

ST BRIGID'S CATHOLIC PRIMARY SCHOOL, OFFICER

Privacy Policy

Rationale

A Privacy Policy is needed to inform individuals about the practices of the school in relation to personal information. It also serves as a guide to the school's staff as to the standards to be applied in respect of handling personal information and ensure consistency in the school's approach to privacy.

Purpose

The purpose of this policy is to outline the school's use and management of personal information provided to or collected by it as bound by the National Privacy Principles contained in the Commonwealth Privacy Act

Definition

Under Amendments to the Privacy Act 1988 (Cwlth), personal information is defined as information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from that information or opinion. It can range from very detailed information such as medical records to other less obvious types of identifying information, such as an email address.

Personal information includes what is described as 'sensitive information', namely discrete personal information or opinions about an individual, such as information concerning racial or ethnic origin, political or religious affiliations, criminal record and health information.

Key Points

- While the school has a policy of open and cooperative communication, we will not allow people, organisations or agencies access to confidential or private information to which they have no right.
- Parents or legally recognised caregivers will be provided with information relating to their children, including progress reports, student records, parent-teacher interviews and regular newsletters.
- Separated or divorced parents will be provided with all information that other parents access, unless Court Orders or similar legal documents inhibiting this practice are provided to the principal.
- Generally, requests from individuals or organisations seeking information about specific students or parents will be refused. Exceptions may be made by the principal for requests from agencies such as the Dept of Human Services, or the Police etc.
- Administration staff or teachers will not provide information regarding students in response in incoming telephone calls. Such requests will be transferred to the principal.
- Confidential student and staff records will all be securely stored.
- The Freedom of Information Act 1982 provides members of the public with the right to access documents held at school (with the exception of exempt documents), and the amendment of personal information held on those files where the information is inaccurate, incomplete, out of date or would give a misleading impression.
- Any person seeking information from the school that falls outside the school's previous practices will be required by the principal to make a formal written Freedom of Information request to the school.

Implementation

Information Collected

The type of information schools collect and hold includes (but is not limited to) personal information, including sensitive information, about:

- pupils and parents and/or guardians before, during and after the course of a pupil's enrolment at the school;
- job applicants, staff members, volunteers and contractors; and
- other people who come into contact with the school.

Personal Information you provide

The school will generally collect personal information held about an individual by way of forms filled out by Parents or pupils, face-to-face meetings and interviews, and telephone calls. On occasions people other than Parents and pupils provide personal information.

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.

Exception in relation to employee records

Under the Privacy Act the National 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.

Use of personal information provided

The 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, or to which you have consented.

Pupils and Parents

In relation to personal information of pupils and Parents, the school's primary purpose of collection is to enable the school to provide schooling for the pupil. This includes satisfying both the needs of Parents and the needs of the pupil throughout the whole period the pupil is enrolled at the school.

The purposes for which a school uses personal information of pupils and Parents include:

- to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- day-to-day administration;
- looking after pupils' educational, social, spiritual and medical wellbeing;
- seeking donations and marketing for the school;
- to satisfy the school's legal obligations and allow the school to discharge its duty of care.

In some cases where the school requests personal information about a pupil or parent, if the information requested is not obtained, the school may not be able to enrol or continue the enrolment of the pupil.

The school may disclose personal information, including sensitive information, held about an individual to 'third parties' (such as another school, a government department, a sector/system authority, a local parish, a medical practitioner). The school will only disclose personal information when reasonable steps have been taken to ensure that:

- the use constitutes a 'primary' purpose of collection, disclosed to the individual at the time of collection;
- the individual has consented to the use and disclosure, and is clear about who will use/receive it;
- the personal information is accurate, complete and up-to-date.

Change of Name

A child will be enrolled at the school in the name appearing on his/her birth certificate. However, the school is entitled to adopt a flexible approach and apply to the child any name preferred by the residential parent or the child. In the absence of a complaint or restraining order, there is nothing to stop the practice of a child using a name other than that registered on his/her birth certificate name. The school cannot compel a child to use his/her registered name. A child's parent can apply to change the child's name. Any child aged 12 years or more must agree to any name change.

Job applicants, employees and contractors

In relation to personal information of job applicants, staff members and contractors, the 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 the school uses personal information of job applicants, staff members and contractors include:

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

Privacy obligations do not extend to personal information held in the school records of current and past employees, i.e. information that is directly related to their employment, such as salary, terms and conditions of service, performance reviews, disciplinary measures and superannuation details.

Potential Employees and Contractors

Prospective employees (job applicants) and contractors (people who supply services to the school, such as specialist coaches, music teachers, consultants) may seek access to records of personal information which the school holds about them. The school will be mindful of this when collecting personal information (e.g. references, notes and reports).

