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## Privacy Policy

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### 1. Preamble

- 1.1. God has instituted governments to rule and Chairo therefore seeks to be obedient to the laws of the country in so far as they do not conflict with the way God wants His people to live in community.
- 1.2. It is acknowledged that while individuals live in community, it is essential that their privacy and individuality as unique creations is respected. The school is therefore bound by the *Australian Privacy Principles* from Schedule 1 of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*, which amends the *Privacy Act 1988*, and the *Victorian Health Act 2001*.
- 1.3. Further to item 1.2 above, the *Australian Privacy Principles* and *Health Privacy Principles* do not apply to an employee record. As a result, this policy does not apply to the school's treatment of an employee record, where such treatment is directly related to a current or previous employment relationship between the school and employee. The school handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act*.
- 1.4. This policy outlines how information provided to or collected by the school is used, stored and managed, and is designed to enable careful and reasonable handling of information while effectively carrying out the school's functions and activities.
- 1.5. This policy relates to all information provided to the school—and stored and used by the school—whether relating to students, parents/guardians, enrolment applicants, staff members, job applicants, volunteers, contractors or other people.

### 2. Definitions

- 2.1. *Australian Privacy Principles* (APPs) replaced the National Privacy Principles and Information Privacy Principles and are considered are the cornerstone of the privacy protection framework established by the *Privacy Act 1988*.
- 2.2. *Personal information* refers to information or an opinion about an identified individual, or an *individual* who is reasonably identifiable, whether the information or opinion is true or not. Such information or opinion may be recorded in a material form (e.g. completed forms, correspondence or other documents) or it may be held in someone's memory, and includes information regarding students, parents and guardians held beyond the period of a student's enrolment at the school. Such information may include, but is not limited to:
  - sensitive information such as racial or ethnic origins, political opinions or affiliations, religious or philosophical opinions or affiliations, sexual orientation or practices, criminal records, examination marks or teacher notes; and
  - educational and academic records, student behaviour and disciplinary records, addresses, dates of birth, phone numbers, health information, physical characteristics (including disabilities), sports information, and information about co-curricular activities.
- 2.3. *Privacy* refers to the need to protect personal information that the school collects, stores, and uses relating to individual students, parents/guardians, enrolment applicants, staff members, job applicants, volunteers, contractors and other people.



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## 3. Details

### 3.1. Collecting and using personal information

- 3.1.1. Individuals from whom personal information is collected will be notified of the legislatively required information before or at the time of collection by means of a standard or special collection notice, or other reasonable means.
- 3.1.2. The school shall not collect personal information unless it is reasonably necessary for one or more functions or activities of the school. Personal information collected shall be used for the primary purposes of such collection, and for such other secondary purposes that are related to the primary collection purpose, and which are reasonably expected, or to which consent is provided.
- 3.1.3. The school shall usually collect information via forms (both printed and electronic) completed by parents/guardians or students, face-to-face meetings and interviews, telephone conversations and emails. On occasions, people other than parents and students may provide personal information (e.g. report from a medical professional, reference from another school, student academic report).
- 3.1.4. The school shall only collect personal information when there is consent to do so, except in cases where it is considered necessary to collect personal information in order to lessen or prevent a serious threat to life, health or safety, and it is impractical to obtain consent.
- 3.1.5. During the enrolment processes, only personal information necessary for such process shall be requested, and parents shall be advised regarding how the information will be used. In instances where enrolment applications are unsuccessful, the applicant's information shall be retained on file only if consent is given to keep such information.
- 3.1.6. Where the school requests personal information regarding a student or parent/guardian and the requested information is not provided, the school may not be able to enrol or continue the enrolment of the student or may not permit the student to participate in a specific activity.
- 3.1.7. The school will only use student images as prescribed in the Student Images Policy and in accordance with instructions received from parents via Student Image Consent forms.

