

PRIVACY POLICY

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Next Review Due: 2017

RATIONALE:

The Catholic school is a reflection of the Church's commitment to the dignity of the individual (Mandate para 6). It is important for schools to demonstrate this commitment in the manner in which they protect information that they hold about their school community. The Catholic school requires information about students and their families in order to provide for the education of these students.

The *Privacy Act 1988* directs the manner in which private sector organisations, including Catholic schools and systems, manage the personal and sensitive information of individuals.

The purpose of the legislation is to ensure that organisations, which hold information about individuals, handle that information responsibly. It aims to establish a nationally consistent approach to the management of personal information.

DEFINITIONS:

Australian Privacy Principles (APP's) minimum standards which relate to the collection, security, storage, use, correction and disclosure of personal information and access to that information

Personal Information is information which can identify an individual.

Sensitive Information is information about a person's religious and political beliefs, sexual preferences, cultural, racial or ethnic origin, membership of political associations, philosophical beliefs, criminal record or health information.

Records a 'document' or an 'electronic or other device'.

Collection only relates to information that is contained in a record. Information obtained from an inquiry which is not recorded does not constitute a record and thus no collection occurs.

PRINCIPLES:

1. All Catholic Schools in Western Australia have a responsibility to use and manage personal and sensitive information collected by them in accordance with the Privacy Act 1988.

2. St Joseph's Catholic Primary School Pinjarra shall take reasonable steps to comply with the Commonwealth privacy laws as amended by the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*
3. Schools have a responsibility to inform individuals of the purpose of collecting personal and sensitive information.
4. Schools are now required to advise individuals in their collection statement and Privacy Policy of how they may complain about a breach of the APPs and how the School will deal with that complaint.
5. All information is collected for the primary purpose of the Catholic education of the student.
6. The Privacy Compliance Manual, prepared for CECWA through the National Catholic Education Commission, has been used to develop school based documents in order to maintain consistency between schools. The manual can be accessed at www.ncec.catholic.edu.au

PROCEDURES:

1. To ensure open and transparent dealing with information, the School will maintain a clearly expressed and up-to-date policy (Privacy Policy) about the management of personal information by the School.
2. The School will reasonable steps to make its Privacy Policy available free of charge and in such form as appropriate.
3. The School will provide a Standard Collection Notice (detailing the School's collection practices) with all enrolment forms/applications. Where there is a change to the Standard Collection Notice, in addition to updating the form attached to enrolment forms/applications, the updated notice will be distributed to parents/caregivers of students attending the School.
4. The School will provide an Employment Collection Notice on receipt of employment applications. Unless consent is obtained by the applicant, personal information will be destroyed when no longer needed. Information cannot be sent on to a related School unless the applicant has been made aware of this.
5. The School will use its best endeavours to collect information directly from an individual. Where unsolicited information is obtained from another source it must be determined whether the information is of a type that would have been collected directly from the individual, if not, then the information must be destroyed or de-identified. If the School determines to keep unsolicited information collected from a third party, it will take reasonable steps to let the individual know it holds this information. The attached Collection Compliance Steps Flow Chart sets out the steps to be taken to decide whether to collect and hold information.

6. Information collected will only be used for the primary purpose of collection unless an exception applies. The attached Use and Disclosure Compliance Steps Flow Chart sets out the steps to be taken to decide whether to use or disclose information.
7. Personal information will not be used for Direct Marketing, unless an exception under AAP 7 applies.
8. To ensure data is complete, accurate and up-to-date, the School will issue an update of information form to parents/caregivers of all students, generally at the commencement of each school year.
9. To ensure security of personal information the following applies:

All school buildings are alarmed with monitored security systems in place.
Hard copy information is kept in locked filing cabinets
Electronic information is held in password protected systems, only accessible by staff required to deal in that information.
Where personal information is no longer required for an authorised purpose, reasonable steps will be taken to destroy or permanently de-identify the personal information.
10. If requested, the School will give access to personal information it holds about an individual (whether this be a student, parent/caregiver or an employee), unless particular circumstances apply that allow a limitation to the extent to which access is given.