Should the school disclose personal information to a contractor for the purposes of his/her duties, it will ensure that the contract includes very clear provisions about the purpose for which the contractor is to use the information. The school will have contractual provisions in place to ensure that the contractor does not make unauthorised disclosures. Further, provision will be made for how the contractor is to keep the information secure and what must be done with the information when the contracted-out activity is completed.

Volunteers

The school also obtains personal information about volunteers, to enable the school and the volunteers to work together.

Marketing and fundraising

Schools treat marketing and seeking donations for the future growth and development of the school as an important part of ensuring that the school continues to be a quality learning environment in which both pupils and staff thrive. Personal information held by a school may be disclosed to the Parents' and Friends' Association to assist in the school's fundraising.

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, may be used for marketing purposes.

Disclosure of personal information

The school may disclose personal information, including sensitive information, held about an individual to:

- another school;
- government departments;
- our local parish;
- medical practitioners;
- people providing services to the school, including specialist visiting teachers and sports coaches;
- recipients of school publications, like newsletters and magazines;
- Parents; and
- anyone you authorise the school to disclose information to.

Sending information overseas

The school 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 National Privacy Principles.

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, sexual preferences or criminal record, that is also personal information; and health 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

All Staff are required to respect the confidentiality of pupils' and parents' personal information and the privacy of individuals.

The school has in place steps to protect the personal information the school holds (see Personal Information Policy) from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and pass-worded access rights to computerised records.

Updating personal information

The school endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by a school by contacting the Administration Officer at any time.

The National Privacy Principles require a school not to store personal information longer than necessary.

Checking what personal information a school holds about you

Under the Commonwealth Privacy Act, an individual may seek access to personal information which the school holds about them. There are some exceptions to this set out in the Act.

Students and parents/guardians have rights to request access to personal information that the school holds about them.

In instances where students request access, the Act does not specify an age after which individuals can make their own privacy requests and decisions. In these circumstances the contract with the

parents/guardians will govern the school's relationship with the student in relation to privacy, and thus requests authorised by parents/guardians will be required. Similarly, consents for the collection of information given by parents/guardians will act as consents given on behalf of the student, and the school's collection notices to a parents/guardians will act as collection notice to the student.

To make a request to access any information the school holds please contact the school's Principal in writing.

The school may require verification of identity and specify what information is required. The school will advise the likely cost in advance.

Consent and rights of access to the personal information of pupils

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

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

Parents may seek access to personal information held by a school about them or their child by contacting the Principal. 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 the school's duty of care to the pupil.

The school may, at its discretion, on the request of a pupil grant that pupil access to information held by the 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 so warranted.

Enquiries

If you would like further information about the way the school manages the personal information it holds, please contact the Principal.

Resources

On the CEVN site:

- Standard Collection Notice
- Alumni Collection Notice
- Employment Collection Notice
- Contract/Volunteer Collection Notice
- Student Photographs and the Information Privacy Act 2002 (Vic)
- Privacy Compliance: Checklist for Schools

Evaluation

This policy will be reviewed as part of the school's five year review cycle or as required.

STANDARD COLLECTION NOTICE

1. The School collects personal information, including sensitive information about pupils and parents or guardians before and during the course of a pupil's enrolment at the School. The primary purpose of collecting this information is to enable the School to provide schooling for your son/daughter.
2. Some of the information we collect is to satisfy the School's legal obligations, particularly to enable the School to discharge its duty of care.
3. Certain laws governing or relating to the operation of schools require that certain information is collected. These include Public Health and Child Protection laws.
4. Health information about pupils is sensitive information within the terms of the National Privacy Principles under the Privacy Act. We ask you to provide medical reports about pupils from time to time.
5. The School from time to time discloses personal and sensitive information to others for administrative and educational purposes. This includes to other schools, government departments, Catholic Education Office, the Catholic Education Commission, your local diocese and the parish medical practitioners, and people providing services to the School, including specialist visiting teachers, [sports] coaches and volunteers.
6. If we do not obtain the information referred to above we may not be able to enrol or continue the enrolment of your son/daughter.
7. 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.
8. Parents may seek access to personal information collected about them and their son/daughter by contacting the School. Pupils may also seek access to personal information about them. However, there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the School's duty of care to the pupil, or where pupils have provided information in confidence.
9. As you may know the School from time to time engages in fundraising activities. Information received from you may be used to make an appeal to you. [It may also be disclosed to organisations that assist in the School's fundraising activities solely for that purpose.] We will not disclose your personal information to third parties for their own marketing purposes without your consent.
10. We may include your contact details in a class list and School directory. If you do not agree to this you must advise us now.
11. If you provide the School with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties.