



## PRIVACY POLICY

### Preamble

St Columba's College (the College) is a Mary Aikenhead Ministries College in the tradition of the Sisters of Charity. We are called to develop in each member of our community a contemporary understanding and application of the charism of Venerable Mary Aikenhead and the spirituality of the Sisters of Charity, and the Mary Aikenhead Ministries' mission, vision and values of justice, love, compassion and hope.

### Context

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

The College is bound by the Commonwealth *Privacy Act 1988*, including the Australian Privacy Principles. In relation to health records, the College is also bound by the Victorian *Health Records Act 2001*, including the Health Privacy Principles.

In this Privacy Policy, "personal information" means information or an opinion about an identified individual, or an individual who is reasonably identifiable. It includes information about an individual's physical, mental or psychological health, or disability and "sensitive information" as defined in this Privacy Policy.

The College will, 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 school environment.

### Exemption 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 the employee.

The College handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act*.

#### APPROVAL AND REVIEW

Date of Approval:	August 2020
Approval Authority:	St Columba's College Board
Delegated Contact Person:	College Principal
Next Review Date:	August 2022

# IMPLEMENTATION GUIDELINES

## Collection of Personal Information

What kinds of personal information does St Columba's College (the College) collect and how does the College collect it?

The type of information the College collects and holds includes (but is not limited to) personal information about:

- students and parents and/or legal guardians (referred to in this Privacy Policy as "guardians") before, during and after the course of a student's enrolment at the College
  - name, contact details (including next of kin), date of birth, previous school and religion;
  - medical information (e.g. details of disability and/or allergies and details of any assistance the student receives in relation to those disabilities, absence notes, medical reports and names of doctors);
  - conduct and complaint records, or other behaviour notes, school attendance and school reports;
  - information about referrals to welfare agencies;
  - counselling reports;
  - health fund details and Medicare number;
  - any court orders;
  - volunteering information (including Working With Children Checks); and
  - photos and videos at school events.
  
- job applicants, staff members, volunteers and contractors
  - 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. details of disability and/or allergies, and medical certificates);
  - complaint records and investigation reports;
  - leave details;
  - photos and videos at school events;
  - workplace surveillance information;
  - Working With Children Checks and VIT registration card;
  - work emails and private emails (when using work email address) and Internet browsing history.
  
- other people who come into contact the College,
  - name and contact details and any other information necessary for the particular contact with the school.

## Why does the College collect the personal information of students and parents?

In relation to personal information of students and parents/guardians, the College's primary purpose of collection is to enable the College to provide schooling for students enrolled at the College, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all College activities. This includes satisfying the needs of parents/guardians, the student and the College throughout the whole period that the student is enrolled at the College.

### What if the information is not provided?

In some cases where the College requests personal information about a student, or parent/guardian, and 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.

### How is personal information provided to St Columba's College?

In general, personal information will be collected about an individual by way of forms filled out by parents/guardians or students, face-to-face meetings and interviews, emails and telephone calls.

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

- academic records and/or achievement levels;
- information that may be relevant to assisting the College meet the needs of the student including any adjustments.

### Use and Disclosure of Personal Information

St Columba's College will use and disclose personal information it collects for:

- the primary purpose of collection as described in this Privacy Policy;
- for other secondary purposes that are related to the primary purpose of collection and which are reasonably expected by the individual concerned or their parents/guardians;
- for other purposes allowed under the Australian Privacy Principles or Health Privacy Principles (for example if required or authorised by law, or in an emergency); or
- for purposes to which the individual concerned or their parents/guardians have consented.

The purposes for which the College uses and discloses personal information of students and parents/guardians include:

- to keep parents/guardians informed about matters related to their child's schooling, through hard-copy and electronic 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; and
- to satisfy the College's legal obligations and allow it to discharge its duty of care.

