



MARY IMMACULATE PRIMARY SCHOOL

Privacy Policy and Collection Notice

This Privacy Policy and Collection Notice sets out how Mary Immaculate School (the School) manages personal information provided to or collected by it.

The School 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.

The School also acknowledges its responsibility to notify the Office of the Australian Information Commissioner (OAIC) where personal information is lost or subjected to unauthorised access, modification, disclosure or misuse, in accordance with the Notifiable Data Breach Scheme (NDBS 2018).

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

What kinds of personal information does the School collect and how does the School collect it?

The type 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 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, gender, language background, 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)
 - 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



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- 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
- 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: The School 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 School.

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. 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 School'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 School and employee. The School handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*

Anonymity: The school needs to collect identifiable information to facilitate the delivery of educational and support services, the job application process and fulfil other obligations and processes. However, some activities and interactions with the school may be done anonymously where practicable, which may include making an inquiry or providing feedback.

How will the School use the personal information you provide?

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 educational and support services for the pupil. 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.



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

- to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters, online apps and magazines
- the day-to-day administration of the School
- ensuring students' educational, social and medical wellbeing
- fundraising and marketing activities for the School and the Parish
- to keep Parents informed about matters relating to the Parish, its groups, activities and works
- seeking feedback from students and parents on school performance and improvement, including through school improvement surveys
- to satisfy the School's legal obligations and allow the School to discharge its duty of care
- to satisfy School service providers' legal obligations, including the Catholic Education Commission of Victoria Ltd (CECV) and the Catholic Education Offices.

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

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

Volunteers: The School also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, to enable the School and the volunteers to work together, to confirm their suitability and to manage their visits. This may include copies of the WWCC, reference checks, Code of Conduct etc.

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

Marketing and fundraising: 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 students and staff thrive. Personal information held by the School may be disclosed to organisations, for example the Parents' Association, that assist in the School's fundraising.



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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.

Who might the School disclose personal information to and store your information with?

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

- School service providers which provide educational, support and health services to the School, either at the School or off campus, including the Catholic Education Commission of Victoria, (CECV), Catholic Education Offices, specialist visiting teachers, volunteers, counsellors and sports coaches and providers of learning and assessment tools.
- 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.
- 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 but not limited to the Integrated Catholic Online Network system (ICON) and Google's G Suite, including Gmail and, where necessary, to support the training of selected staff in the use of these services.
- another school, including to its teacher, 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
- 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 School to disclose information to
- the Parish to enable it to build community and support the works of the Parish
- anyone to whom we are required or authorised to disclose the information to by law, such as, the Department of Health and Human Services (DHHS), Commission for Children and Young People, Victoria Police.

Nationally Consistent Collection of Data on School Students with a 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.



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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, 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 Australian Privacy Principles or other applicable privacy legislation.

The School may also store personal information in the 'cloud' which may mean that it resides on servers which are situated in or outside Australia.

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

The School uses Google's G-Suite including Gmail, therefore 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 school, entered into with Google through Catholic Education Melbourne.

The School distributes a 'Consent Statement – Cloud Based Storage' (attached) for parents to sign regarding the storage on the School's Google Drive of: Personalised Learning Plans, Behaviour Support Plans, minutes from Program/Parent Support Group (PSG) Meetings, medical and allied health reports and other information as needed regarding students with a disability.

How does the School treat sensitive information?

In referring to 'sensitive information', the School 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 School's staff are required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals.

The School has in place steps to protect the personal information the School 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



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harm as a result, we will notify the Office of the Australian Information Commissioner of the breach. It is recommended that school community members adopt secure practices to protect themselves. School community members should ensure that all passwords used are strong and regularly updated and that log in details are kept secure. Personal information should not be shared with anyone without first verifying their identity and organisation. If personal information has been compromised, the School should be informed 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 School 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 School holds about you or your child, please contact the School Principal or Office Manager by telephone or 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. 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 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 pupil to the pupil's Parents. The School 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.

Parents may seek access to personal information held by the School about them or their child by contacting the School Principal or Office Manager 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 School's duty of care to the pupil.

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



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Enquiries and complaints

If you would like further information about the way the School manages the personal information it holds, or wish to complain that you believe that the School has breached the Australian Privacy Principles please contact the School Principal via:

principal@miivanhoe.catholic.edu.au or (03) 9497 1827. The School will investigate any complaint and will provide a response in relation to your complaint as soon as is practicable.

If you are not satisfied with the School's decision, a complaint may be made 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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