



## PRIVACY POLICY

### RATIONALE

The College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act ("Privacy Act"). In relation to health records, the College is also bound by the Health Records and Information Privacy Act 2002 ("Health Records Act"). This document reflects current legislation with regard to the Privacy Act and its compliance, and the College commitment to Mercy values of Justice and Respect for Human Dignity.

### PURPOSE

To outline how Monte Sant' Angelo Mercy College ("the College") uses and manages personal information provided to it or collected by it. The College may, from time to time, review and update this Policy to take into account new laws and technology, changes to the College's operations and practices, and to make sure it remains appropriate to the changing Monte Sant' Angelo Mercy College environment.

### RELATED POLICIES AND DOCUMENTS

- College Statement on College Information (Appendix 1)
- Enrolment Policy
- ICT Policy
- Commonwealth Privacy Act ("Privacy Act")
- Health Records and Information Privacy 2002 ("Health Records Act")

### PRINCIPLES AND PROCEDURES

#### 1. The College collects specific kinds of personal information in particular ways

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

- Students and parents and/or carers ("parents") before, during and after a student's enrolment at the College;
- Job applicants, staff members, volunteers and contractors; and,
- Other people who come into contact with the College.

The College will generally collect personal information held about an individual by way of forms filled out by parents and/or students, face-to-face meetings and interviews, emails and telephone calls. On occasions, people other than parents and students provide personal information.

The College may be provided with personal information about an individual from a third party, e.g. a report provided by a medical professional, or a reference from another educational institution.

Under the Privacy Act and Health Records 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 an employee.

## **2. Uses of personal information provided to the College**

The College's primary use of personal collected information includes, but is not limited to:

### **2.1 Families**

In relation to personal information of students and parents, the College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying the needs of parents, the needs of the student, and the needs of the College throughout the whole period the student is enrolled at the College.

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

- To keep parents informed about matters related to their daughter's schooling, through correspondence, student reports, newsletters and magazines.
- Day-to-day administration.
- Looking after students' educational, social, spiritual and medical wellbeing.
- Marketing, promotional and fundraising activities.
- To satisfy the College's legal obligations and allow the College to discharge its duty of care.

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

Please refer to the Enrolment Policy for specific information the College requires to enrol and maintain enrolment of a student.

### **2.2 Staff, Contractors, Job Applicants**

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

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

- In administering the individual's employment or contract, as the case may be
- For insurance purposes
- To satisfy the College's legal obligations, e.g. in relation to child protection legislation
- Day-to-day administration

### **2.3 Volunteers**

The College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities, such as the Parents' & Friends' Association, Monte Alumni, and Canteen volunteers, to enable the College and the volunteers to work together.

### **2.4 Marketing and Fundraising**

The 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 strategies; for example, to the College's Foundation, Parents' & Friends' Association, Monte Alumni, and other committees of the College community.

Parents, staff, contractors and other members of the wider College community may from time to time receive fundraising information. The College publications, like newsletters and magazines, which include personal information, may be used for marketing and promotional purposes.

### **3. The College may disclose personal information**

The College may disclose personal information, including sensitive information, held about an individual (students and/or staff) for educational, administrative and support purposes. This may include to:

- Another educational institution
- Relevant government departments
- Local Parishes
- Medical practitioners
- People providing educational, support and health services to the College, including specialist visiting teachers, volunteers, counsellors and sports coaches
- Providers of specialist advisory services and assistance to the College, including in the area of Human Resources, child protection and students with additional needs
- Recipients of College publications, such as newsletters and magazines
- Their Parents
- Anyone you authorize the College to disclose information to, and
- Anyone to whom the College is required to disclose the information to by law.

### **4. Sending information overseas**

The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange or entry to a tertiary institution. However, the College will not send personal information about an individual outside Australia without:

- Obtaining the consent of the individual or guardians (in some cases this consent will be implied) or
- Otherwise complying with the Australian Privacy Principles or other privacy legislation.

The College utilises cloud-based services which may also store personal information on servers or data centres which may be situated outside Australia.

Please refer to the ICT Policy for general information about storage of College data.

### **5. The treatment of sensitive information**

In referring to 'sensitive information', the College 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 otherwise agreed in advance and in writing), or the use or disclosure of the sensitive information that is allowed by law.

### **6. Management and security of personal information**

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

The College has steps in place to protect the personal information the College 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.

Please refer to the ICT Policy for processes relating to handling notifiable data breaches.

## 7. Access and correction 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, but older students may seek access and correction themselves.

There are some exceptions to these rights set out in the applicable legislation.

