

**Woodbury Boston Primary school
Policies and Procedures**

PRIVACY POLICY

Introduction: This policy aims to provide Woodbury Boston Primary school (the school) employees, parents, students, and external providers of personal information knowledge of how the school collects, holds, uses and manages the information provided or collected by it.

Scope and Application: This policy applies to all employees and Governing Body members of the school. This policy will be reviewed and amended as required. *(See below for review dates)*

Related Legislation / Guidelines: Australian Privacy Principles contained in the Privacy Act (1988), the Privacy Amendment (Enhancing Privacy Protection) Act (2012) and the Privacy Amendment (Notifiable Data Breaches) Act (2017); National Catholic Education Commission and Independent schools Council of Australia Privacy Compliance Manual 2019 (or latest version).

Related Policies and Procedures: *Capture Storage and Disposal of Student Images* policy, *Disputes and Complaints* policy

Last revised: October 2022
Endorsed by GB: November 2022
Next review due: October 2024

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Policy Statement

The Collection and Use of Personal Information

The primary purpose for which the school collects any personal information is to conduct the business of the school and its programs efficiently.

On occasions, the school may 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. Otherwise, the school will seek the written approval before using the personal information for the proposed secondary purpose.

The school generally collects personal information directly from an individual or from a parent / carer. Information may be collected via the school website or App, completed forms, telephone calls, emails, face-to-face meetings, or interviews. On occasion, people other than students and parents / carers provide personal information.

In some circumstances the school may be provided with personal information about a third party, for example non-parent emergency contact details for a student. The school requires that the person providing this personal information has informed the third party that this information is being provided and why, and that the third party can access that information to verify accuracy if they wish.

Information and Records Relating to Students and Parents/Carers

The school collects and holds personal information, including health and other sensitive information, about students and their Parents before, during, and after the course of a student's enrolment at the school. The primary purpose of the collection of this information so that the school can provide schooling to students and perform necessary associated administrative activities which will enable students to take part in the activities of the school. 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, and in particular to satisfy the school's legal obligations, and allow the school to discharge its duty of care.

This information may include:

- name, contact details (including next of kin), date of birth, gender, language background and previous school;
- parents' education, occupation and language background;

- medical information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors);
- conduct and complaint records, or other behaviour notes, and school reports;
- results of assessment tasks;
- other school related records, such as class lists, attendance registers and correspondence relating to students;
- information about referrals to government welfare agencies;
- counselling reports;
- Medicare number;
- any court orders;
- volunteering information; and
- photos and videos at school events.

Laws governing or relating to the operation of schools require that certain information be collected. These include the relevant Education Act, Public Health and Child Protection Laws.

In some cases, 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 without the requested information.

Information collected from students is regularly disclosed to their parents. On occasion, information such as student activities and other news is published in school newsletters, magazines, on the school website or social media platforms, and in the mainstream media. Parents are asked for explicit consent for this purpose as part of the enrolment procedure.

The school displays photographs, including photographs featuring students, in school newsletters, outside publications, in displays in public places and on the school's website and social media. Explicit permission from parents or carers is sought through the school's enrolment procedures. Parents are required to make a clear statement that their child can or cannot be photographed at school for these purposes.

The school may include student and parent contact details, which can comprise a phone number or email address, in a class list and/or school directory for distribution amongst the parent community. Parents are asked for explicit consent for this purpose as part of the enrolment procedure.

Information held may be used from time to time for fundraising activities. It may also be disclosed to organisations that assist in the school's fundraising activities solely for that purpose. Information will not be disclosed to third parties for their marketing purposes without explicit consent.

Information and Records Relating to Employees

The school holds records relating to its employees. These records include:

- name, contact details (including next of kin) and date of birth;
- information provided on job application;
- professional development history;
- salary and payment information, including superannuation details;
- medical information (e.g. details of disability and/or allergies, and medical certificates);
- complaints records and investigation reports;
- leave details;
- photos and videos at school events;
- work emails and private emails (when using work email address) and Internet browsing history; and
- referees

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 directly relates to a current or former employment relationship between the school and employee.

