



St Patrick's Parish Primary School

Privacy Policy

Rationale

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

Policy Statement

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

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

Principles

What kinds of personal information does St Patrick's collect and how does St Patrick's collect it?

St Patrick's 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 St Patrick's including:
 - name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
 - parents' and/or guardians' 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 doctor);
 - 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 Patrick's including name and contact details and any other information necessary for the particular contact with the School.

Personal Information you provide: St Patrick's will generally collect personal information held about an individual by way of forms (digital and hard copy) filled out by parents and/or guardians or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parents and/or guardians and students (such as job applicants and contractors) provide personal information to the school.

Personal Information provided by other people: In some circumstances St Patrick's 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 St Patrick's may collect from another school may include:

- academic records and/or achievement levels
- information that may be relevant to assisting St Patrick's to 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 St Patrick's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between St Patrick's and the employee. St Patrick's handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*

Anonymity: St Patrick's 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 Patrick's may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback. St Patrick's will, whenever possible, identify to parents/carers when information collected will be anonymous.

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

St Patrick's 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 and/or Guardians: In relation to personal information of students and parents and/or guardians, St Patrick's primary purpose of collection is to enable St Patrick's to provide schooling to students enrolled at St Patrick's (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 and/or guardians, the needs of the student and the needs of St Patrick's throughout the whole period the student is enrolled at St Patrick's.

The purposes for which St Patrick's uses personal information of students and parents and/or guardians include:

- to keep parents and/or guardians informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- day-to-day administration of St Patrick's;
- looking after students' educational, social and medical wellbeing;
- seeking donations and marketing for St Patrick's;
- seeking feedback from students and parents on school performance and improvement, including through school improvement surveys;
- to satisfy St Patrick's legal obligations and allow St Patrick's to discharge its duty of care;
- to satisfy St Patrick's service providers' legal obligations, including the Catholic Education Commission of Victoria Ltd (CECV) and the Catholic Education Offices.

In some cases where St Patrick's requests personal information about a student or parent, if the information requested is not provided, St Patrick's 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, St Patrick'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 St Patrick's uses personal information of job applicants and contractors include:

- in administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking donations and marketing for St Patrick's; and
- to satisfy St Patrick's legal obligations, for example, in relation to child protection legislation.

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

Counsellors: St Patrick's 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 St Patrick's to know for the wellbeing or development of the student who is counselled or other students at St Patrick's.

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

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

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

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

St Patrick's 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), 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 system (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 St Patrick's uses to support or enhance the educational or pastoral care services for its students or to facilitate communications with parents;
- another school including 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 to whom St Patrick's is required or authorised to disclose the information to by law, including child protection laws.

Nationally Consistent Collection of Data (NCCD) on School Students with Disability

St Patrick's 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 NCCD on students with a disability. St Patrick's 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

St Patrick's may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, St Patrick's 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.

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

St Patrick's 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.

St Patrick's has made reasonable efforts to be satisfied about the protection of any personal information that cloud and third party service providers collect and process or hold outside Australia as not all countries are bound by laws which provide the same level of protection as the APPs.

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.

St Patrick's 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.

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 Patrick's treat sensitive information?

In referring to 'sensitive information', St Patrick's 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 Patrick's staff are required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals and are inducted as to their responsibilities in this regard.

Parent helpers in classrooms are also informed of their obligations regarding confidentiality.

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

Access and correction of personal information

Under the Commonwealth Privacy Act and the *Health Records Act 2001* (Vic.), an individual has the right to obtain access to any personal information and health records which St Patrick's holds about them and to advise St Patrick's 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 these rights set out in the applicable legislation.

To make a request to access or update any personal information St Patrick's holds about you or your child, please contact the School Principal in writing. St Patrick's may require you to verify your identity and specify what information you require. St Patrick's 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 Patrick's 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 Patrick's respects every Parent's right to make decisions concerning their child's education.

Generally, St Patrick's will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. St Patrick's 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 St Patrick's about them or their child by contacting the School Principal in writing. 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 St Patrick's duty of care to the student or in the event of an applicable court order.

St Patrick's may, at its discretion, on the request of a student, grant that student access to information held by St Patrick's 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.

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 Patrick's follows procedures according to the St Patrick's 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 be likely to cause serious harm include:

- loss or theft of a laptop or other device containing the personal information of students or staff
- hacking of a database containing personal information
- mistaken provision of personal information to the wrong person.

Enquiries and complaints

If you would like further information about the way St Patrick's manages the personal information it holds, or wish to complain that you believe that St Patrick's has breached the Australian Privacy Principles, please contact the School Principal in writing. St Patrick's 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

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