



# ST MARY'S CATHOLIC PRIMARY, ASCOT VALE PRIVACY POLICY



July 2016

St Mary's School has a strong commitment to child safety as is reflected in our Vision Statement: "Each child has the right to feel happy, safe and valued". We continually strive to ensure that every child is safe from harm including all forms of abuse. We exercise zero tolerance to abuse.

This Privacy Policy sets out how St Mary's Catholic Primary School, Ascot Vale 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.).

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 student's enrolment at the School;
- job applicants, staff members, volunteers and contractors; and
- other people who come into 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 provide personal information.

**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.

**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 to 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, complaint or providing feedback.

## **How will the School use the personal information you provide?**

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.

**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 student. 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 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 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 where the School requests personal information about a student or Parent, 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.

**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 insurance purposes;
- seeking donations and marketing for the School; and
- 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, such as the Parents and Friends Association, to enable the School and the volunteers to work together.

**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 that assist in the School's fundraising, for example, the Parents and Friends Association.

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, including the Catholic Education Commission of Victoria, (CECV), Catholic Education Offices specialist visiting teachers, counsellors and sports coaches, and other dioceses;
- third party service providers that provide educational support services to schools and school systems such as the Integrated Catholic Online Network system (ICON);
- another school to facilitate the transfer of a student;
- government departments;
- medical practitioners;

- recipients of School publications, such as newsletters and magazines;
- students' parents or guardians;
- 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.

***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 or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

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.

### **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.

### **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 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 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 School Principal or School 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 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.

## **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 by writing or by telephone at 03 93701194. The School 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.

## STANDARD COLLECTION NOTICE

1. The School collects personal information, including sensitive information about students and parents or guardians before and during the course of a student's enrolment at the School. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the School and the Catholic Education Commission of Victoria (CECV) 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 School.
2. Some of the information we collect is to satisfy the School's legal obligations, particularly to enable the School to discharge its duty of care.
3. Laws governing or relating to the operation of a school 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 is sensitive information within the terms of the Australian Privacy Principles (APPs) under the *Privacy Act 1988*. We may ask you to provide medical reports about students from time to time.
5. The School may disclose personal and sensitive information for administrative, educational and support purposes. This may include to:
  - School service providers such as the Catholic Education Commission of Victoria, Catholic Education Offices, parish, school governing bodies and other dioceses;
  - third party service providers that provide educational support services to schools and school systems such as the Integrated Catholic Online Network (ICON) system;
  - another school to facilitate the transfer of a student;
  - government departments;
  - medical practitioners, and people providing educational, support and health services to the School, including specialist visiting teachers, sports coaches, volunteers and counsellors;
  - 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.
6. Personal information collected from students is regularly disclosed to their parents or guardians.
7. The School also uses 'Google Apps for Education' (GAFE) including Gmail. Through the use of these services, personal information of students, parents or guardians may be transferred, stored and processed by Google in the United States, or any other country Google uses to provide these services. School personnel and the Catholic Education Commission of Victoria and their 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 ensuring its proper use.
8. Where personal information is held by GAFE it will be limited and may include:
  - Name
  - Email Address
  - Student Date of Birth

Personal information held by GAFE will be stored in accordance with APPs.

9. Where personal and sensitive information is retained by the CECV by a cloud service provider for educational and administrative purposes, it will be stored on servers located within Australia. This includes the Integrated Catholic Online Network (ICON) system.
10. The School's Privacy Policy is accessible via the school website, newsletter, handbook or from the school office. The policy sets out how parents, guardians or students may seek access to personal information collected about them. However, there may be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the School's duty of care to the student, or where students have provided information in confidence.
11. The School's Privacy Policy also sets out how parents and students can make a complaint about a breach of the Australian Privacy Principles and how the complaint will be handled.
12. The School 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 School'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.
13. On occasions information such as academic and sporting achievements, student activities and similar news is published in School newsletters and magazines, on our intranet and on our website. This may include photographs and videos of student activities such as sporting events, school camps and school excursions. The School will obtain permissions from the student's parent or guardian (and from the student if appropriate) prior to publication if we would like 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. We may include students' and parents' contact details in a class list and School directory.
14. If you provide the School with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them you are disclosing that information to the School and why, so that they can access that information if they wish and that the School does not usually disclose this information to third parties.

## EMPLOYMENT COLLECTION NOTICE

### Employment Collection Notice

1. In applying for this position you will be providing St Mary's Catholic Primary School, Ascot Vale with personal information. We can be contacted at 74 Roseberry Street, Ascot Vale 3032, Phone 9370 1194, [principal@smascotvale.catholic.edu.au](mailto:principal@smascotvale.catholic.edu.au)

2. If you provide us with personal information, for example, your name and address or information contained on your resume, we will collect the information in order to assess your application for employment. We may keep this information on file if your application is unsuccessful in case another position becomes available.

3. The School's Privacy Policy is accessible via the school website, or by request from the school office. The policy contains details of how you may complain about a breach of the Australian Privacy Principles (APPs) or how you may seek access to personal information collected about you. However, there may be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others.

