

Privacy Policy

| | |
|----------|------------|
| Section | Operations |
| Number | 6f |
| Version | 2 |
| Page | 1 of 7 |
| Approved | ASC Board |
| Date | 2015 |
| Review | 2018 |

1. Principles

The Anglican Schools Commission (ASC) is firmly committed to and bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act (1988).

This Privacy Policy applies to the ASC and all schools of the ASC and sets out how the ASC and each school manages personal information provided to or collected by it.

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

2. Policy

The ASC and all schools have a responsibility to:

- use and manage personal and sensitive information collected by them in accordance with the Privacy Act.
- inform individuals of the purpose of collecting personal and sensitive information.

This policy covers personal information about individuals who come into the school community and ASC office including staff, students and contractors.

3. Definitions

- *Privacy Act (1988)*

The Privacy Act (1988) includes the Privacy Amendment (Private Sector) Act 2000.

- *Personal Information*

Personal information is information or an opinion that allows someone to identify the individual that the information or opinion is about. It can range from very detailed information such as medical records to other less obvious types of identifying information such as an email address. Personal information includes name, address and other contact details; date of birth; next of kin details; financial information; photographic images and attendance records.

- *Sensitive Information*

Sensitive information is a type of personal information that is given extra protection and must be treated with additional care. It includes any information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, government identifiers, nationality, country of birth, languages spoken at home, family court orders, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, or criminal record. It also includes 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, of the use or disclosure of the sensitive information is allowed by law.

- *Health Information*

Health information is a subset of sensitive information. It is any information or opinion about the health or disability of an individual, the individual's expressed wishes about the future provision of health services and a health service provided, currently or in the future, to an individual that is also personal information. Health information also includes personal information collected in the course of providing a health service. Health information (particularly in relation to student and parent records) includes medical records, disabilities, immunisation details, individual health care plans, counselling reports, nutrition and dietary requirements.

- *Record*

The Privacy Act regulates personal information contained in a 'record'. A 'record' is defined as a 'document' or an 'electronic or other device'. A 'document' includes anything on which there is writing, anything from which sounds, images or writings can be reproduced, drawings or photographs. Some items are excluded from this definition, including a generally available publication (eg. a telephone directory), and anything kept in a library, art gallery or museum for the purposes of reference, study or exhibition.

- *Primary Information/Purpose*

When an individual provides, and the ASC or school collects, personal information, the primary purpose of collection will be determined by the context in which the individual gave the information to the ASC or school, for example, to enrol a pupil or to apply for a job. This is the primary purpose of collection even if the organisation has some additional purposes in mind.

- *Secondary Information*

The ASC or school may use or disclose personal information for a secondary purpose if it has the individual's consent. Consent to the use or disclosure can be expressed or implied. Implied consent arises where consent may reasonably be inferred in the circumstances from the conduct of the individual and the school. If the ASC or the school's use or disclosure has serious consequences for the individual, the ASC or the school would have to be able to show that the individual could have been expected to understand what was going to happen to information about them and gave their consent. In these circumstances, the ASC or school should seek express consent.

Examples of Secondary Information - Send newsletters, magazines, mail-outs and correspondence.

4. The Collection of Personal Information

The ASC and all schools will collect personal information on individuals for a variety of primary purposes. On occasion, the ASC and schools will also need to use this same personal information for secondary purposes that less directly relate to the primary purpose for which the information was collected. This will only occur in ways that the individual might reasonably expect or in ways to which consent has been implied or given.

The type of information the ASC and a school collects and holds includes (but is not limited to) personal information including health and 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, including the ASC Board, school council or committee members, and participants in ASC and school activities, particularly professional development;
- other people who come into contact with the school.

4.1 Personal Information provided by the Individual:

The ASC and schools will generally collect personal information directly from an individual by way of completed forms. However, given the nature of our operations, we also receive personal information by emails, letters, face-to-face meetings and interviews, telephone calls, through financial transactions and through surveillance activities such as the use of CCTV security cameras or email monitoring. Personal information will be provided by parents, pupils, staff members, job applicants, volunteers, contractors, and all others coming into contact with the ASC or schools.

The person collecting the information is expected to ensure that the person supplying the information is aware of the purpose(s) for which the information is being collected.

4.2 Personal Information provided by Other People:

In some circumstances the ASC or 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, or a recommendation for Board, council or committee membership.

The person collecting the information is expected to ensure that the person supplying the information is aware of the purpose(s) for which the information is being collected.

4.3 Exception in relation to Employee Records:

The Privacy Act does not apply to employee records. As a result, this Privacy Policy does not apply to the ASC's or school's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the ASC or school and employee. Past and present employees of the ASC and its schools cannot automatically access the personal information held about them by the ASC or school.

5. The Use Of Personal Information

Personal information is collected for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which has been provided consent. At the time of collecting personal information, the ASC or school will make it clear to the individual as to the intended uses of the information.

5.1 Pupils and Parents:

Collection of personal information of pupils and parents is required for the primary purpose of enabling 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 ASC throughout the whole period the pupil is enrolled at the school.

The purposes for which the ASC and a 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;
- looking after pupils' educational, social, spiritual and medical wellbeing;
- seeking donations and marketing for the school; and
- to satisfy the ASC's and the school's legal obligations and allow the school to discharge its duty of care.

In some cases where a school requests personal information about a pupil or parent, if the information requested is not obtained, 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.

