

**Woodbury Boston Primary school  
Policies and Procedures**

**PRIVACY POLICY**

**Introduction:** This policy sets out how Woodbury Boston Primary school (the school) manages personal information, and the rights of employees, parents, students and others in relation to their personal information, including how to complain about a perceived breach of the Privacy Act and how the school deals with those complaints.

**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 2022 (or latest version).

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

**Last revised:** October 2023  
**Endorsed by GB:** October 2023  
**Next review due:** October 2025

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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 in the case of students). Information may be collected via the school website or App, completed forms, telephone calls, emails, face-to-face meetings, and / or interviews. On occasion, people other than students and parents / carers provide personal information.

The school may be provided with personal information about an individual *from* a third party, for example a report provided by a medical professional, a reference from another school or a referee for a job applicant. If a student transfers to a new school, the new school may collect personal information about the student from the student's previous school to facilitate the transfer of the student.

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 inform 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, making required reports to government authorities, and to satisfy the school's legal obligations, and allow the school to discharge its duty of care.

This information may include (but is not limited to):

- name, contact details (including next of kin), date of birth, gender, language background, nationality, country of birth, and previous school;
- parents' education, occupation and language spoken at home, nationality and country of birth;
- medical information (e.g. details of disability and/or allergies, dietary requirements, absence notes, immunization details, 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 and health fund details;
- any family or other court orders;
- criminal records;
- 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. School activities and news are frequently published in the school's newsletter, on the school's App, or otherwise shared with the school community (current students, parents, teachers, and some contractors). This may include personal information (including photographs and video) of students and parents involved in school activities such as academic events, concerts and plays, school camps and excursions. Personal information (including photographs and video) may also be used in assessment of student achievement. These uses are explained and notified to parents on enrolment in the school's Standard Collection Notice.

The school may use photographs and video featuring students, in school promotional material, 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's personal information can or cannot be used 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 (but are not limited to):

- 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);
- vaccination status where government requirements apply
- 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 certain treatment of employee records. As a result, this Privacy Policy does not apply to the school's treatment of an employee record held by the school, 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. This includes information to satisfy the school's legal obligations, for example in relation to child protection legislation.

### ***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, care and administrative and support purposes, and to seek support and advice. This may include to:

- Other schools and teachers at those schools, including a new school to which a student transfers to facilitate that transfer
- 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 agencies and organisations to whom we are required to disclose personal information for funding and research purposes
- Administrative and financial service providers

- Providers of the school's information management and storage system, student management system, and other technology services
- 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.

### ***Storage of personal information***

The school stores personal information in hard copy and electronically. The school uses information management and storage systems provided by third party service providers. Personal information is stored with and accessible by the third party service providers for the purpose of providing services to the school in connection with the systems.

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. See further section below 'Sending and storing information overseas'.

### ***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 and provide technical support. 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 2022 (or latest version).

## **Accessing and Correcting Personal Information**

In accordance with the Privacy Act, an individual has the right to seek access to, and / or correction of, any personal information the school holds about them. 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 any personal information the school holds about you or your child, please contact the Principal or Administrator by telephone or in writing (see contact details below). The school may require you to verify your identity and specify what information you require. The school may charge a reasonable 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), and how to complain.

## ***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 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.

Parents may seek access to personal information held by the school about them or their child by contacting the Principal by telephone or in writing (see contact details below). However, there may be occasions when access is denied. Such occasions may include (but are not limited to) where the Principal believes the student has capacity to consent and the school is not permitted to disclose the information to the parent without the student's consent, 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 Principal may, at their 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 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 the personal information it holds or wish to complain that 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 making of a decision in relation to your complaint as soon as is practicable after it has been made. If you are not satisfied with our response, you may complain to the Office of the Australian Information Commissioner (OAIC) via the OAIC website [www.oaic.gov.au](http://www.oaic.gov.au).

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