4. The School may disclose your personal information to service providers, including Google, Inc. through the School system that uses 'Google Apps for Education' (GAFE) including Gmail. Consequently your personal information may be transferred, stored and processed in the United States, or any other country where Google provides the Google App services. School personnel responsible for the School system and the Catholic Education Commission of Victoria (CECV) and their 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 ensuring its proper use. Any personal information accessed by the Google App will be stored in accordance with the APPs.

5. Where personal information is held by GAFE it will be limited and may include:

- Name
- Email Address
- Date of Birth

Personal information held by GAFE will be stored in accordance with the APPs.

6. We may disclose your personal information to the Catholic Education Commission of Victoria, Catholic Education Offices, and support vendors that provide services around staff administration systems, but will not disclose this information to other third parties without your consent.

7. We are required to collect information under Victorian Child Protection laws. Employees who are not registered teachers are required to have a current and valid Working with Children Check (WWCC), and a National Criminal History Record Check. We may also collect other personal information about you in accordance with these laws.

8. 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 within Australia. This includes the Integrated Catholic Online System (ICON).

9. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties.

10. If you are employed by St Mary's Catholic Primary School, Ascot Vale, the personal information that we collect about you will become part of your employee record and will be handled in accordance with the law and clause 6 of this notice.

11. Staff information is exempt from the *Privacy Act 1988*. Other requirements (e.g. staff contracts, other school policies) may contain confidentiality clauses or other restrictions on the entities that staff information can be disclosed to.

Signature:.....

Date:.....

## CONTRACTOR / VOLUNTEER COLLECTION NOTICE

This 'sample' contractor / volunteer collection notice is an extract from the document *Privacy Compliance Manual*, prepared by Minter Ellison Lawyers for schools and systems represented by the National Catholic Education Commission. The document was made available to Catholic schools in Victoria in November 2013.

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### Contractor / Volunteer Collection Notice

1. In applying to provide services to the School, you will be providing St Mary's Catholic Primary School, Ascot Vale with personal information. We can be contacted at 74 Roseberry Street, Ascot Vale 3032, Phone 9370 1194, [principal@smascotvale.catholic.edu.au](mailto:principal@smascotvale.catholic.edu.au)
2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information in order to assess your application. We may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information for 12 months.
4. The School's Privacy Policy sets out how you may seek access to your personal information and how you may complain about a breach of the APPs.
5. We will not disclose this information to a third party without your consent.
6. We are required to collect information under Victorian Child Protection laws. Contractors or volunteers who are not registered teachers are required to have a current and valid Working with Children Check (WWCC) and National Criminal Record Check. We may also collect other personal information about you in accordance with these laws.
7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties.



**ST MARY'S CATHOLIC PRIMARY SCHOOL,  
ASCOT VALE  
PHOTOGRAPH/VIDEO PERMISSION FORM**



**Dear Parent/Guardian**

At certain times throughout the year, our students may have the opportunity to be photographed or filmed for our school publications, such as the school's newsletter or website and social media, or to promote the school in newspapers and other media.

The Catholic Education Office Melbourne (CEOM) and the Catholic Education Commission of Victoria Ltd (CECV) may also wish to use student photographs/videos in print and online promotional, marketing, media and educational materials.

We would like your permission to use your child's photograph/video for the above purposes. Please complete the permission form below and return to the school as soon as possible.

Thank you for your continued support.

**STUDENT'S FULL NAME:** \_\_\_\_\_ **YEAR LEVEL:** \_\_\_\_\_

- I give permission for my child's photograph/video and name to be published in:
  - the school website and school publications
  - social media
  - promotional materials
  - newspapers and other media.
  
- I authorise the CEOM/CECV to use the photograph/video in material available free of charge to schools and education departments around Australia for the CEOM/CECV's promotional, marketing, media and educational purposes.
  
- I give permission for a photograph/video of my child to be used by the CEOM/CECV in the agreed publications without acknowledgment, remuneration or compensation.
  
- I understand and agree that if I do not wish to consent to my child's photograph/video appearing in any or all of the publications above, or if I wish to withdraw this authorisation and consent, it is my responsibility to notify the school.

**Licensed under NEALS:** The photograph/video may appear in material which will be available to schools and education departments around Australia under the National Educational Access Licence for Schools (NEALS), which is a licence between education departments of the various states and territories, allowing schools to use licensed material wholly and freely for educational purposes.

Name of Parent / Guardian  
(please circle ) \_\_\_\_\_

**Signed:** Parent/Guardian \_\_\_\_\_ **Date:** \_\_\_\_\_

*Any personal information will be stored, used and disclosed in accordance with the requirements of the Privacy Act 1988 (Cth).*

<i>OFFICE USE</i> <b>Date of Photograph/Video: (month &amp; year)</b>	
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**EVALUATION:**

- This policy will be reviewed as part of the school's four year review cycle