



PRIVACY POLICY

1. Purpose

This policy outlines how St Catherine's School uses and manages personal information provided to or collected by it.

The School is bound by the Australian Privacy Principles (APPs) contained in the Commonwealth *Privacy Act 1998*. In relation to health records the School is bound by the *Health Records Act 2001 (Vic)*.

The School may, from time to time, review and update this policy to take account of new laws and technology, changes to the School's operations and practices and to ensure it remains appropriate to the changing School environment.

2. Scope

This policy applies in relation to the collection, use and disclosure of personal information collected by St Catherine's School in the course of its functions and activities as an independent school.

3. The kinds of personal information the School collects and holds

The kinds of information the School collects and holds includes, (but is not limited to), personal information, including health and other sensitive information, about:

Students and parents before, during and after the course of a student's enrolment at the School, including:

- name, contact details (including next of kin), date of birth, previous school and religion;
- medical information about students (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors);
- parents' education, occupation and language background;
- conduct and complaint records, or other behaviour notes, and school reports;
- information about referrals to government welfare agencies;
- counselling reports;
- health fund details and Medicare numbers;
- any court orders;
- volunteering information; and
- photos and videos at school events.

Job applicants and prospective employees including:

- name, address, contact details (including next of kin), date of birth, and religion (if relevant to the job requirements);
- identity documents
- information on job application;
- medical and health information (if relevant to the job requirements);



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- VIT Registration, Working with Children clearance and National Police Record checks;
- details of relevant qualifications and employment history
- references and background checks from referees and previous employers
- history of work involving children
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Volunteers and contractors including:

- name, address, contact details
- personal references
- Working with Children clearance and National Police Record checks
- details of relevant qualifications and employment history
- references and background checks
- history of work involving children

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.

The School will only collect sensitive information and health information where it is reasonably necessary for, or directly related to, its functions and activities as an independent school and either:

- the individual has consented; or
- the School is required or authorised by or under law, including under the APPs, to collect and hold such information.

4. How the School collects and holds personal information

4.1 Personal Information you provide

The School's usual practice is to only collect information directly from individuals, or in relation to students' personal information, directly from students or their parents. The School will generally collect personal information about an individual by way of forms filled out by individuals or parents (such as job or enrolment applications), face-to-face meetings and interviews, emails, electronic sources such as through website forms, and Synergetic, and telephone calls. On occasions, people other than parents and students provide personal information.

The School may also receive personal information through surveillance activities such as the use of CCTV security cameras, and monitoring of computer systems, (including school email and internet use), networks and facilities.

People interacting with the School, or using the School's systems are advised that they may be monitored, and personal information may be collected.



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4.2 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.

On occasion, the School may collect information from a third party or a publicly available source, but only if the individual, or parent consents to such collection or would reasonably expect us to collect their information from the third party, or if collection is reasonably necessary to provide educational services.

4.3 Exception in relation to employee records

Under the Privacy Act, the APPs do not apply to an employee record. As a result, this Privacy Policy does not apply to the School's handling of an employee record, where it is directly related to a current or former employment relationship between the School and employee. However, the School may be required to produce certain employee records to an employee upon request in accordance with the Fair Work Act.

The School handles staff health records in accordance with the Health Privacy Principles in the Health Records Act.

4.4 Management and security of personal information held by the School

The School and its staff respect the confidentiality of students' and parents' personal information and their personal privacy.

The School has in place reasonable steps to protect the personal information it collects and holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including:

- locked or secure storage of paper records
- password access rights to computerised records
- website protection measures (such as firewalls and anti-virus software)
- security restrictions on access to our computer systems
- controlled access to our corporate offices
- taking such steps as are reasonable to destroy or de-identify personal information it holds if, in its opinion, the information is no longer needed for the purpose for which it was collected.

5. The purposes for which the School collects, holds and uses personal information

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 by you, or to which you have consented.



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5.1 Students and Parents

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

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

- assess the student's application for enrolment or ongoing enrolment at the School
- to keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- day-to-day administration of the School;
- looking after students' educational, social and medical wellbeing;
- seeking donations and marketing for the School; and
- to satisfy the School's legal obligations and allow the School to discharge its duty of care.

In some cases, if the information requested is not provided, the School may not be able to enrol or continue the enrolment of the student, or permit the student to take part in a particular activity. Importantly, the School cannot exercise an appropriate duty of care if you do not provide information relevant to your child's care.

5.2 Job applicants and contractors

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

- assessing the suitability of an applicant for future employment, as a volunteer or as a contractor
- administering the individual's engagement as a volunteer or contractor, as the case may be;
- for insurance purposes;
- seeking donations and marketing for the School; and
- satisfying the School's legal obligations, for example, in relation to child protection legislation.

In some cases, if the information requested is not provided, the School may not be able to assess an individual's suitability for engagement, or continuing engagement, by the



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School, or to be able to properly and safely administer the individual's engagement, thereby leading to the engagement being terminated.

