



# PRIVACY

## Policy

### RATIONALE

Our Lady of Sion College collects and manages personal information relating to students, parents/guardians, staff, contractors, volunteers, visitors and job applicants necessary for the effective administration of the College. Information about students and parents/guardians is collected in order to provide efficient communication and to support the educational needs and wellbeing of students. Information about staff, contractors, volunteers, visitors and job applicants is collected in line with Child Safety requirements and Privacy legislation. The College Mission calls us to be concerned with justice and truth. Collecting personal information is a serious moral, professional and legal responsibility that the College recognises and accepts.

### PRINCIPLES

Collecting, handling, using, storing and disclosing personal and health information of staff and students is compliant with the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988, the Privacy Amendment (Enhancing Privacy Legislation) Act 2012 (Cth) and Standard 5 of the Child Safe Standards and CECV employment guidelines. The College is also bound by the *Health Records Act 2001* (Vic.).

The College reviews and updates its 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.

### Collection of personal information

The College collects and holds personal information, including health and other sensitive information, about students, parents and/or guardians before, during and after the course of a student's enrolment at the College. The personal information listed may be collected and held by the College:

- name, contact details (including next of kin), date of birth, previous school and religion
- parents' 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)
- conduct and complaint records, or other behavioural notes, school attendance and school reports
- information about referrals to government welfare agencies
- counselling reports
- health fund details and Medicare number
- court orders
- volunteering information (including Working with Children Checks)
- photos and videos at school events.

The College collects and holds personal information, including health and other sensitive information, about job applicants, staff members, volunteers and contractors. The personal information listed may be collected and held by the College:

- 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 investigating reports
- leave details



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- photos and videos at school events
- workplace surveillance information
- work emails and private emails (when using work email address) and internet browsing history.

The College may collect personal information from individuals outside the school community, including name and contact details.

The College will generally collect personal information by way of forms completed by parents or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people, other than parents and students, (such as job applicants and contractors) provide personal information to the College.

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 College. The type of information the College may collect from another school may include:

- academic records and/or achievement levels
- information that may be relevant to assisting the College to meet the needs of the student, including any adjustments

### **Employee records exception**

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, 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 and in the *Health Records Act 2001 (Vic)*.

### **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, criminal record, 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.

### **Purpose of collection, holding, using and disclosing personal information**

The College needs to be able to identify individuals with whom it interacts, and to collect identifiable information about them to facilitate the delivery of curriculum, educational and support services. The College also collects information about individuals in order to conduct the job application process and fulfil other obligations and processes. However, in some limited circumstances some activities and interactions with the College may be done anonymously. These circumstances may include making an inquiry, complaint or providing feedback.

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, exercise its duty of care and perform necessary associated administrative activities which will enable students to participate in all the activities of the College. This includes satisfying the needs of parents, the needs of the student and the needs of the College throughout the student's enrolment at the College.

The College uses personal information it collects for the primary purpose of collection, and for other purposes that are reasonably expected by individuals, or to which individuals have consented.

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



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- to keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines
- day-to-day administration of the College
- to look after the students' educational, social and medical wellbeing
- to seek donations and to market the College
- to seek feedback from students and parents on school performance and improvement, including through school improvement surveys
- to satisfy the College's legal obligations and allow the College to discharge its duty of care
- to satisfy the legal obligations of the College service providers, including the Catholic Education of Victoria Ltd (CECV) and the Catholic Education Officers.

In some cases, if the personal 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.

**Job applicants, staff members and contractors.** In relation to personal information of job applicants, staff members and contractors, the College's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor.

The purposes for which the College uses personal information of job applicants, staff members and contractors include the following:

- to administer the individual's employment or contract
- for insurance purposes
- to seek donations and marketing for the College
- to satisfy the College's legal obligations, for example, in relation to child protection legislation.

**Volunteers.** The College also collects personal information about volunteers who assist the College in its functions or conduct associated activities, such as alumni associations. The collection of volunteers' personal information enables the College and the volunteers to work together.

**Counsellors.** The College contracts with external providers to provide counselling services for some students. The Principal may require the Counsellor to provide information to the Principal or to other teachers that is necessary for the College to carry out its duty of care.

**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 used to assist in the College's fundraising, for example, 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.

### **Disclosure and storage of personal information.**

The College may disclose personal information, including sensitive information, for educational, administrative and support purposes. The information may be disclosed to the following:

- College service providers, providing educational support and health services to the College, (either at the College or off campus) including the Catholic Education Commission of Victoria, (CECV), Catholic Education Offices, specialised 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



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Google's G suite, including Gmail and, where necessary, to support the training of selected staff to use 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 used by the College to support or enhance the educational or pastoral care services for its students or to facilitate communications with parents
- another College, including to its staff to facilitate the transfer of a student
- State and Federal government departments and agencies
- Health service providers
- recipients of College publications, such as newsletters and magazines
- students, parents or guardians and their emergency contacts
- assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority
- to anyone you authorise the College to disclose information
- to anyone whom the College is required to disclose the information to by law, including child protection laws.

### **Nationally Consistent Collection of Data (NCCD)**

The College 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* related to students with a disability. The College 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 will not explicitly identify any student.

### **Sending and storing information overseas**

The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a College Partnership Program. However, the 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 College may, from time to time, use the servers 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). Some personal information (including sensitive information) may be collected and processed or stored by providers in connection with these services. These online service providers may be located outside Australia.

College personnel and the College'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 to ensure their proper use.



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As not all countries are bound by laws which provide the same level of protection for personal information provided by the APPS, the College has made reasonable efforts to be satisfied that personal information, collected, processed and stored outside Australia, will be protected, including information stored in the cloud and by third party service providers. In connection with any cloud and third party services, the College tries to ensure that the cloud is located in countries with similar protections as the APPs.

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

- USA
- Taiwan
- Singapore
- Finland
- Belgium
- Ireland
- Netherlands

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 may be stored on servers located in or outside Australia. This includes the integrated Catholic Online Network (ICON) system.

### **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 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 incident or breach which may affect the security of the personal information held. If the College determines that the security breach/incident has caused serious harm to an individual, the College will notify the individual and the Office of the Australian Information Commissioner.

It is recommended that all members of the College community adopt secure practices to protect their personal information, including:

- the use of strong passwords
- the updating of passwords on a regular basis
- keeping log in details secure
- verifying the identity of an individual or organisation before sharing personal information
- advising the College if personal information has been comprised

### **Access and correction of personal information**

Under the Privacy Act and the Health Records Act, an individual has the right to 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 College Principal in writing. The College may require verification of identity. If the College cannot provide access to information, a written explanation will be provided.



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There may be circumstances where the reason for refusal is not provided, if doing so may breach the privacy of another person.

### **Consent and rights of access to the 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 by contacting the College 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 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 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 deem it appropriate.

### **Enquiries and complaints**

Enquiries or complaints should be directed in writing to the College's Privacy Officer. The College will investigate complaints and respond in writing as soon as possible following the complaint.

If a member of the community is not satisfied with the College's response to a complaint made, they can contact the Office of the Australian Information Commissioner (OAIC). Contact details are:

GPO Box 5218, Sydney, NSW 2001  
Telephone: 1300 363 992  
[www.oaic.gov.au](http://www.oaic.gov.au)

**Ratification by College Board on: February 2018**