



## **POLICY TITLE: Privacy Policy**

### **1.0 RATIONALE**

This Privacy Policy sets out how the Catholic Education Office (CEO) Sydney manages personal information provided to or collected by it, whether in its Central and Regional offices or in any of the systemic Catholic schools (the School) for which it has governance responsibility.

### **2.0 GUIDING PRINCIPLES**

**2.1** The CEO Sydney is bound by the Australian Privacy Principles contained in the Privacy Act. In relation to health records, the CEO Sydney is also bound by the NSW Health Privacy Principles which are contained in the Health Records and Information Privacy Act 2002.

**2.2** The CEO Sydney may, from time to time, review and update this Privacy Policy to take account of new laws and technology, to reflect changes to the CEO Sydney's operations and practices, and to ensure that it remains appropriate to the changing educational environment of the systemic Catholic schools governed by the CEO Sydney.

### **3.0 POLICY**

**3.1** This Policy must be followed by Sydney Catholic systemic schools.

**3.2** A copy of this Policy should be available on the school's website.

### **4.0 PROCEDURES**

#### **4.1 PERSONAL INFORMATION**

**4.1.1** The type of information the School collects and holds 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
- other people who come into contact with the School.

**4.1.2** *Personal Information Parents provide:* the 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.

**4.1.3** *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.

**4.1.4** *Exception in relation to employee records:* under the Privacy Act and Health Records and Information Privacy Act 2002 (NSW), the Australian Privacy Principles 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.

## **4.2 USE OF PERSONAL INFORMATION**

**4.2.1** The School will use personal information it collects from Parents 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 Parents, or to which they have consented.

**4.2.2** *Pupils and Parents:* in relation to personal information of pupils and Parents, the 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.

**4.2.3** 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 of the School
- looking after pupils' educational, social and medical wellbeing
- to satisfy the School's legal obligations and allow the School to discharge its duty of care.

**4.2.4** In some cases where the School requests personal information about a pupil or Parent, if the information requested is not provided, 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.

**4.2.5** *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.

**4.2.6** The purposes for which the School uses personal information of job applicants, staff members and contractors include:

- administering the individual's employment or contract, as the case may be
- for insurance purposes
- seeking donations and marketing for the School
- to satisfy the School's legal obligations, for example in relation to child protection legislation.

**4.2.7** *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.

**4.2.8** *Marketing and fundraising:* the School regards marketing and seeking donations for the future growth and development of the School as an important part of ensuring that the School continues to provide a high quality learning environment in which both pupils and staff thrive. Personal information held by the School may be disclosed to organisations that assist in the School's fundraising for example, the School's or system'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, such as newsletters and magazines, which include personal information, may be used for marketing purposes.

### **4.3 DISCLOSURE OF PERSONAL INFORMATION**

**4.3.1** The School may disclose personal information, including sensitive information, held about an individual to:

- another school governed by the CEO Sydney
- government departments
- 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 Parents authorise the School to disclose information to
- anyone to whom we are required to disclose the information by law.

**4.3.2** 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)
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

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

#### **4.4 SENSITIVE INFORMATION**

**4.4.1** In referring to 'sensitive information', the School means: information about an individual, 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, criminal record, health information and biometric information.

**4.4.2** Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless a Parent agrees otherwise, or the use or disclosure of the sensitive information is allowed by law.

#### **4.5 MANAGEMENT AND SECURITY OF PERSONAL INFORMATION**

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

**4.5.2** 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. These include secure storage of paper records and password protected access to computerised records.

#### **4.6 ACCESS TO AND CORRECTION OF PERSONAL INFORMATION**

**4.6.1** Under the Privacy Act and the Health Records and Information Privacy Act 2002, 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.

**4.6.2** To make a request to access or update any personal information the School holds about a Parent or a child, please contact the School Principal in writing. The School

may require the Parent to verify their identity and specify what information is required. The School may charge a fee to cover the cost of verifying any 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 access to that information, the School will provide the Parent with a written notice explaining the reasons for refusal.

#### **4.7 CONSENT AND RIGHTS OF ACCESS TO THE PERSONAL INFORMATION OF PUPILS**

**4.7.1** 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 pupil to the pupil's Parents. The 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.

**4.7.2** 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 pupil.

**4.7.3** The 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.

#### **4.8 ENQUIRIES AND COMPLAINTS**

**4.8.1** For further information about the way the School manages the personal information it holds, or to complain that a Parent believes that the School has breached the Australian Privacy Principles, please contact the Principal or the CEO Sydney Privacy Officer at the CEO Leichhardt on 02 9569 6111. The School/CEO will investigate any complaint and

will notify the Parent of the making of a decision in relation to the complaint as soon as is practicable.

## **5.0 BASES OF DISCRETION**

Nil.

## **6.0 EVALUATION AND REVIEW**

This policy will be reviewed when there is a change required or alternatively in 2018.

## **7.0 EXPLANATORY NOTES AND DEFINITIONS**

### **7.1 The School**

This term refers to Catholic systemic schools in the Archdiocese of Sydney and to the Catholic Education Office Sydney and the three Regional Offices.

### **7.2 Parent**

A parent is deemed to be any biological parent, adoptive parent, or person who is formally the primary caregiver for a student enrolled in a Sydney systemic Catholic school.

## **8.0 SUPPORTING NOTES AND DOCUMENTS**

Nil.

## **9.0 APPENDIXES**

**9.1** Volunteer or Contractor Collection Notice – CEO Sydney

**9.2** Employee Collection Notice – CEO Sydney

**9.3** Standard Collection Notice – CEO Sydney

**9.4** Alumni Collection Notice – CEO Sydney

## **10.0 POLICY CLASSIFICATION**

**10.1** Policy No: 01/2014

**10.2** Policy Audience: Public Website

**10.3** Policy Review by: December 2018

**10.4** Policy Approval: This operational policy was endorsed by the Leadership Team and approved by Dr Dan White, Executive Director of Catholic Schools, on 13 March 2014

**10.5** This policy supersedes all previous policies relating to matters herein.

**10.6** Commencement Date: 13 March 2014.