

# ST KEVIN'S COLLEGE

## PRIVACY POLICY

### INTRODUCTION

St Kevin's College is committed to using and managing personal information provided to or collected by it in an ethical manner and in accordance with the *Privacy Act 1988* (Cth) ('**Privacy Act**'), inclusive of the Australian Privacy Principles ('**APPs**') and other such changes as provided by the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth), the *Health Records Act 2001* (Vic) ('**Health Records Act**'), inclusive of the Health Privacy Principles ('**HPPs**') as well as the Privacy Policy of the Catholic Education Commission of Victoria.

Personal information can range from very detailed information, such as medical records, to other less obvious types of identifying information, such as an email address.

The APPs apply to the collection of personal information by the College for inclusion in a record or a generally available publication, but apart from this, the APPs only apply to personal information the College has collected that it holds in a record.

This Privacy Policy sets out how St. Kevin's College manages personal information provided to or collected by it.

### GUIDELINES

#### **What kinds of personal information does St. Kevin's 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, including health and other sensitive information, about:

- parents and/or guardians ('**Parents**') and pupils before, during and after the course of a pupil's enrolment at the College;
- job applicants, staff members, volunteers and contractors; and
- other people who come into contact with the College.

**Personal information you provide:** The College 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 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.

**Exception in relation to employee records:** Under the Privacy Act and the Health Records Act, the APPs and HPPs 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 employee.

**How will the College use the personal information you provide?**

The College 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 College's primary purpose of collection is to enable the College to provide schooling for the pupil. This includes satisfying the needs of Parents, the needs of the pupil and the needs of the College throughout the whole period the pupil is enrolled at the College.

The purposes for which the College 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 College;
- looking after pupils' educational, social and medical wellbeing;
- seeking donations and marketing for the College; and
- 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 pupil or Parent, if the information requested is not provided, the College 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 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 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 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.

**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 pupils and staff thrive. Personal information held by the College may be disclosed to organisations that assist in the College's fundraising, for example, the College's Foundation or alumni organisation [or, on occasions, external fundraising organisations].

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

### **Who might the College disclose personal information to and store your information with?**

The College may disclose personal information, including sensitive information, held about an individual to:

- another school;
- government departments;
- medical practitioners;
- people providing services to the College, including specialist visiting teachers, counsellors and sports coaches;
- recipients of College publications, such as newsletters and magazines;
- Parents;
- anyone you authorise the College to disclose information to; and
- anyone to whom we are required to disclose the information by law.

**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 APPs or other applicable privacy legislation.

The College may also store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.

### **How does the College treat 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 you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

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

The College's staff are required to respect the confidentiality of pupils' and Parents' personal information and the privacy of individuals.

The College has in place steps 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.

### **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. 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 College holds about you or your child, please contact the Headmaster in writing. The College may require you to verify your identity and specify what information you require. The College 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 College 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.

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

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 pupil to the pupil's Parents. The College 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 College about them or their child by contacting the Headmaster. 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 pupil.

The College may, at its discretion, on the request of a pupil grant that pupil access to information held by the College 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.

### **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 APPs please contact the Headmaster. The College 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.

### **REVIEW**

The College will regularly review and update this policy to take account of new laws and technology, changes to any operations and practices and to make sure it remains appropriate to the changing school environment. The most recent review was undertaken to ensure compliance with the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth) that came into operation on 12 March 2014.

This policy will be review annually or as the College Board determines.

### **APPROVED AND ADOPTED August 2014**