Information and Records Relating to Job Applicants

Personal information held about job applicants is collected solely for assessing their suitability and will be used for no other purpose. Upon written request, the school will return an application to unsuccessful applicants. Such requests should be made no more than five working days following receipt of notification that the job application was unsuccessful.

Information and Records Relating to Other People

Personal Information collected about other people, including volunteers and contractors, who come into contact with the school will include name and contact details, and any other information necessary for the particular contact with the school.

COVID19 / Pandemic Requirements

If government regulations require, contact information for all visitors to the school will be collected and held for the required period. This information may be released to government agencies or departments for contact tracing purposes.

The Disclosure of Personal Information

At the time of collecting personal information, the school will make clear to the individual the potential disclosure of information.

The school may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes to applicable agencies, including:

- Other schools and teachers at those schools
- Government departments (including for policy and funding purposes)
- Medical practitioners
- People providing educational, support and health services to the school, including specialist visiting teachers, coaches, volunteers, and counsellors
- Providers of specialist advisory services and assistance to the school, including in the area of Human Resources, child protection and students with additional needs
- Providers of learning and assessment tools
- Assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA) and NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN)
- Education, funding and research organisations
- Administrative and financial service providers
- Recipients of school publications, such as newsletters
- Students' parents / carers
- Anyone the individual authorises the school to disclose information to, and
- Anyone to whom the school is required or authorised to disclose the information to by law, including child protection laws.

Sending and storing information overseas

The school may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. 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.

The school may use online or cloud service providers to store personal information and to provide services to the school that involve the use of personal information, such as email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may be stored in

the cloud which means that it may reside on a cloud service providers' servers which may be situated outside Australia.

An example of such a cloud service provider is Microsoft 365. School personnel and its service providers may have the ability to access, monitor, use, or disclose emails, communications (e.g. instant messaging), documents and associated administrative data for the purposes of administering Microsoft 365 and ensuring its proper use.

The Management of Personal Information

The members of staff of the school and individuals who serve on committees conducting the business of the school, including the Governing Body, are required to respect the confidentiality of personal information and the privacy of individuals.

The school has in place procedures to protect personal information 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.

The school endeavours to ensure that the personal information it holds is accurate, complete, current and not held for longer periods than is necessary.

Notifiable Data Breaches

Since 22 February 2018, all agencies and organisations with existing personal information security obligations under the Privacy Act, including schools, are required to report certain data breaches under the notifiable data breaches scheme.

A data breach is reportable if it is likely to result in serious harm to the individuals involved.

Some examples of when a data breach may occur are:

- The loss of a smartphone or other school device or equipment containing personal information
- Cyber attacks on the school's system, resulting in unknown third parties accessing or stealing personal information
- Accidental transmission of personal information such as student's reports to unintended recipients via email
- Loss or theft of hard copy documents
- Misuse of personal information of students or parents by school personnel

For more information about responding to data breaches, see the National Catholic Education Commission and Independent Schools Council of Australia Privacy Compliance Manual 2019 (or latest version).

Accessing and Correcting Personal Information

In accordance with the Privacy Act, an individual has the right to seek and obtain access to any personal information the school holds about them and to advise the school of any perceived inaccuracy with that information. Parents / carers may also seek access to personal information held about their child/children.

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

To make a request to access or to update personal information school, please contact the Principal or Administrator by telephone or 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 the school cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal (unless, in light of the grounds for refusing, it would be unreasonable to provide explanation).

Consent and rights of access to the 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 student information 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.

Parents may seek access to personal information held by the school about them or their child by contacting the Principal or Administrator by telephone or in writing. However, there may 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, 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 warrant it.

Use of school information and distribution outside of the school

Individuals recording school information for study, completing surveys, or publishing/exhibiting information about the school must have permission from the principal **before** exhibiting or submitting to another agency. The school has the right to

edit and/or stop any publication or exhibition if it deems it to be outside the school's, or member of the school community's, interests.

Enquiries and complaints

If you would like further information about the way the school manages personal information or if you believe that the school has breached the Australian Privacy principles, please contact the principal in writing or by telephone . The school will investigate any complaint and will notify you of the outcome.

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