



## Policy

### 7.4 Privacy Policy

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#### **Rationale**

Protecting the personal and health information of staff, students, families and volunteers is a serious moral, professional and legal responsibility that our school recognises and accepts. This Privacy Policy sets out how 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. In relation to health records, the School is also bound by the Victorian Health Records Act 2001.

#### **Aims**

To collect, handle, use, store and disclose personal and health information of staff and students in a manner compliant with the Commonwealth Privacy Act and Victorian Health Records Act 2001.

#### **Implementation**

##### **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:

- pupils and parents and/or guardians ('Parents') before, during and after the course of a pupil'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 pupils, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than Parents and pupils 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 and Victorian Health Records Act 2001 the Australian Privacy Principles [and Health 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, where the treatment is directly related to a current or former employment relationship between the School and employee.

***Anonymity:***

An individual may deal with the school under a pseudonym or anonymously but only where reasonable and practical.

**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.

***Pupils and Parents:***

In relation to personal information of pupils and Parents, the School's primary purpose of collection is to enable the School to provide schooling 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.

The purposes for which the School uses personal information of pupils 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 pupils' 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 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, staff members and contractors:***

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:

- in administering the individual's employment or contract, as the case may be;

- for insurance purposes;
- seeking donations and marketing for the School; and
- to satisfy 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.

***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 pupils and staff thrive. Personal information held by the School may be disclosed to organisations that assist in the School's fundraising, or, on occasions, external fundraising organisations.

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?**

The School 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, counsellors and sports coaches;
- recipients of School publications, such as newsletters and magazines;
- Parents;
- anyone you authorise the School to disclose information to; and
- anyone to whom we are required to disclose the information to by law.

If the School receives a request for information from another school regarding a formerly enrolled student, the School will not provide information without written consent from the student's Parents.

***Sending information overseas:***

The School may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers which are situated outside Australia or 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.

## **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**

Sunshine Christian School has appointed the School Principal as the Primary Privacy Officer. In the first instance all Privacy enquiries and complaints should be directed to the Primary Officer.

The School's staff are required to respect the confidentiality of pupils' and Parents' personal information and the privacy of individuals. The Principal will ensure all staff are aware of and abide by this policy.

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.

The School will review records held on a regular basis to ensure information held is relevant and up to date. Data will be corrected in a reasonable period of time.

Any unsolicited information that the School comes into possession of will be destroyed. Records that are no longer required to be kept to meet legislative requirements will be destroyed as per the guidelines published in 'Records Retention Schedule for Non-Government Schools' (Australian Society of Archivists, 2007).

## **Access and correction of personal information**

Under the Commonwealth Privacy Act and the Victorian Health Records Act an individual has the right to obtain access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy. Pupils will generally be able to access and update their personal information through their Parents, but older pupils 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 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. This will be carried out in a timely manner.

The School may refuse access if:

- disclosing information would pose a serious threat to life health or safety of an individual or society;
- it would unreasonably impact privacy of others;
- the request is frivolous or vexatious;
- the request relates to anticipated or actual legal proceedings between an individual and entity and would not be discoverable;
- the request would reveal negotiations with an individual;
- the request is unlawful;
- the School is allowed under legislation to refuse the request;
- illegal activity might be engaged in;
- the request would reveal commercially sensitive material.

### **Consent and rights of access to the personal information of pupils**

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.

As mentioned above, parents may seek access to personal information held by the School about them or their child by contacting the School Principal. 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 School's duty of care to the pupil. Parents may make such a request using the form marked Appendix II.

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 so warranted.

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. 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.

Should your child transfer to another school, Sunshine Christian School will only provide information from your child's file to the school with written consent for you to do so. This form is attached as Appendix I.

### **Evaluation**

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.

*Date Approved: December 2017*  
*Origin: SCS*  
*Date for Review: 2020*



Appendix I

## RELEASE OF INFORMATION FROM STUDENT FILE

I give permission for Sunshine Christian School to provide the following information regarding my child \_\_\_\_\_ (child's name) to \_\_\_\_\_ (school's name).

*Please indicate the information to be released below by ticking the relevant box.*

	Verbal wellbeing and progress report from school principal
	Verbal wellbeing and progress report from former classroom teacher
	Verbal wellbeing and progress report from Special Education teacher
	Past student progress reports
	Past Independent Learning Plans
	Medical reports associated with learning support received (Speech Pathology, Audiology etc.)
	Other (please specify) _____

Year child last enrolled at Sunshine Christian School: \_\_\_\_\_

Parent name: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_



Appendix II

# REQUEST TO VIEW INFORMATION ON FILE

## Principal's approval

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

I request access to \_\_\_\_\_ (child's name) student file held at Sunshine Christian School.

I request to view the following information (please attach pages if more space is needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Year child last enrolled at Sunshine Christian School: \_\_\_\_\_

Parent name: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Date received by office: \_\_\_\_\_

Signed by staff member: \_\_\_\_\_

Name of staff member: \_\_\_\_\_

**Principal's approval**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_