



St Margaret's Berwick Grammar is defined as Berwick Campus and Officer Campus.

### **Rationale**

St Margaret's Berwick Grammar's *Privacy Policy* outlines how the school uses and manages personal information provided to or collected by it.

The School is bound by the Australian Privacy Principles contained in the Commonwealth *Privacy Act 1988*. In relation to health records, the school is also bound by the Victorian Health Privacy Principles which are contained in the *Health Records Act 2001* (Vic).

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.

### **What kind of personal information does the School collect?**

The kinds of personal information that the school collects are largely dependent upon whose information the school is collecting and for what purpose. In general terms, the school may collect:

- **Personal Information** including names, addresses and other contact details, dates of birth, next of kin details, financial information, photographic images and attendance records.
- **Sensitive Information** including religious beliefs, government identifiers, nationality, country of birth, languages spoken at home, professional or union membership, family court orders and criminal records.
- **Health Information** including medical records, disabilities, immunisation details, individual health care plans, counselling reports, nutrition and dietary requirements.

### **How does the School collect your Personal Information?**

**Personal Information you provide:** The School will generally collect personal information held about an individual by way of forms filled out by Parents or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than Parents and students 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, the *Information Privacy Act 2000* (Vic) and the *Health Records Act 2001* (Vic), the Australian Privacy Principles (APP) 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.

### **How will the School use the Personal Information you provide?**

The School will use personal information it collects from you that is deemed reasonable or necessary for one or more of our functions or activities, the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose that would be reasonably expected by you, or to which you have consented.

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

The purposes for which the School uses personal information of students 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 students' educational, social and medical wellbeing;
- seeking donations, fundraising and marketing 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 student or Parent, if the information requested is not provided, the School may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

The School only collects sensitive information when it is reasonable and necessary for one or more of the above mentioned functions or activities. If we have the consent of the individuals to whom the sensitive information relates, or if the collection is necessary to lessen or prevent a serious threat to life, health or safety or there is another permitted general situation or permitted health situation.

If the School does not have the consent and there is no permitted general or health situation, then the school may still collect sensitive information provided it relates solely to individuals who have regular contact with the school in connection to its activities. These individuals may include students, parents, volunteers, former students and other individuals with whom the school has regular contact in relation to its activities.

**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, such as alumni associations, 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 be a quality learning environment in which both students and staff thrive. Personal information held by the School may be disclosed to organisations 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.

### **Who might the School disclose Personal Information to?**

The School may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes. This may include to:

- other schools and teachers at those schools;
- government departments;
- medical practitioners;
- people providing educational, support and health services to the School, including specialist visiting teachers, counsellors and sports coaches;
- assessment and educational authorities e.g. ACARA
- people providing administrative and financial services to the school;
- recipients of School publications, such as newsletters and magazines;
- parents or guardians;
- anyone you authorise the School to disclose information to; and
- anyone to whom we are required to disclose the information to by law.

**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/tour. 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 manage and ensure the security of your Personal Information?**

The school will take all reasonable steps to ensure the personal information we hold, use and disclose is accurate, complete and up-to-date. These steps include ensuring that the personal information is accurate, complete and up-to-date at the time of collection and when using or disclosing the personal information. On an ongoing basis, the school maintains and updates personal information when advised by individuals or when we become aware through other means that their personal information has changed.

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

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.

### **How do you access the Personal Information the school holds and ensure it is correct?**

Under the *Commonwealth Privacy Act* and the *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.

### **Who consents to and has the rights of accessing Personal Information of students?**

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 student to the student's Parents. The School will treat consent given by Parents as consent given on behalf of the student, and notice to Parents will act as notice given to the student.

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 student.

The School may, at its discretion, on the request of a student grant that student access to information held by the School about them, or allow a student 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 student and/or the student's personal circumstances so warranted.

**Child Information Sharing Scheme (CISS), the Family Violence Information Sharing Scheme (FVISS) and the Family violence Multi-Agency Risk Assessment and Management (MARAM)** Please note that collected information will be shared if the School believes it may be in line with the Child Information Sharing Scheme (CISS), the Family Violence Information Sharing Scheme (FVISS) and the Family violence Multi-Agency Risk Assessment and Management (MARAM) Framework requirements.

### **How to make a Privacy enquiry or complaint?**

If you would like further information about the way, the School manages the personal information it holds or wish to make a complaint that you believe that the School has breached the Australian Privacy Principles or the Health Privacy Principles please contact the School Principal.

The School will respond to your complaint within a reasonable timeframe (usually no longer than 30 days) and may seek further information from you in order to provide a full and complete response. 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.

Your complaint may also be taken to the Office of the Australian Information Commissioner.

**Responsibility for this Policy:**  
Principal

**Policy Location**  
This Policy is published on Nexus and the School website

**Policy Review:**  
Triennially or as circumstances dictate

|                         |               |
|-------------------------|---------------|
| <b>Policy Issued:</b>   | May 2005      |
| <b>Policy Reviewed:</b> | February 2011 |
|                         | May 2014      |
|                         | February 2017 |
|                         | June 2021     |
|                         | July 2021     |