



# Privacy Policy

This Privacy Policy sets out how St Mary of the Cross MacKillop (SMCM) manages personal information provided to or collected by it.

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

SMCM 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 kind of personal information does SMCM collect and how does SMCM collect it?**

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

- students and parents and/or guardians before, during and after the course of a student's enrolment at SMCM including
  - 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 (eg 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.
  - 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 (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 SMCM, including name and contact details and any other information necessary for the particular contact with SMCM.

**Personal Information you provide:** SMCM will generally collect personal information held about an individual by way of forms filled out by Parents or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than Parents and students (such as job applicants and contractors) provide personal information to SMCM.



**Personal Information provided by other people:** In some circumstances SMCM 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 SMCM 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 SMCM's treatment of an employee record where the treatment is directly related to a current or former employment relationship between SMCM and employee. SMCM handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*.

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

### **How will SMCM use the personal information you provide?**

SMCM 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.

**Students and Parents:** In relation to personal information of students and Parents, SMCM's primary purpose of collection is to enable SMCM to provide schooling to students enrolled at SMCM (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 SMCM. This includes satisfying the needs of Parents, the needs of the student and the needs of SMCM throughout the whole period the student is enrolled at SMCM.

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

In some cases where SMCM requests personal information about a student or Parent, if the information requested is not provided, SMCM 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 personal information of job applicants and contractors, SMCM'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 SMCM 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 SMCM
- satisfying SMCM's legal obligations, for example, in relation to child protection legislation.

**Volunteers:** SMCM also obtains personal information about volunteers who assist SMCM in its functions or conduct associated activities, to enable SMCM and the volunteers to work together, to confirm their suitability and to manage their visits.

**Counsellors:** SMCM 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 SMCM to know for the well-being or development of the student who is counselled or other students at SMCM.

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

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

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 and sometimes people's images, may be used for marketing purposes.

### **Who might SMCM disclose personal information to and store your information with?**

SMCM 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 SMCM, (either at SMCM 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 SMCM 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:** SMCM may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, SMCM will not send personal information about an individual outside Australia without:

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

SMCM 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.

School 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.

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 APPs.

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

- Taiwan
- Singapore

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 SMCM treat sensitive information?**

In referring to 'sensitive information', SMCM 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 School's staff are required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals.

SMCM has in place steps to protect the personal information SMCM 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 SMCM 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 SMCM holds about them and to advise SMCM of any perceived inaccuracy. Students will generally be able to access and update their personal information through their Parents, 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 SMCM holds about you or your child, please contact the School Principal or School Administrator by telephone or in writing. SMCM may require you to verify your identity and specify what information you require. SMCM 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, SMCM 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**

SMCM respects every Parent's right to make decisions concerning their child's education.

Generally, SMCM will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. SMCM 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 SMCM 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 SMCM's duty of care to the student.

SMCM may, at its discretion, on the request of a student grant that student access to information held by SMCM 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 maturity of the student and/or the student's personal circumstances warrant it.

### **Enquiries and complaints and contact details**

If you would like further information about the way SMCM manages the personal information it holds about you, or wish to complain that you believe that SMCM has breached its privacy obligations, please contact Geraldine Dalton by writing or telephone at 84324500. SMCM 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 SMCM'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)