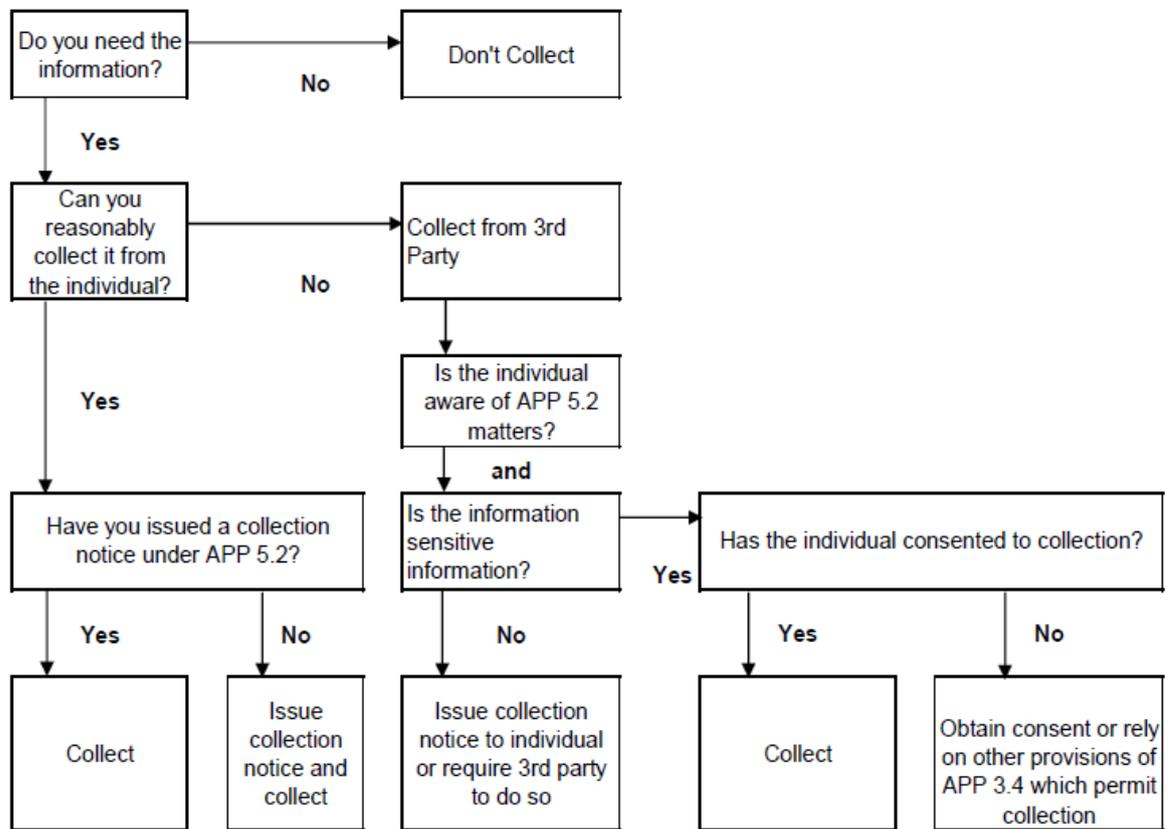
ATTACHED DOCUMENTS

1. Collection Compliance Steps
2. Use and Disclosure Compliance Steps
3. Privacy Policy
4. Standard Collection Notice
5. Employment Collection Notice
6. Contractor Collection Notice