5.2 Job applicants, staff members and contractors:

Personal information held about job applicants, staff members and contractors is collected and held for the primary purpose to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

In relation to unsuccessful job applicants, permission will be sought to hold the information for any extended period of time, otherwise it will be destroyed after a period of no more than 60 days.

The purposes for which personal information of job applicants, staff members and contractors is used include:

- in administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking funds and marketing for the ASC or school;
- to satisfy the ASC's and the school's legal obligations, for example, in relation to child protection legislation.

5.3 Volunteers:

Personal information about volunteers who assist the ASC or schools in their functions or conduct associated activities, such as alumni associations, the ASC Board and school council or committee members, is collected to enable the ASC, schools and the volunteers to work together.

The purposes for which personal information of volunteers is used include:

- to keep volunteers informed of matters relating to ASC or school activities of relevance for the volunteer to fulfil their obligation;
- for insurance purposes;
- seeking funds and marketing for the ASC or school
- to satisfy the ASC's and the school's legal obligations, for example, in relation to child protection legislation.

5.4 Marketing and fundraising:

Marketing and seeking donations for the future growth and development is an important part of ensuring that the ASC or school continues to be a quality learning environment in which both pupils and staff thrive. Personal information held may be disclosed to an organisation that assists in the fundraising, for example, an Alumni organisation.

Parents, staff, contractors and other members of the wider ASC or school community may from time to time receive fundraising information. Publications, like newsletters and magazines, which include personal information, may be used for marketing purposes. Sensitive information will not be used for this purpose without the consent of the individual.

5.5 Exception in relation to related schools:

The Privacy Act allows each school, being legally related to each of the others conducted by the ASC, to share personal (but not sensitive) information with other schools conducted by the ASC. Other ASC schools may then only use personal information for the purpose for which it was originally collected. This allows schools

to transfer information between them, for example, when a pupil transfers from an ASC school to another school conducted by the ASC.

6. The Disclosure of Personal Information

The ASC and schools only use personal information for the purposes for which it was given, or for purposes which are related (or directly related in the case of sensitive information) to one or more of our functions or activities. At the time of collecting personal information, the ASC and school will make it clear to the individual as to the potential disclosures of the information.

An ASC school may disclose personal information, including sensitive information, held about an individual to:

- The ASC office;
- another school;
- government departments;
- the School's local parish;
- medical practitioners;
- people providing services to the school, including specialist visiting teachers, counsellors and sports coaches;
- recipients of school publications, like newsletters and magazines;
- parents;
- anyone to whom the school has been authorised by you to disclose the information; and
- anyone to whom we are required to disclose the information by law.

6.1 Sending information overseas:

The ASC and schools may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers situated outside Australia or to facilitate a school exchange.

However, personal information about an individual will not be sent outside Australia unless:

- we obtain 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; or
- we form the opinion that the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety; or
- we are taking appropriate action in relation to suspected unlawful activity or serious misconduct.

6.2 Disclosure of sensitive information:

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless it is agreed otherwise, or the use or disclosure of the sensitive information is allowed by law.

7. The Management and Security of Personal Information

The ASC and school staff and individuals who serve on Boards, councils or committees conducting the business of the ASC and schools are required to respect the confidentiality of personal information and the privacy of individuals.

The ASC and schools store personal information in a variety of formats including on databases, in hard copy files and on personal devices including laptop computers, mobile phones, cameras and other recording devices.

The ASC and schools have procedures in place to protect the personal information it holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage or paper records and password-protected access rights to computerised records.

The ASC or school will only identify information about an individual by their name or, if appropriate, an identifier of its own creation.

7.1 The Updating Of Personal Information

The ASC and schools endeavour to ensure that the personal information held is accurate, complete and current. A person may seek to update their personal information by contacting the relevant body at any time.

The Australian Privacy Principles require the ASC and schools not to store personal information longer than necessary.

8. Accessing and Correcting Personal Information

In accordance with the Privacy Act, an individual has the right to obtain access to any personal information which the ASC or school holds about them and to advise the ASC or the school of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Pupils will generally have access to their personal information through their parents, but older pupils may seek access and corrections themselves.

A request to access or update any personal information held by the ASC or school is to be provided in writing to either the Chief Executive Officer or the relevant Principal. In processing such requests, the Chief Executive Officer or Principal will be guided by the Australian Privacy Principles.

Identity verification and specific details on required information may be requested prior to disclosure. A fee may be charged to cover the cost of verifying the application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, advice on the likely cost should be provided in advance. If the ASC or school cannot provide you with access to that information, a written notice explaining the reasons for refusal will be provided.

9. The Right of Access to Personal Information of Pupils

The ASC and school respects every parent's right to make decisions concerning their child's education.

Generally, any request for consent and notices in relation to the personal information of a pupil will be referred to the pupil's parents. Consent given by parents will be treated as consent given on behalf of the pupil, and notice to parents will act as notice given to the pupil.

Parents may seek access to personal information held by a school or the ASC about them or their child by contacting the school's Principal. However, there will be occasions when access will be 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.

A 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.

10. Enquiries and Complaints

If you would like further information about the way the ASC and schools implement this policy and manage the personal information they hold, or you believe that the ASC or a school has breached the Australian Privacy Principles, you may contact the Chief Executive Officer of the ASC or the relevant school's Principal to register a complaint.

The Chief Executive Officer or relevant school Principal will investigate any complaint and will notify you of a decision in relation to your complaint as soon as is practicable after it has been made.

11. Review

The ASC and all schools will review all relevant documentation, including standard collection statements and all other forms, as necessary.