

## PRIVACY POLICY

### INTRODUCTION

This Privacy Policy sets out how the School manages personal information provided to or collected by the School. The School is bound by the Australian Privacy Principles (APPs) 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 Health Privacy Principles in that Act.

The School is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988 (Privacy Act). In relation to health records, the School is also bound by the Health Privacy Principles which are contained in the Health Records Act 2001 (Vic).

Under the Privacy Act the Australian Privacy Principles do not apply to certain treatment of an employee record. As a result, this Privacy Policy does not apply to the School's treatment of an employee record held by the School, where the treatment is directly related to a current or former employment relationship between the School and the employee. The School handles staff health records in accordance with the Privacy Principles in the Health Records Act.

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. The current version of this Privacy Policy is published on our website.

### Kinds of personal information we collect

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

- students and parents or guardians ('parents') before during and after the course of the student'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, language spoken at home, nationality and country of birth;
  - results of assignments, tests and examinations;
  - medical information (e.g. degree 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 Family Court orders;
  - volunteering information and
  - 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;
  - salary and payment information, including superannuation details;
  - medical information (e.g. degree of disability and or allergies and medical certificates);
  - complaint records and investigation reports;
  - leave details;
  - photos and videos at school events;
  - workplace surveillance information and
  - 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.

### How we collect personal information

**Personal information you provide:** The School generally collects personal information about an individual directly from the individual (or their Parent in the case of students). This includes by way of forms, face-to-face meetings and interviews, emails and telephone calls.

**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, a reference from another school or a referee for a job applicant. If a student transfers to a new school, the new school may collect personal information about the student from the student's previous school to facilitate the transfer of the student.

**Personal information from other sources:** We may also collect personal information through surveillance activities (such as CCTV security cameras) and [student email monitoring].

### Purposes for which we collect, use and disclose personal information

The purposes for which the School collects, uses and discloses personal information depend on our relationship with you and include the following:

#### Students and Parents:

- providing schooling and school activities;
- satisfying the needs of parents, the needs of students and the needs of the School throughout the whole period a student is enrolled at the School;
- making required reports to government authorities;
- keeping Parents informed about matters related to their child's schooling, through correspondence, apps, newsletters and magazines;
- day-to-day administration of the School;
- looking after students' educational, social and health wellbeing;
- seeking donations for the School (see the 'Fundraising' section of this Privacy Policy); and

- to satisfy the School's legal obligations and allow the School to discharge its duty of care.

### **Volunteers:**

- to contact you about, and administer, the volunteer position;
- for insurance purposes; and
- satisfying the School's legal obligations, for example, in relation to child protection legislation.

### **Job applicants and contractors:**

- assessing and (if successful) engaging the applicant or contractor;
- administering the individual's employment or contract;
- seeking donations for the School (see the 'Fundraising' section of this Privacy Policy);
- for insurance purposes; and
- satisfying the School's legal obligations, for example, in relation to child protection legislation.

### **Who we disclose personal information to**

The School may disclose personal information, including sensitive information, for educational, care and administrative purposes, and to seek support and advice. This may include to:

- other schools and teachers at those schools, including a new school to which a student transfers to facilitate the transfer of the student;
- 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, and counsellors;
- organisations that assist us with fundraising (see the 'Fundraising' section of this Privacy Policy);
- providers of specialist advisory services and assistance to the School, including in the area of Human Resources, child protection, students with additional needs and for the purpose of administering Google Apps for Education and ensuring its proper use (see further the section below 'Sending and storing information overseas');
- 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;
- the provider of our information management and storage system and other information technology services;
- 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 ,including child protection laws.

### **How do we store personal information?**

We store your personal information in hard copy and electronically. We use information management and storage systems provided by third party service providers. Personal information is stored with and accessible by the third party service providers for the purpose of providing services to the School in connection with the systems.

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. See further the section below 'Sending and storing information overseas.'

### **Sending and Storing Information overseas**

The School may disclose personal information about an individual to overseas recipients in certain circumstances, for instance, to facilitate a school exchange.

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 providers to enable them to authenticate users that access their services and provide technical support.

This personal information may be stored in the 'cloud' which means that it may reside on a cloud service provider's servers which may be situated outside Australia.

### **Security of Personal Information**

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.

These steps include:

- Restricting access to information on the School databases on a need to know basis with different levels of security being allocated to staff based on their roles and responsibilities and security profile.
- Ensuring all staff are aware that they are not to reveal or share personal passwords.
- Ensuring where personal and health information is stored in hard copy files that these files are stored in lockable filing cabinets in lockable rooms. Access to these records is restricted to staff on a need to know basis.
- Implementing physical security measures around the School buildings and grounds to prevent break-ins.
- Implementing ICT security systems, policies and procedures, designed to protect personal information storage on our computer networks.
- Implementing human recourses policies and procedures, such as email and internet usage, confidentiality and document security policies, designed to ensure that staff follow correct protocols when handling personal information.

- Undertaking 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 Australian Privacy Principles or a similar privacy regime.

### **Access and Correction of Personal Information**

Under the Commonwealth Privacy Act and the Health Records Act (Vic), an individual has the right to seek access to, and/or correction of, any personal information which the School holds about them. 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, update or correct any personal information the School holds about you or your child, please contact the School Principal or the relevant Head of Campus by email, post or telephone at [preshi@preshil.vic.edu.au](mailto:preshi@preshil.vic.edu.au). The School may require you to verify your identity and specify what information you require. The School may charge a reasonable fee for giving access to your personal information (but will not charge for the making of the request or to correct your personal information). If the information sought is extensive, the School will advise the likely cost in advance.

If we decide to refuse your request, we will provide you with written notice explaining the reasons for refusal (unless, in light of the grounds for refusing, it would be unreasonable to provide reasons) and how to complain.

### **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. Generally, 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 the relevant Head of Campus by telephone or in writing (details in the section above 'Access and correction of personal information').

However, there may be occasions when access is denied. Such occasions may include (but are not limited to) where the School believes the student has capacity to consent and the School is not permitted to disclose the information to the Parent without the student's consent, 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.

### **Staff responsible for overseeing the confidentiality arrangements for student results**

The Principal, VCE VM Leader, Career Practitioner and Administrative Assistant are responsible for ensuring confidentiality arrangements for students are kept secure at all times unless the School receives written permission from the student with express instructions about how and who results may be shared with. Strict privacy controls apply to all student information, including results information, provided to the school by VCAA. These privacy controls include the requirement for the school to seek advance written permission

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from a student to use their identifiable student information for **any purpose other than course and careers counselling**.

### 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 or the Health Privacy Principles please contact the School Principal by email, post or telephone at [preshil@preshil.vic.edu.au](mailto:preshil@preshil.vic.edu.au) 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.

If you are not satisfied with our response, you may complain to the Office of the Australian Information Commissioner (OAIC) via the OAIC website, [www.oaic.gov.au](http://www.oaic.gov.au).

### RELEVANT LEGISLATION

**The Privacy Act 1988 (Cth)** - incorporating the Australian Privacy Principles

**The Health Records Act (Vic)** - incorporating the Health Privacy Principles

### RESOURCES

Privacy Compliance Manual April 2023

Privacy Planning Template

### COLLECTION NOTICES

Contractor Collection Notice

Job Applicant Collection Notice

Standard Collection Notice

### ASSOCIATED POLICIES AND GUIDELINES

Counselling Policy

Data Breach Guidelines and Procedures

Inclusive Education Policy

Record Management Policy (under development)

### REVIEW

This policy was reviewed in September 2023 to include reference to the VCE VM Program students and will be reviewed again by the Leadership Team every two years or following a critical incident.