

# Privacy Policy

## Policy Audience: Kilvington Community

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### 1.0 Overview

This statement outlines the School policy on how the School uses and manages personal information provided to or collected by it. The School is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act.

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

### 2.0 Information Collected

The type of information the School collects and holds includes, but is not limited to, personal information, including sensitive information, about students and parents/guardians, job applicants, staff members, volunteers and contractors and other people who come into contact with the School, before, during and after the course of a student's enrolment at the School. The School will only collect information considered necessary. A person does have the right to seek to deal with the School anonymously or using their pseudonym and they can make some preliminary enquiries this way. If a person intends to enrol their self or their child, they will need to provide the School with their personal information.

### 3.0 Information Provided

The School will generally collect personal information held about an individual by way of forms filled out by parents, guardians or students, face-to-face meeting, interviews and telephone calls. On occasion people other than parents, guardians and students provide personal information.

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.

### 4.0 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 treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the School and employee. Where employees send unsolicited information this will likely be destroyed unless he/she consents to the School keeping it.

### 5.0 Use of Personal Information

#### Students

- 1) The School collects personal information, including sensitive information, about students and parents/guardians before and during the course of a student's enrolment at the School. The primary purpose of collecting this information is to enable the School to provide schooling for students.
- 2) Some of the information collected by the School is to satisfy the School's legal obligations; particularly with regards to its duty of care.
- 3) Certain laws governing or relating to the operation of schools require that certain information be collected. These include Public Health laws. The School may be contacted if there are any questions about this.

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- 4) Health information about students is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. Parents/guardians are asked to provide medical reports about students from time to time (for example, prior to attending a camp). To the extent that the School keeps health records, the School is also compliant with the Health Records Act.
- 5) If the School does not obtain the information referred to above, it may not be possible to enrol or continue the enrolment of prospective students.
- 6) There is a need for the School, from time to time, to disclose personal and sensitive information to others for administrative and educational purposes; this includes to other schools, government departments, medical practitioners, and people providing services to the School, including specialist visiting teachers, coaches and volunteers.
- 7) When parents, over the years, provide the School with the personal information of others, such as doctors or emergency contacts, they are encouraged to inform any such people that they are disclosing that information to the School and the purpose for this. The School does not usually disclose the information to third parties.
- 8) Personal information collected about students is regularly disclosed to their parents or guardians. On occasions information such as academic and sporting achievements, student activities and other news is published in School newsletters, magazines (and on our website).
- 9) Parents may seek access to personal information collected about them and their child by contacting the School. Students may also seek access to personal information about them; however, there will 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.
- 10) The School from time to time engages in fundraising activities. Information received from members of the school community may be used to make an appeal to parents/guardians. The School will not disclose personal information to third parties for their own marketing purposes without parents/guardians' consent.
- 11) The School may include parent/guardian contact details in a class list and School directory. If parents/guardians do not agree to this parents/guardians must advise the School on enrolment or as soon as possible after enrolment.

### Employees

In relation to personal information of job applicants, staff members and contractors, the School's primary purpose of collection is to assess and if successful to engage the applicant, staff member or contractor, as the case may be.

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

- Assessing suitability of individual for a position or contract and in administering the individual's employment contract, as the case may be;
- For insurance purposes;
- Seeking funds and marketing for the School;
- To satisfy the School's legal obligations, for example, in relation to child protection legislation.

The School also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, (such as Alumni Associations), to enable the School and the volunteers to work together.

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 be a quality learning environment in which both students and staff thrive. Personal information held by the School may be disclosed to an

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organisation that assists in the School fundraising, for example the Parents' and Friends' Association or the Alumni organisation.

Parents/guardians, 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. Some of the School's marketing communications will contain an opt out and people may opt out and this will not affect any other services the School provides to them or their child.

### **Students/Employees/Volunteers/Contractors**

#### Disclosing Personal Information

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

- Another school;
- Government departments;
- Medical practitioners;
- People providing services to the School, including specialist visiting teachers and sports coaches;
- Agents or International Student Organisations;
- Where the collection is required by law;
- Where the information is necessary for the establishment, exercise or defence of a legal claim;
- Parents/guardians (appropriate); and,
- Anyone you authorise the School to disclose information to.

The School will not send personal information about an individual outside Australia without obtaining the consent of the individual, in some cases the consent will be implied, or otherwise complying with the Australian Privacy Principles. *The School has some overseas providers of IT services and they are required to also comply with privacy laws.*

### **6.0 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;
- Sexual preferences;
- Criminal record, that is also personal information; and,
- Health information.

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.

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### **7.0 Management and Disclosure of Personal Information**

The School staff are required to respect the confidentiality of students', parents/guardians', employees', volunteers' and contractors' personal information and the privacy of individuals. The School has in place steps to protect the personal information the School holds from interference, misuse, loss, unauthorised access, modification, use in Apps or software or disclosure by use of various methods including locked storage of paper records and pass worded access rights to computerised records. Any breach of security will be subject to the normal disciplinary process of the School.

### **8.0 Updating Personal Information**

The School endeavours to ensure that the personal information it holds is accurate, complete and current. A person may seek to update their personal information held by the School by contacting the administration office of the School at any time. The Australian Privacy Principles require the School not to store personal information longer than necessary.

### **9.0 Right to check Personal Information held by the School**

Under the Commonwealth Privacy Act, an individual has the right to obtain access to any personal information that the School holds about them and to advise the School of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Privacy obligations do not apply to personal information of current and past employees (i.e. information that is directly related to their employment, such as performance reviews and superannuation details) but do apply to information that is not directly related to their employment in the School. Students will generally have access to their personal information through their parents/guardians, but older students may seek access themselves.

Parents/guardians or students seeking access to records of personal information should contact the relevant Head of School.

Employees seeking access to appropriate records should contact the Principal.

The School may require you to verify your identity and specify what information you require. There is no fee for accessing personal information, however, 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. The School can refuse access but if the School does so it will give consideration to whether an intermediary might meet your needs and the School's.

### **10.0 Consent and Rights of Access to the Personal Information**

The School respects every parent's/guardian's right to make decisions concerning their children'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/guardians. The School will treat consent given by parents/guardians as consent given on behalf of the student, and notice to parents/guardians will act as notice given to the student.

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Parents/guardians may seek access to personal information held by the School about them or their children by contacting the Principal's PA at any time. However, there will be occasions when access is denied. Such occasions would include:

- Where access would have an unreasonable impact on the privacy of others.
- Access may result in a breach of the School's duty of care.
- Legal dispute resolution proceedings.
- A frivolous or vexatious request.

The School will give reasons if access is denied.

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/guardians. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

### 11.0 Enquiries

For further information (or to make a complaint about the School's privacy handling) about the way the School manages the personal information it holds, please contact the Principal.

If you are not satisfied with the School's response to your complaint, you can refer your complaint to the Office of the Australian Information Commissioner by:

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Telephone: 1300 363 992

Fax: +61 2 9284 9666

<https://forms.business.gov.au/aba/oaic/privacy-complaint/>

### 12.0 Evaluation

**Policy last reviewed June 2014.**

**Review cycle 3 years.**