

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

St Colman's 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 St Colman's School collect and how does the School collect it?

St Colman's School collects and holds 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 St Colman's School 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)
- 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
- work emails and private emails (when using work email address) and internet browsing history
- other people who come into contact with St Colman's School.

Personal Information you provide: St Colman's School will generally collect personal information held about an individual by way of forms filled out by Parents or pupil's, face-to-face meetings and interviews, emails and telephone calls. On occasions people, other than Parents and pupils provide personal information to St Colman's School.

Personal Information provided by other people: In some circumstances St Colman's 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.

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 St Colman's School's treatment of an employee record where the treatment is directly related to a current or former employment relationship between St Colman's School and employee. The School handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*.

Anonymity: St Colman's 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 St Colman's School may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

How will St Colman's School use the personal information you provide?

St Colman's School 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 students and Parents, St Colman's School's primary purpose of collection is to enable St Colman's School to provide schooling to pupils enrolled at St Colman's 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 at St Colman's School. This includes satisfying the needs of Parents, the needs of the student and the needs of the School throughout the whole period the pupil is enrolled at the School.

The purposes for which the School uses personal information of students 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 St Colman's School
- looking after students' educational, social and medical wellbeing
- seeking donations and marketing for St Colman's School
- to satisfy St Colman's School's legal obligations and allow St Colman's School to discharge its duty of care
- to satisfy St Colman's School service providers' legal obligations, including the Catholic Education Commission of Victoria Ltd (CECV) and the Catholic Education Offices.

In some cases where St. Colman's School requests personal information about a Pupil or Parent, if the information requested is not provided, St Colman's School 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, St Colman's 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 St Colman's 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 donations and marketing for St Colman's School
- satisfying St Colman's School's legal obligations, for example, in relation to child protection legislation.

Volunteers: St Colman's School also obtains personal information about volunteers who assist St. Colman's School in its functions or conduct associated activities, such as enable St Colman's School and the volunteers to work together, to confirm their suitability and to manage their visits.

Counsellors: St Colman's School 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 principal and the Counsellor believe may be necessary for St Colman's School to know for the well-being or development of the pupil who is counselled or other pupils at St Colman's School.

Parish: St Colman's School may disclose limited personal information to St Colman's school parish to facilitate religious and sacramental programs, and other activities such as fundraising.

Marketing and fundraising: St Colman's School treats marketing and seeking donations for the future growth and development of St Colman's School as an important part of ensuring that St Colman's School continues to provide a quality learning environment in which both pupils and staff thrive. Personal information held by St Colman's School may be disclosed to organisations that assist in the School's fundraising, for example, St Colman's School's Parent's Association or alumni organisation [or, on occasions, external fundraising organisations].

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

Who might St Colman's School disclose personal information to and store your information with?

St Colman's 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 St Colman's School, (either at St Colman's 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 St Colman's school uses to support or enhance the educational or pastoral care services for its pupils or to facilitate communications with Parents
- another school including its teachers to facilitate the transfer of a pupil
- State and Federal government departments and agencies
- health service providers
- recipients of School publications, such as newsletters and magazines
- pupils, parents or guardians and their emergency contacts
- assessment and educational authorities including the Australian Curriculum, Assessment and Reporting Authority
- anyone you authorise St Colman's 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 (NCCD) on School Pupils with Disability

St Colman's School is required by the Federal *Australian Education Regulation 2013* to provide certain information under the NCCD on pupils with a disability. St Colman's school provides the required information to the CECV, as an approved authority, to provide on St Colman's school's behalf. Under the NCCD, the following information is required for each pupil 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).

Pupil information provided for the purpose of the NCCD does not explicitly identify any pupil. However, St Colman's School will disclose pupil's names to the CECV, to enable CECV to undertake financial modelling about funding for particular pupil's, including ongoing evaluation of the adequacy of the funding for individual pupil's under the NCCD. The CECV will not disclose a pupil's identity for the NCCD.

Sending and storing information overseas: St Colman's School may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, St Colman's School will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual; or

St Colman's School may also store personal information in the 'cloud'. This means that the information is held on the servers of third party cloud service providers engaged by St Colman's School. The servers may be situated in or outside Australia.

St Colman's 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's G Suite, including Gmail) which may be accessible by you. Some personal 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 St Colman's 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, St Colman's School 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.

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 St Colman's School treat sensitive information?

In referring to 'sensitive information', St Colman's 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 you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

Management and security of personal information

St Colman's School's staff are required to respect the confidentiality of pupil's and Parents' personal information and the privacy of individuals.

St Colman's School has in place steps to protect the personal information St. Colman's 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 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 St Colman's 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 St Colman's School know immediately.

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 St Colman's School holds about them and to advise St Colman's School of any perceived inaccuracy. Pupil's will generally be able to access and update their personal information through their Parents, but older pupil's 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 St Colman's School holds about you or your child, please contact the School Principal or School Administrator by

telephone or in writing. St Colman's School may require you to verify your identity and specify what information you require. St Colman's 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, St Colman's School 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 students

St Colman's School respects every Parent's right to make decisions concerning their child's education.

Generally, St Colman's School will refer any requests for consent and notices in relation to the personal information of a pupil to the pupil's Parents. St Colman's 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.

As mentioned above, parents may seek access to personal information held by St Colman's School about them or their child by contacting the School Principal or School Administrator 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 St Colman's School's duty of care to the student.

St Colman's School may, at its discretion, on the request of a pupil grant that pupil access to information held by St Colman's 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 warrant it.

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.

St Colman's school follows procedures according to the 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 pupil's 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 St Colman's School manages the personal information it holds about you, or wish to complain that you believe that St Colman's School has breached its privacy obligations, please contact the School Principal by writing or telephone. St Colman's School will investigate your 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

References:

Data Breach Notification Guide

Privacy Act 1988

Health Records Act 2001 (Vic.)

Catholic Education Commission of Victoria Ltd (CECV)

Federal Australian Education Regulation 2013