### Who might St Columba's College disclose personal information to?

The College may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purpose to:

- another schools and teachers at those schools;
- Federal and State government departments and agencies;
- Catholic Education Melbourne, the Archdiocese of Melbourne, other related church agencies/entities, and schools within other Dioceses;
- medical practitioners and health service providers;
- people providing services to the College (either at the college or off campus), including specialist visiting teachers, counsellors and sports coaches;
- third party service providers that provide online educational and assessment support services, document and data management services;
- 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;
- recipients of St Columba's College publications, such as newsletters and magazines;

- parents/guardians and their emergency contacts;
- assessment and educational authorities including the Australian Curriculum and Assessment Authority;
- 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;
- anyone authorised by the individual or their parents/guardians to disclose information to; and
- anyone to whom we are required to disclose the information to by law, including child protection laws.

### ***Nationally Consistent Collection of Data (NCCD) on School Students with Disability***

St Columba's 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 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.

### **Sending and storing information overseas**

The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, the College 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 College 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. 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.

As not all countries are bound by laws which provide the same level of protection for personal information provided by the APPs, St Columba's College makes reasonable efforts to be satisfied about the security of any personal information collected, processed and stored outside Australia, including that of cloud and third party service providers.

An example of such a cloud service provider is Google. Google provides the 'Google Apps for Education' (GAFE) including Gmail, and stores and processes limited personal information for this purpose. College personnel 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 GAFE and ensuring its proper use.

### **How does St Columba's College treat sensitive information?**

"Sensitive information" 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; and includes health information and biometric information about an individual.

The College will use and disclose sensitive information it collects for:

- the primary purpose of collection; or
- other purposes allowed under the Australian Privacy Principles (for example if required or authorised by law, or in an emergency); or
- for purposes to which the individual concerned or their parents or legal guardians have consented.

### Job Applicants, Staff Members & Contractors

In relation to personal information of job applicants, staff members and contractors, St Columba's College'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 College uses and discloses personal information of job applicants, staff members and contractors include:

- in administering the individual's employment or contract;
- for insurance purposes;
- seeking donations and marketing for the College; and
- to satisfy 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, such as alumni associations, to enable the College and the volunteers to work together. Volunteers' personal information may be used and disclosed for these functions and activities.

### Marketing & Fundraising

St Columba's 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, St Columba's College's Alumni or Parent Engagement Committee.

Parents/guardians, 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, may be used for marketing purposes.

The College will not disclose personal information to an external third party for fundraising.

### Management & Security of Personal Information

The College staff are required to respect the confidentiality of students' and parents'/guardians' personal information and the privacy of individuals.

Access to personal information is limited to authorised College staff and contractors. Personal information is securely destroyed when no longer required for any purpose and only where it is not required to be retained under law.

The College has in place steps to protect the personal information that the College holds from misuse, interference and loss, unauthorised access, modification or disclosure. These steps include the 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 school 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, Correction of, and Consent to the Use of, Personal Information

Under the *Privacy Act* and the *Health Records Act*, an individual has the right to obtain access to any personal information 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/guardians, but students in Years 10 - 12 may seek access and correction themselves. There are some exceptions to these rights set out in the applicable legislation.

As mentioned above, parents/guardians may seek access to personal information held by the College about them or their child. However, there will 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.

### Requests for consent and notices

The College respects every parent/guardian'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/guardians. The College 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.

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

### How to make a request to access or correct personal information

To make a request to access or update any personal information the College holds about a parent/guardian or their child, the parent/guardian needs to contact the College Principal in writing. The College may require verification of identity and the specifics of what information is required or is inaccurate. The College may charge a fee to cover the cost of verifying the 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.

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. If we cannot provide the parent/guardian with access to that information, the reasons for refusal will be provided in writing and, include advice on how that decision can be reviewed.

## Enquiries & Complaints

For further information about the way the College manages the personal information it holds please contact the College Principal. Complaints about perceived breaches of the Australian Privacy Principles or Health Privacy Principles should also be made to the Principal. The College will investigate any complaint and will notify the complainant about the complaint as soon as is practicable.

If you are not satisfied with the School'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)

## Related Policies & Guidelines

- St Columba's College - Enrolment Policy
- St Columba's College - Complaints Policy
- [Catholic Education Melbourne Privacy Policy](#)
- [CECV Privacy Policy](#)