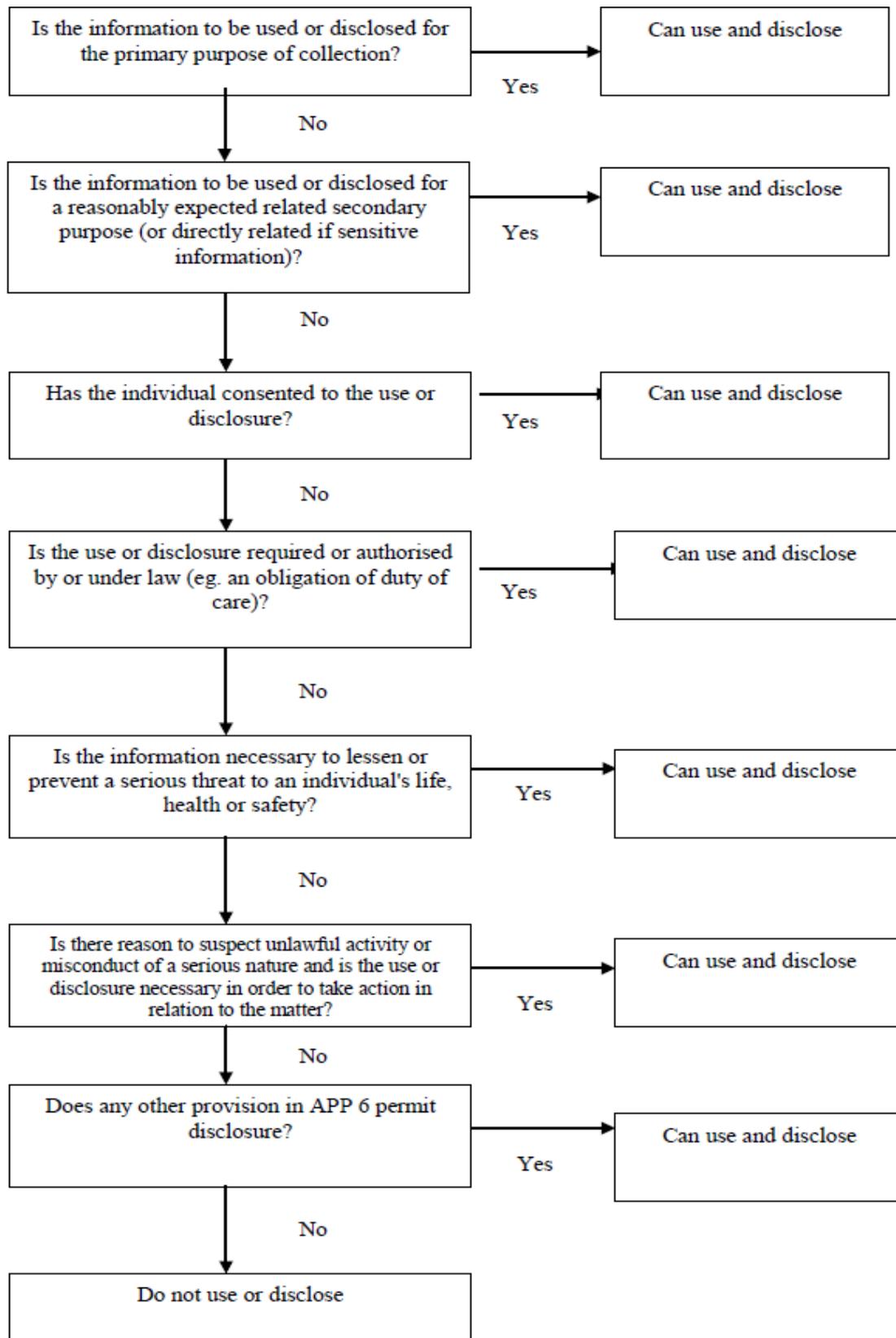
REFERENCES

Bishops Mandate for the Catholic Education Commission of Western Australia, 2009 -2015
National Catholic Education Commission Privacy Compliance Manual
Privacy Act 1988
School Education Act 1999
Children and Community Services Act 2004
2-D1 Dispute & Complaint Resolution

Collection Compliance Steps



Use and Disclosure Compliance Steps



Privacy Policy

St Joseph's Catholic Primary School Pinjarra

This Privacy Policy applies to St Joseph's Catholic Primary School Pinjarra (the School) and 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

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

What kinds of personal information does a school collect and how does a school collect it?

The type of information schools collect and hold 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: A 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 a 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 the Australian 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.

How will a school use the personal information you provide?

A 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, or to which you have consented.

Pupils and Parents: In relation to personal information of pupils and Parents, a 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;
- looking after pupils' educational, social, spiritual 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 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.

Job applicants, staff members and contractors: In relation to personal information of job applicants, staff members and contractors, a 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 a 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 funds and marketing for the school; and
- to satisfy the school's legal obligations, for example, in relation to child protection legislation.

Volunteers: A 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: Schools treat marketing and seeking donations for the future growth and development of the school as an important part of ensuring that the school continues to be a quality learning environment in which both pupils and staff thrive. Personal information held by a school may be disclosed to an organisation that assists in the school's fundraising, for example, the school's Foundation or alumni organisation [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.

Exception in relation to related schools: The Privacy Act allows each Catholic school, being legally related to each of the other schools conducted by the Catholic Education Office Western Australia to share personal (but not sensitive) information with other schools conducted by the Catholic Education Office Western Australia. Other Catholic Education Office Western Australia schools may then only use this personal information for the purpose for which it was originally collected by St Joseph's Catholic Primary School Pinjarra. This allows schools to transfer information between them, for example, when a pupil transfers between Catholic schools.