5.3 Volunteers

The School also obtains personal information about volunteers to enable the School to assess the suitability of an individual to be a volunteer, to administer and monitor their volunteer work and to ensure that volunteers work together. Refer to the Volunteers Policy for further information.

In some cases, if the information requested is not provided, the School may not be able to assess an individual's suitability to undertake, or continuing to undertake, volunteer work for the School, or to be able to properly and safely administer the individual's engagement as a volunteer, thereby leading to the engagement being terminated.

5.4 Development and Community Relations

The School treats marketing and seeking donations for the future growth and development of the School as an important part of ensuring that the School 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 assists in the School's fundraising; for example, the St Catherine's School Foundation, the St Catherine's Old Girls Association or a fundraising consultant.

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.

5.5 The purposes for which the School discloses personal information

The School may disclose personal information, including sensitive information, held about an individual for the primary purpose of providing educational and related services to its students, and for related administrative and support purposes.

The School may also disclose personal information where permitted or authorised by the APPs, including:

- where the use or disclosure is required or authorised by or under an Australian law or a court/tribunal order (such as a subpoena or warrant)
- if the School reasonably believes that the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, including its students
- if the School has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to its functions and activities has been, is being or may be engaged in and the use or disclosure is necessary for the School to take appropriate action in relation to the matter



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- if the School reasonably believes that the use or disclosure is reasonably necessary for an enforcement related activity conducted by an enforcement body, such as the Victoria Police.

Examples of the persons and organisations to whom disclosure of personal information may be made include:

- other schools and teachers at those schools;
- government departments (including for policy and funding purposes);
- medical practitioners;
- people providing educational, support and health services to the School, including specialist visiting teachers, sports coaches, volunteers, counsellors and outdoor education providers;
- providers of specialist advisory services and assistance to the School, including in the area of Human Resources, child protection and students with additional needs;
- providers of learning and assessment tools;
- 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);
- agencies and organisations to whom we are required to disclose personal information for education, funding and research purposes;
- people providing administrative and financial services to the School;
- recipients of School publications, such as newsletters and magazines;
- students' parents;
- any person you authorise the School to disclose information to; and
- any person to whom we are required or authorised to disclose the information to by law, including child protection laws.

5.6 Sending and storing information overseas

The School may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange, or to arrange an overseas school trip. However, 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 APPs or other applicable privacy legislation.

It is not practicable to specify in this policy those countries that the School is likely to disclose personal information.

The School may use online or 'cloud' service providers to store personal information and to provide services to the School 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



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providers to enable them to authenticate users that access their services. This means that personal information may reside on a cloud service provider's servers which may be situated outside Australia.

An example of such a cloud service provider is Microsoft Office 365. Microsoft provides applications for education including Outlook, Word, OneNote and Teams, and stores and processes limited personal information for this purpose. School staff and the school's service providers may have the ability to access, monitor, use or disclose emails, communications, documents and associated administrative data for the purposes of administering Microsoft Office 365 and ensuring its proper use.

Where practicable, we will inform you about where your information is stored, however, the School undertakes due diligence with respect to third party service providers who may have access to personal information, including cloud service providers, to ensure as far as practicable that they are compliant with the APPs or a similar privacy regime.

5.7 Access and correction of personal information

An individual may request access to any personal information which the School holds about them, and access will be provided within a reasonable time. Pupils will generally be able to access and update their personal information through their Parents, but older pupils may seek access and correction themselves.

However, there are some exceptions where the School may refuse to provide an individual with access to their personal information, including to the extent that:

- giving access would have an unreasonable impact on the privacy of others
- giving access would be unlawful
- denying access is required or authorised by or under an Australian law or a court or tribunal order
- giving access would be likely to prejudice an enforcement related activity conducted by an enforcement body, such as Victoria Police.

Further, the School endeavours to ensure that the personal information it holds is accurate, complete, relevant, not misleading and is up-to-date and will take such steps (if any) as are reasonable to ensure such accuracy is maintained, including if requested to by an individual to correct any personal information about them.

If the School has reason to refuse a request to correct the personal information of an individual, it will give the individual written notice of the reasons for the refusal and the mechanisms available to complain about the refusal.

To make a request to access or update any personal information the School holds about you or your child, please contact the Director of Business (School Privacy Officer) in writing. The School may require you to verify your identity and specify what information you require. The School 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 School will advise the likely cost in advance.



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If the School refuses to provide you with access to your personal information, we will provide you with written notice explaining the reasons for refusal and the mechanisms available to complain about the refusal.

5.8 Consent and rights of access to the personal information of students

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 student to the student's parents. The School 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 School about them or their child by contacting the Director of Business 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 the School's duty of care to the student.

The School may, at its discretion, on the request of a student, grant that student access to information held by the School 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.