To update any personal information the College holds about a family, the parent is to contact the College Registrar in writing. To update any personal information the College holds about an individual staff member, the individual is to contact the Director Staff Services. To make a request to access any personal information the College holds about an individual, they are to contact the Principal in writing. The College may require the individual making the request to verify their identity and to specify the information they require. 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. If the College cannot provide access to the requested information, a written notice explaining the reasons for refusal will be provided.

## 8. Consent and rights of access to the personal information of students

The College respects every parent'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 their parents. The College will treat consent given by parents as consent given on behalf of their daughter, and notice to parents will act as notice given to their daughter.

As mentioned above, parents may seek access to personal information held by the College about them or their daughter by contacting the 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 College's duty of care to the student.

The College may, at its discretion, on the request of a student, grant access to information held by the College about her, or allow a student to give or withhold consent to the use of her personal information, independently of her parents. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

## Enquiries and Complaints

If you would like further information about the way the College manages the personal information it holds or wish to complain that you believe that the College has breached the Australian Privacy Principles please contact the Principal by writing or telephone. Any complaint will follow the process outlined in the College's Concerns and Complaints Policy.

ENDORSED BY:	COLLEGE BOARD
MANAGEMENT RESPONSIBILITY:	PRINCIPAL
DISTRIBUTION:	STAFF, PARENTS, STUDENTS
EFFECTIVE FROM:	16/11/2020

# **COLLEGE STATEMENT ON COLLECTED INFORMATION**

## **(Appendix 1)**

This Statement has been prepared within the guidelines of the Australian Privacy Principles under the Privacy Act.

1. The College collects personal information, including sensitive information about students and parents or carers before and during the course of a student's enrolment at the College. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the College to provide schooling for your daughter and to enable her to take part in all the activities of the College.
2. Some of the information we collect is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care.
3. Laws governing or relating to the operation of a school require that certain information be collected and disclosed. These include relevant Education Acts, and Public Health and Child Protection laws.
4. Health information about students is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. We may ask you to provide medical reports about students from time to time.
5. A student's enrolment may be delayed or prevented if the College cannot collect certain personal information. This is particularly so where the information is relevant to the health and safety of the student, other students and/or staff.
6. The College, from time to time, discloses personal and sensitive information to others for administrative and educational purposes, including to facilitate the transfer of a student to another school. This includes to other educational institutions, relevant government departments, Catholic Education Office, the Catholic Education Commission, your local diocese and the parish (if appropriate), medical practitioners, and people providing services for the College, including specialist visiting teachers, coaches, volunteers and counsellors.
7. Personal information collected from students is regularly disclosed to parents or guardians. On occasions it is published in College newsletters and magazines and on our website.
8. The College may store personal information in the 'cloud' which may mean that it resides on secure servers which are situated outside Australia.
9. Parents may seek access to personal information collected about them and their daughter by contacting the College Principal. 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 College's duty of care to the student, or where students have provided information in confidence.
10. The College, from time to time, engages in social and fundraising activities. The information received from you may be used to invite you to community building activities and to make an appeal to you. It may also be disclosed to organisations that assist in the College's fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.

11. On occasions, information such as academic and sporting achievements, student activities and similar news is published in College newsletters and magazines, on our website and other digital media. Images (including video) of students and student activities such as sporting events, camps and excursions may be taken for publication in College newsletters and magazines, on our website and other digital media. All parents sign the College Planner annually, which grants permission to use information about and images of their daughter for the purposes stated.
12. If you provide the College with the personal information of others, such as doctors or emergency contacts, you should inform them that you are disclosing the information to the College and why, that they can access that information if they wish, and that the College does not usually disclose the information to third parties.
13. The information will be held by the College in our archives unless you request the information to be destroyed. Some information may be kept to satisfy legal requirements.
14. The College will provide your contact email addresses as part of a cohort-specific parent directory. Parents will be able to access their relevant parent directories via Parent Portal. This ensures that the College is not making contact information publicly assessable. Parents who wish to access the Parent Directory will be required to log into Parent Portal via their username and password. Email addresses via the Parent Directory are to be used for school-related purposes only. It would be inappropriate and an infringement of privacy for anyone to circulate email addresses to people or organisations outside the circle of families, or use it for other purposes or causes, charitable, Church or civic, no matter how worthy or well-intended. Parents are able to opt-out of the Parent Directory by notifying the College.
15. When required, the College will collect names and mobile numbers of visitors for the purpose of contact tracing in the event of a suspected COVID-19 case on the College campus. This information will not be released to the public or shared with any third party except the New South Wales Department of Health and Human Services, who will use it to contact people who may have been exposed to coronavirus (COVID-19). The information collected will be destroyed after 28 days.

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Reference: 'AIS Standard Collection Notice' in *Privacy Compliance Manual*, November 2019