Who might a school disclose personal information to and store your information with?

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

- 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, 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 by law.

Sending and storing information overseas: A school may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, a 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.

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

How does a school treat sensitive information?

In referring to 'sensitive information', a 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

St Joseph's Catholic Primary School Pinjarra and the schools' staff are required to respect the confidentiality of pupils' and Parents' personal information and the privacy of individuals.

Each 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.

Closed Access Records (confidential, personal or sensitive in nature) shall be kept separate to General Access Records with an indication that a Closed Access Record exists. These records are kept in a locked cabinet in the Principal's office.

Access and correction of personal information

Under the Commonwealth Privacy Act [and 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. There are some exceptions to this right set out in the Act.

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 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.

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, a school will refer any requests for consent and notices in relation to the personal information of a pupil to the pupil's Parents. A 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 a school about them or their child by contacting the school's 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.

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.

Enquiries and complaints

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's Principal. The school 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.

Privacy Standard Collection Notice

1. St Joseph's Catholic Primary School Pinjarra (the School) collects personal information, including sensitive information about pupils and parents or guardians before and during the course of a pupil's enrolment at the School. The primary purpose of collecting this information is to enable the School to provide schooling for your son/daughter.
2. Some of the information we collect is to satisfy the School's legal obligations, particularly to enable the School to discharge its duty of care.
3. Certain laws governing or relating to the operation of schools require that certain information is collected. These include Public Health, School Education Act 1999 and Child Protection laws, including The Children and Community Services Act 2004.
4. Health information about pupils is sensitive information within the terms of the National Privacy Principles under the Privacy Act. We ask you to provide medical reports about pupils from time to time.
5. If we do not obtain the information referred to above we may not be able to enrol or continue the enrolment of your son/daughter.
6. The School from time to time discloses personal and sensitive information to others for administrative and educational purposes. This includes to other schools, government departments, government agencies, statutory boards, the Catholic Education Office, the Catholic Education Commission, your local diocese and the parish and/or schools within other Catholic Dioceses. Information is also disclosed to government authorities such as Schools Curriculum and Standards Authority the Australian Curriculum, Assessment and Reporting Authority (ACARA), medical practitioners, and people providing services to the School, including specialist visiting teachers, [sports] coaches, volunteers and counsellors.
- 6a. In addition to the agencies and purposes cited at 6 above personal information relating to students and parents may also be made available, in accordance with Australian Government requirements, to ACARA for the purpose of publishing certain aggregated school information relating to the circumstances of parents and students on the MySchool website.
7. The School from time to time may also collect and disclose personal information about current or prospective students in accordance with the School Education Act 1999 and Children and Community Services Act 2004.
8. Personal information collected from pupils is regularly disclosed to their parents or guardians.
9. Parents may seek access to personal information collected about them and their son/daughter by contacting the School. Pupils may also seek access to personal information about them. 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 School's duty of care to the pupil, or where pupils have provided information in confidence.
10. On occasions information such as academic and sporting achievements, pupil activities and similar news is published, in both hard and digital copy, in School newsletters and magazines and on our website.
11. We may include your contact details in a class list and School directory
12. If you provide the School with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties.

Employment Collection Notice

1. In applying for this position you will be providing St Joseph's Catholic Primary School - Pinjarra with personal information. We can be contacted [insert address, email address, telephone number].
2. If you provide us with personal information, for example, your name and address or information contained on your resume, we will collect the information in order to assess your application for employment. We may keep this information on file if your application is unsuccessful in case another position becomes available.
3. The School's Privacy Policy contains details of how you may complain about a breach of the APPs or how you may seek access to personal information collected about you. However, there may be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others.
4. We will not disclose this information to a third party without your consent. / We usually disclose this kind of information to the following types of organisations [insert list].
5. We are required to conduct a criminal record check, collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws. We may also collect personal information about you in accordance with these laws.*
6. The School may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties.*

Contractor / Volunteer Collection Notice

1. In applying to provide services to the School, you will be providing [name of School] with personal information. We can be contacted [insert address, email address, telephone number].
2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information in order to assess your application. We may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information for twelve months.
4. The School's Privacy Policy sets out how you may seek access to your personal information and how you may complain about a breach of the APPs.
5. We usually disclose this kind of information to the Catholic Education Office Western Australia.
6. We are required to conduct a criminal record check collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection law. We may also collect personal information about you in accordance with these laws.
7. The School may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
8. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties