

## PRIVACY POLICY

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

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

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.

### **What kinds of personal information does the College collect and how does the College collect it?**

The College collects and holds personal information, including health and other sensitive information, about:

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

- name, contact details (including next of kin), date of birth, gender, language background, previous College 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, College attendance and College 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)
- photos and videos at College 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 College events
- work emails and private emails (when using work email address) and internet browsing history

**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.

**Personal Information you provide:** 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 occasions people other than Parents and students (such as job applicants and contractors) provide personal information to the College.

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

- academic records and/or achievement levels
- information that may be relevant to assisting the new College 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 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 College 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 students 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 College 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. This will occur where you have given consent or to where it can be reasonably expected that you have consented.



**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 to students enrolled at the College (including educational and support services for the student), exercise its duty of care and perform necessary associated administrative activities which will enable students to take part 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 whole period the student is enrolled at the College.

The purposes for which the College uses personal information of students 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 students' educational, social and medical wellbeing
- seeking donations and marketing for the College
- seeking feedback from students and parents on College performance and improvement, including through College improvement surveys
- to satisfy the College's legal obligations and allow the College to discharge its duty of care
- to satisfy the College service providers' legal obligations, including the Catholic Education Commission of Victoria Ltd (VCEA) and the Catholic Education Offices.

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.

**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:

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

**Volunteers:** The College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities to enable the College and the volunteers to work together, to confirm their suitability and to manage their visits.



**Counsellors:** The College contracts with external providers to provide counselling services for some students. The principal may require the Counsellor to inform him or her or other teachers of any issues the principal and the Counsellor believe may be necessary for the College to know for the well-being or development of the student who is counselled or other students at the College.

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

**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 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 and sometimes people's images, may be used for marketing purposes.

### **Who might the College disclose personal information to and store your information with?**

The College may disclose personal information, including sensitive information, held about an individual for **educational, administrative and support purposes**. This may include to:

- College service providers which provide educational, support and health services to the College, (either at the College or off campus) including the Catholic Education Commission of Victoria Ltd (VCEA), 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 College improvement surveys, document and data management services, or applications to Colleges and College 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.
- VCEA, 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 College uses to support or enhance the educational or pastoral care services for its students or to facilitate communications with Parents
- another College including to its teachers to facilitate the transfer of a student
- Federal and State government departments and agencies
- health service providers
- recipients of College publications, such as newsletters and magazines
- student's parents or guardians and their emergency contacts

- assessment and educational authorities including the Australian Curriculum, Assessment and Reporting Authority
- anyone you authorise the College to disclose information to
- anyone who we are required or authorised to disclose the information to by law, including child protection laws.

### **Nationally Consistent Collection of Data on College Students with Disability**

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* (NCCD) on students with a disability. The College provides the required information at an individual student level to the Catholic Education Offices and the VCEA, 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 College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a College exchange. However, the College will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual; or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

The College 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.

College personnel and the College's service providers, and the VCEA 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 ensuring their proper use.

The College makes reasonable efforts to be satisfied about the security of any personal information that may be collected, processed and stored outside Australia, in connection with any cloud and third party services and will endeavour to ensure the cloud is located in countries with substantially 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:

- Australia, South East Asia, United States of America

Where personal and sensitive information is retained by a cloud service provider on behalf of VCEA to facilitate Human Resources and staff administrative support, this information may be stored on servers located in or outside Australia.

### **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 you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

### **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 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 College 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 College know immediately.

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

Under the Privacy Act and the Health Records Act, an individual has the right to seek and obtain access to any personal information and health records respectively 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 the access rights set out in the applicable legislation.

To make a request to access or to update any personal information the College holds about you or your child, please contact the [College Principal] or [College Administrator] 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.

## 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 about them or their child by contacting the [College Principal] or [College Administrator] 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 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 warrant it.

## Enquiries and complaints and contact details

If you would like further information about the way the College manages the personal information it holds about you, or wish to complain that you believe that the College has breached its privacy obligations, please contact the College Principal by writing or telephone at 8520 9200. The College will investigate your 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 College'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](http://www.oaic.gov.au)

## Policy History and Review

At OLSH College, we are committed to continuous improvement of our child safety systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

<b>Responsibility:</b>	Principal and College Board Policy Committee
<b>Reviewed and revised</b>	June 2013, June 2017, June 2019, December 2021, August 2022
<b>Next review date:</b>	August 2024

