SCOTS ALL SAINTS COLLEGE

# Privacy Policy

## 1. Privacy Policy

(a) This Privacy Policy sets out how Scots All Saints College manages personal information provided to or collected by it. It is based on the advice provided in the National Catholic Education Commission and Independent Schools Council of Australia, PRIVACY COMPLIANCE MANUAL 2023.The purpose of this policy is to establish a framework for the College to meet its statutory and regulatory obligations as they relate to privacy, and to govern the basis on which information is kept and used by the College.

(b) The College is bound by the Australian Privacy Principles (APP) contained in the Commonwealth Privacy Act 1988 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012. In relation to health records, the College is also bound by the New South Wales Health Privacy Principles which are contained in the Health Records and Information Privacy Act 2002 (Health Records Act).

(c) The College may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the College's operations and practices and to make sure it remains appropriate to the changing College environment.

## 2. What kinds of personal information does Scots All Saints College collect and how does the College collect it?

The type of information the College collects and holds includes, but is not limited to, personal information, including health and other sensitive information, about:

(a) students and parents and/or guardians ('Parents') before, during and after the course of a student's enrolment at the College, including:

(i) name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;

(ii) parent's education, occupation and language background;

(iii) medical information (eg details of disabilities and/or allergies, absence notes, medical reports and names of treating medical professionals);

(iv) results of assignments, tests and examinations;

(v) conduct and complaints records, or other behaviour notes, and school reports;

(vi) information about referrals to government welfare agencies;

(vii) counselling reports; health fund details and Medicare number;

(viii) any court orders;

(ix) volunteering information; and

(x) photos and videos at school events.

(b) job applicants, staff members, volunteers and contractors, including:

(i) name, contact details (including next of kin), date of birth, and religion;

(ii) information on job application;

(iii) professional development history;

(iv) salary and payment information, including superannuation details;

(v) medical information, (eg details of disabilities and/or allergies, and medical certificates);

(vi) complaint records and investigation reports;

(vii) leave details;

(viii) photos and videos ats school events;

(ix) work place surveillance information;

(x) work emails and private emails (when using work email address) and internet browsing history; and

(c) other people who come into contact with the College, including name and contact details and any other information necessary for the particular contact with the College.

(d) Personal information provided by parents or students

The College 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 occasion, people other than parents and students provide personal information.

(e) Personal information provided by other people

In some circumstances the College 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.

(f) Exception in relation to employee records

Under the *Privacy Act* and *Health Records and Information Privacy Act 2002 (NSW*), the **Australian Privacy Principles** and **Health Privacy Principles** do not apply to an employee record. As a result, this Privacy Policy does not apply to the College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the College and employee.

## 3. How will the College use the personal information you provide?

The College will use personal information it collects from persons 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 such persons, or to which they have consented.

(a) Students and parents

In relation to personal information of students and parents, the College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying the needs of parents, the needs of the student and the needs of the College throughout the whole period the student is enrolled at the College.

The purposes for which the College uses personal information of students and parents include:

(i) to keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;

(ii) day-to-day administration of the College;

(iii) looking after students' educational, social, spiritual and medical wellbeing;

(iv) seeking donations and marketing for the College; and

(v) to satisfy the College's legal obligations and allow the College to discharge its duty of care.

In some cases where the College requests personal information about a student or parent, if the information requested is not provided, the College may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

(b) Job applicants and contractors

In relation to personal information of job applicants and contractors, the College'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 the College uses personal information of job applicants and contractors include:

(i) in administering the individual's employment or contract, as the case maybe;

(ii) for insurance purposes;

(iii) seeking donations and marketing for the College; and

(iv) to satisfy the College's legal obligations, for example, in relation to child protection legislation.

(c) Volunteers

The College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities, such as the Past Students Association, to enable the College and the volunteers to work together.

(d) Marketing and fundraising

The College treats marketing and seeking donations for the future growth and development of the College as an important part of ensuring that the College continues to provide a quality learning environment in which both students and staff thrive. Personal information held by the College may be disclosed to organisations that assist in the College's fundraising, for example, the College's Past Students Association or, on occasions, external fundraising organisations.

Parents, staff, contractors and other members of the wider College community may from time to time receive fundraising information. College publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

The College ensures that all direct marketing communications set out clear 'opt out' provisions.

## 4. Who might the College disclose personal information to and store information with?

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

(i) another school and teachers at those schools;

(ii) government departments (including for funding and policy purposes);

(iii) medical practitioners;

(iv) people providing educational, support and health services to the College, including specialist visiting teachers, counsellors, volunteers and coaches;

(v) providers of learning and assessment tools;

(vi) providers of specialist advisory services and assistance to the School, including in the area of Human Resources, child protection and students with additional needs;

(vii) assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA) and NAPLAN test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN);

(viii) agencies and organisations to whom we are required to disclose personal information for education, funding and research purposes;

(ix) people providing administrative and financial services to the College;

(x) recipients of College publications, such as newsletters and magazines;

(xi) Students, parents and guardians;

(xii) anyone you authorise the College to disclose information to; and

(xiii) anyone to whom we are required to disclose the information to by law, including child protection laws.

(b) Sending and storing information overseas

The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, the College will not send personal information about an individual outside Australia without:

(i) obtaining the consent of the individual (in some cases this consent will be implied); or

(ii) otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

The College may use online or 'cloud' service providers to store personal information and to provide services to the College that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications.

Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may be stored in the 'cloud' which means that it may reside on a cloud service provider's servers which may be situated outside Australia.

## 5. How does the College treat sensitive information?

In referring to 'sensitive information', the College 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 the provider agrees otherwise, or the use or disclosure of the sensitive information is allowed by law.

## 6. Management and security of personal information

The College's staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals.

The College has in place steps to protect the personal information 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.

## 7. Responding to data breaches

The College will take appropriate, prompt action if we have reasonable grounds to believe that a data breach may have, or is suspected to have occurred. Depending on the type of data breach, this may include a review of our internal security procedures, taking remedial internal action, notifying affected individuals and the Office of the Australian Information Commissioner (OAIC). If we are unable to notify individuals, we will publish a statement on our website and take reasonable steps to publicise the contents of this statement.

## 8. Access and correction of personal information

Under the Commonwealth Privacy Act (and the Health Records Act), an individual has the right to seek and obtain access to any personal information which the College holds about them and to advise the College 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 the College holds about you or your child, please contact the Head of College's Executive Assistant by telephone or in writing. The College may require you to verify your identity and specify what information you require. The College 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, the College 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.

## 9. Consent and rights of access to personal information of students

The College respects every parent's right to make decisions concerning their child's education.

Generally, the College will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. The College 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 College about them or their child by contacting the Head of College's Executive Assistant 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 unreasonable impact on the privacy of others, or where the release may result in a breach of the College's duty of care to the student.

The College may, at its discretion, on the request of a student grant that student access to information held by the college about them, or allow a student to give or withhold consent t of 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.

## 10. Enquiries and complaints

If you would like further information about the way Scots All Saints College manages the personal information it holds, or wish to lodge a complaint if you believe that the College has breached the Australian Privacy Principles please contact the Deputy Head of College by telephone or in writing at:

The Privacy Officer
Scots All Saints College
4173 O'Connell Road
White Rock NSW 2795
p: (02) 6331 2766
e: privacy@scotsallsaints.nsw.edu.au

The College 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 practical, you can contact us anonymously (i.e. without identifying yourself) or by using a pseudonym. However, if you choose not to identify yourself, we may not be able to give you the information or provide the assistance you might otherwise receive if it is not practical to do so.

If you are not happy with the College's decision you may make a complaint to OAIC. A referral to OAIC should be a last resort once all other avenues of resolution have been exhausted.

## Appendix A – Collection Notice (re student information)

(a) The College collects personal information, including sensitive information about students and parents or guardians before and during the course of a student's enrolment at the College. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the College to provide schooling to the student, exercise it duty of care and perform necessary administrative activities, which enable them to take part in all the activities of the College. The College may not be able to enrol or continue to enrol a student if it does not collect some or all of the information.

(b) Some of the information we collect is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care.

(c) Laws governing or relating to the operation of a College require certain information to be collected and disclosed. These include relevant Education Acts, and Public Health and Child Protection laws.

(d) Health information about students is sensitive information within the terms of the *Australian Privacy Principles* under the *Privacy Act*. We may ask you to provide medical reports about students from time to time.

(e) The College may disclose personal and sensitive information to others for educational, administrative and support purposes, including to facilitate the transfer of a pupil to another school. This includes to other schools, government departments, medical practitioners, and people providing services to the College, including specialist visiting teachers, music tutors, sports coaches, volunteers and counsellors, providers of learning and assessment tools, assessment and educational authorities, people providing anyone to whom the College is required or authorised to disclose the information to by law, including child protection laws.

(f) Personal information collected from students is regularly disclosed to their parents or guardians.

(g) The College may use online or 'cloud' based service providers to store personal information and to provide services to the College that involve the use of personal information, such as email, instant messaging and education and assessment applications. Limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may reside on a cloud service provider's servers and may be situated outside Australia.

(h) The College's Privacy Policy sets out how parents or students may seek access to personal information collected 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 College's duty of care to the student, or where students have provided information in confidence.

(i) The College Privacy Policy also sets out how you may complain about a breach of privacy and how the College will deal with such a complaint.

(j) The College 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 the school in fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.

(k) On occasions information such as academic and sporting achievements, student activities and similar news is published in College newsletters and magazines, on our website and social media sites, such as Facebook, Instagram and LinkedIn. This may include photographs and videos of activities such as sporting events, school camps and school excursions. On enrolment you will be required to complete the Permission to Publish form to confirm consent or otherwise to such publication.

(l) If you provide the College 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 College and why, so that they can access that information if they wish, and that the College does not usually disclose this information to third parties.

(m) Any parent, guardian or other person concerned about any aspect of this notice should contact the Privacy Officer.

## Appendix B – Collection Notice (re staff)

(a) In applying for a position with Scots All Saints College you will be providing the College with personal information. We can be contacted at 02 6331 2766 or hr@scotsallsaints.nsw.edu.au.

(b) If you provide us with personal information, for example, your name and address or information contained on your resume, we will collect the information in order to assess your application for employment. We may keep this information on file if your application is unsuccessful in case another position becomes available.

(c) The College's Privacy Policy contains details of how you may complain about a breach of the APPs or how you may seek access to personal information collected about you. However, there may be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others.

(d) We usually only disclose this kind of information to the following types of organisations: Office of the Children's Guardian (for Working with Children Check status).

(e) If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the College and why, that they can access that information if they wish and that the College does not usually disclose the information to third parties.

(f) If the College does not collect some or all of the information requested, it may not be able to proceed with the employment process.