

PRIVACY POLICY

This Policy is designed to ensure Emmanuel College complies with the 7 minimum Child Safe Standards in line with Ministerial Order No 870. As educators, we have a mandatory obligation to create a culture which prioritises a safe, nurturing community for every child. The Standards provide a framework for routinely reviewing and strengthening child safety strategies, policies and practices.

Preamble

This Privacy Policy sets out how the School manages personal information provided to or collected by it.

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

Emmanuel 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 school environment.

What Kinds of Personal Information Does the College Collect and How Does The College Collect It?

The type of information Emmanuel College collects and holds includes (but is not limited to) 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 the School including:
 - name, contact details (including next of kin), date of birth, 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); and
 - 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; and
- other people who come into contact with the School, including name and contact details and any other information necessary for the particular contact with the School.

Personal Information you provide: Emmanuel College 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, emails and telephone calls. On occasions people other than Parents and pupils (such as job applicants and contractors) provide personal information.

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. The type of information the School 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 the College's treatment of an employee record unless required by law or organisational policy where the treatment is directly related to a current or former employment relationship between the College and employee. The College handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*

Anonymity: The 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 pupils 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 the School may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

How Will The College Use The Personal Information You Provide?

The College 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 pupils and Parents, the School's primary purpose of collection is to enable the School to provide schooling to pupils enrolled at the School (including educational and support services for the pupil), exercise its duty of care and perform necessary associated administrative activities which will enable pupils to take part in all the activities of the School. This includes satisfying the needs of Parents, the needs of the pupil and the needs of the School throughout the whole period the pupil is enrolled at the School.

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

In some cases where Emmanuel College requests personal information about a pupil or Parent, if the information requested is not provided, the College 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, 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:

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

Volunteers: Emmanuel College also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, such as alumni associations, to enable the College and the volunteers to work together.

Counsellors: Emmanuel College 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 Counsellor believes may be necessary for the School to know for the well-being or development of the pupil who is counselled or other pupils at the School.

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

Marketing and fundraising: Emmanuel 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 pupils and staff thrive. Personal information held by the School may be disclosed to organisations that assist in the School's fundraising, for example, the School's Foundation or alumni organisation [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.

Who Might The College Disclose Personal Information To And Store Your Information With?

Emmanuel College 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, 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 improvements 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;
- pupil'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; and
- anyone to whom 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: The School may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, Emmanuel College 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.

The School 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 the School. The servers may be situated in or outside Australia.

The 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 [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.

The School 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, the CECV and the 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 processed and stored outside Australia as not all countries are bound by laws which provide the same level of protection for personal information provided by the APPs.

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

- **United States and Australia**

Where personal and sensitive information is retained by a cloud service provider on behalf of CECV to facilitate HR and staff administrative support, this information will be stored on servers located within Australia. This includes the ICON system.

How Does The College Treat Sensitive Information?

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

Management and Security of Personal Information

Emmanuel College staff are required to respect the confidentiality of pupils' and Parents' personal information and the privacy of individuals.

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

Access and Correction of Personal Information

Under the Commonwealth *Privacy Act* and the *Health Records Act*, an individual has the right to obtain access to any personal information and health records respectively which the School holds about them and to advise the College of any perceived inaccuracy. Pupils will generally be able to access and update their personal information through their Parents, but older pupils 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 Principal in writing. Emmanuel 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.

Consent and Rights of Access to the Personal Information of Pupils

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

Generally, Emmanuel College will refer any requests for consent and notices in relation to the personal information of a pupil to the pupil's parents. The College 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 the College 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 College's duty of care to the pupil.

Emmanuel College may, at its discretion, on the request of a pupil grant that pupil access to information held by the College 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 and Complaints

If you would like further information about the way Emmanuel College manages the personal information it holds, or wish to complain that you believe that the College has breached the Australian Privacy Principles please contact the Principal by writing or telephone.

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 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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