## Appendices:

Appendix 1: Collection Notice

### Appendix 1

## COLLECTION NOTICE

1. The College collects personal information, including sensitive information about students and parents or guardians and family members before and during the course of a student's enrolment at the College. This may be in writing or in the course of conversations and may be direct from the individual or from another source. The primary purpose of collecting this information is to enable the College, Catholic Education Offices and the Catholic Education Commission of Victoria Ltd (VCEA) to meet its educational, administrative and duty of care responsibilities to the student to enable them to take part in all the activities of the College.
2. Some of the information the College collects is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care.
3. 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.
4. Health information about students (which includes information about any disability as defined by the *Disability Discrimination Act 1992*) is sensitive information within the terms of the Australian Privacy Principles (APPs) under the *Privacy Act 1988*. The College may require medical reports about students from time to time and may otherwise collect sensitive information about students and their families.
5. If any personal information requested by the College is not provided, this may affect the College's ability to enrol a student, respond to enquiries, provide the student with educational and support services or allow a person to visit the College.
6. The College may disclose personal and sensitive information for **administrative, educational and support purposes** (or may permit the information to be directly collected by third parties). This may include to:
  - College service providers such as the VCEA, Catholic Education Offices, College governing bodies and other dioceses
  - third party service providers that provide online educational and assessment support services or applications (apps)\* or services in relation to College improvement surveys, which may include email and instant messaging
  - College systems, including the Integrated Catholic Online Network (ICON), Google's 'G Suite' including Gmail and Microsoft Office 365. Limited personal information may be collected and processed or stored by these providers in connection with these services
  - VCEA 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, including ongoing evaluation of funding adequacy for individual students
  - VCEA to support the training of selected staff in the use of Colleges' systems, such as ICON
  - another College to facilitate the transfer of a student



- Federal and State government departments and agencies acting on behalf of the government e.g. for audit purposes
  - health service providers, and people providing educational support and health services to the College, including specialist visiting teachers, sports coaches, volunteers, counsellors and providers of learning and assessment tools
  - assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority
  - people providing administrative and financial services to the College
  - anyone you authorise the College to disclose information to; and
  - anyone to whom the College is required or authorised to disclose the information to by law, including under child protection laws.
7. 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 (NCCD)* on students with a disability. The College provides the required information at an individual student level to the Catholic Education Offices and the VCEA, 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.
  8. Personal information collected from students is regularly disclosed to their parents or guardians.
  9. The College records online parent meetings and student meetings in line with our Child Safety policy and procedures. These recordings are stored securely for a short period and then destroyed in line with our information disposal protocols.
  10. The College may also use cloud computing service providers to store personal information (which may include sensitive information) on their servers in the 'cloud'. These servers may be located in or outside Australia. This may mean that personal information may be stored or processed outside Australia.
  11. The College makes reasonable efforts to be satisfied about the protection of any personal information that may be collected, processed and stored outside Australia in connection with any cloud and third party services and will endeavour to ensure it will be located in countries with substantially similar protections as the APPs.
  12. When the College uses Gmail, some personal information (usually limited to name and email address) about students, parents or guardians may be transferred, stored and processed by Google in the United States, or in any other country through which Google provides these services or where it processes and stores information. This personal information will be stored and processed by Google in accordance with Google's terms and conditions stated in the G-Suite for Education Agreement which the College entered into with Google.
  13. The countries in which the servers of cloud service providers and other third party service providers may be located are: Australia, South East Asia or United States of America
  14. Where personal, including sensitive information is held by a cloud computing service provider on behalf of VCEA for educational and administrative purposes, it may be stored on servers located within or outside Australia.
  15. College personnel and the College's service providers, and the VCEA 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 ICON system and ensuring its proper use.
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16. The College may disclose limited personal information to the College parish to facilitate religious and sacramental programs, and other activities such as fundraising.
17. The College's Privacy Policy is accessible via the College website. The policy sets out how parents, guardians or students may seek access to, and correction of their personal information which the College has collected and holds. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others, or may result in a breach of the College's duty of care to the student, or where students have provided information in confidence. Any refusal will be notified in writing with reasons if appropriate.
18. The College's Privacy Policy also sets out how parents, guardians, students and their family can make a complaint if they believe the College has interfered with their privacy.
19. The College may engage 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 College'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.
20. On occasions information such as academic and sporting achievements, student activities and similar news is published in College newsletters and magazines, on our intranet [and on our website]. This may include photographs and videos of student activities such as sporting events, College camps and College excursions. The College will obtain permissions from the student's parent or guardian (and from the student if appropriate) prior to publication to enable the College to include such photographs or videos [or other identifying material] in our promotional material or otherwise make this material available to the public such as on the internet. The College may obtain permissions annually, or as part of the enrolment process or at other times as required. Permissions obtained at enrolment will apply for the duration of the student's enrolment at the College unless the College is notified otherwise. Annually, the College will remind parents and guardians to notify the College if they wish to vary the permissions previously provided.
21. If you provide the College with the personal information of others, such as other family members, doctors or emergency contacts, we encourage you to inform them you are disclosing that information to the College and why, that they can request access to and correction of that information if they wish and to also refer them to the College's Privacy Policy for further details about such requests and how the College otherwise handles personal information it collects and complaints it receives.