5.9 Information Sharing Schemes

The *Child Wellbeing and Safety Act 2005* establishes the Child Information Sharing (CIS) Scheme, which enables sharing of confidential information between prescribed entities (including St Catherine's School) in a timely and effective manner in order to promote the wellbeing and safety of children.

Alongside the CIS Scheme, the *Family Violence Protection Act 2008* includes the Family Violence Information Sharing (FVIS) Scheme and the Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework, which enables information to be shared between prescribed entities to assess and manage family violence risk to children and adults.

The MARAM Framework can be used by authorised organisations including Victorian Schools that come into contact with individuals and families experiencing family violence. The MARAM Framework provides information and resources that professionals need to keep victim survivors safe, and to keep perpetrators in view and hold them accountable for their actions.

The Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FISS) provide authorised organisations, including Victorian schools, with an expanded ability to share confidential information with other authorised services



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to promote the wellbeing or safety of children or to assess or manage family violence risk.

As St Catherine's School is an Information Sharing Entity (ISE), there may be times when it is appropriate to use the Information Sharing Schemes to request and share confidential information with authorised services. For example, where the school determines that insufficient information is available to effectively support a student's wellbeing or safety, the schemes allow the school to request and proactively share information with authorised services.

The School will continue to share information as appropriate in accordance with other laws and policies, such as when making a mandatory report or when sharing information with external services under existing arrangements and mechanisms. The Information Sharing Schemes do not impact on these existing permissions and obligations.

The [Child Information Sharing Scheme Ministerial Guidelines](https://www.vic.gov.au/information-sharing-schemes-and-the-maram-framework) detail the legal obligations of prescribed Information Sharing Entities (ISEs). Ministerial guidelines and additional resources are available at <https://www.vic.gov.au/information-sharing-schemes-and-the-maram-framework>.

5.10 Reporting Breaches of Privacy

The School is committed to ensuring the privacy of personal information collected. Certain compulsory obligations have been placed on organisations under the Privacy Act 1988 (Cth) to notify specific types of data breaches called Notifiable Data Breaches to individuals affected by the breach as well as to the Office of the Australian Information Commissioner (OAIC). A Notifiable Data Breach is one that is likely to result in serious harm to any individual to whom the information relates.

In the event of a data breach involving personal information, the School will investigate the breach within 7 days, and will take action accordingly. It is important to be aware that not all breaches will amount to a Notifiable Data Breach. Action may include notifying the OAIC, and affected parties and providing;

- Our identity and contact details;
- A description of the data breach;
- The kinds of information that is suspected of being obtained;
- Recommendations about the steps you should take to limit the impact of the breach; and
- Advice as to whether we have contacted the OAIC about the breach.

5.11 Definitions

Personal information is information or an opinion about an identified individual or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and



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- whether the information or opinion is recorded in a material form or not.

Personal information also includes sensitive information and health information.

Sensitive information is personal information that includes information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a professional, trade or political association or union, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices or criminal record.

Health information is information or an opinion about the health or disability of an individual, the individual's expressed wishes about the future provision of health services, or a health service provided to the individual, currently or in the future.

5.12 Enquiries and Complaints

You may make a complaint to the School if you consider that it has interfered with your privacy because of an alleged breach of any of the APPs in relation to the personal information it holds about you

A complaint can be made in writing addressed to:

Privacy Officer
St Catherine's School
17 Heyington Place
Toorak VIC 3142

Fax: +61 3 9822 7595
Email:

Your complaint must specify the details of the alleged breach. The Privacy Officer or other person nominated by the School will investigate and assess 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 the School determines that there has been a breach of the APPs, you will be advised of any action it intends to take to remedy the breach. The Privacy Officer will also maintain a record of all complaints and determinations together with a record of any action taken in response to each complaint.

Further information on the privacy legislation is available on www.oaic.gov.au or by contacting the Office of the Australian Information Commissioner.

5.13 Communication of Policy

This policy is accessible to all staff, students, contractors, volunteers, parents, visitors, external stakeholders and other members of the School community via the Portal Policies page and the website. The School also communicates this policy through newsletters and inductions.



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5.14 Policy Review

This Policy has been endorsed by the School Council.

This policy will be reviewed for effectiveness:

- As part of St Catherine's School policy review schedule (every 2 years);
- As required, with changes to current legislation, research, policy and best practice;
- Following issues raised through the Complaints and Grievances Policy;
- After any significant child safety incident; and
- Upon receipt of staff and parent/guardian feedback.

5.15 References

- Commonwealth Privacy Act 1988 (Cth)
- Health Records Act 2001 (Vic)
- Child Wellbeing and Safety Act 2005
- Family Violence Protection Act 2008

5.16 Related Policies and Procedures

- Enrolment Policy
- Records Management Policy
- Complaints and Grievances Policy
- Volunteers Policy
- Visitors Policy
- Contractors and External Providers Policy
- Recruitment Policy