### 3.2. Primary purposes for personal information collection

- 3.2.1. The school primarily collects personal information regarding students and parents in order to provide schooling for students, and to exercise its duty of care, including satisfying the needs of both students and parents throughout the enrolment period. Purposes for the collection of personal information regarding students and parents include:
- Keeping parents informed about matters related to their child's schooling, through correspondence (both printed and electronic), newsletters and magazines.
  - Carrying out day-to-day administration.
  - Looking after students' educational, social, spiritual and medical wellbeing.
  - Promoting the school and developing healthy school/home relationships.
  - Satisfying the school's legal obligations and allowing the school to discharge its duty of care.
- 3.2.2. The school primarily collects personal information regarding **job applicants, staff members and contractors** in order to assess and, if successful, engage such personnel. Purposes for



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the collection of personal information regarding job applicants, staff members and contractors include:

- Administering the individual's employment contract.
- Satisfying insurance requirements.
- Promoting the school and developing healthy school/worker relationships.
- Satisfying the school's legal obligations (e.g. meeting child protection legislation), including protection of children.

3.2.3. The school primarily collects personal information regarding **volunteers** who assist with the functions of the school, or who conduct activities associated with the school, in order to enable the school and volunteers to work effectively together and to satisfy the school's legal obligations, including the protection of children.

### 3.3. Storing and disposing of personal information

3.3.1. In the event that unsolicited personal information is received by the school, the school, in the first instance, will determine whether or not the information could have been collected as it is reasonably necessary for, or directly related to, the school's functions or fulfil the school's duty of care to students and staff members.

3.3.2. If the result of Clause 3.3.1 is that the information is deemed not necessary, such information shall be destroyed (or de-identified in the case that it cannot be destroyed).

3.3.3. If it is necessary to retain unsolicited personal information, such information will be stored in a similar way to all other personal information.

3.3.4. The school shall store personal information securely so that it can only be readily accessed by staff members with legitimate reasons for using it, and so that it is protected from interference, misuse, loss or unauthorised access. Personal information no longer required will be destroyed or deleted as per the *Records Management Policy*.

3.3.5. Printed documents containing personal information must not be left visible and unattended and must be stored appropriately in order to maintain the required level of confidentiality and privacy.

3.3.6. Electronically stored personal information regarding students, parents or staff members shall be password-protected to prevent general access, with all staff members being required to change their passwords at least once every three months.

3.3.7. Further to item 3.3.4 above, to prevent unauthorised access when workstations are left unattended, all workstations shall be locked out after a set period of inactivity and therefore require password entry for reactivation.

### 3.4. Privacy oversight

3.4.1. The Business Manager shall ensure that the school:

- maintains a register of forms that contain personal information;
- arranges for training of relevant staff members in handling personal information so that privacy requirements are met; and
- audits administrative practices to ensure that all methods and locations of personal information storage have been identified and that the privacy requirements of this policy are being met.



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## 3.5. Transparency and access

- 3.5.1. This policy shall be posted on the school website, made available to parents and guardians as part of the enrolment process, and provided to members of the school community upon request.
- 3.5.2. Upon receipt of a written request addressed to the Principal, the school shall make a student's personal information available to a parent or guardian responsible for such student's enrolment, unless one of the exceptions of APP 12.3 applies. . If the school resolves not to provide access to personal information, the reason or reasons should be provided in writing.
- 3.5.3. With the consent of a parent or guardian, the school may disclose personal information held about an individual to a third party (e.g. another school, government departments, medical practitioners, people such as visiting specialist teachers and sports coaches providing services to the school, someone paying a student's school fees).
- 3.5.4. Further to item 3.5.3 above, there may also be occasions when the provision of personal information to a third party is a legal requirement relating to, for example, child protection, information sharing schemes (CISS, FVISS), law enforcement, court orders, or public health or safety issues. Where such information is shared with a third party, it will be undertaken consistent with Chairo's information sharing processes.
- 3.5.5. The school may disclose personal information about an individual to overseas recipients (e.g. to facilitate a student trip or 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 will be implied) or otherwise complying with the Australian Privacy Principles (APP 8) or other applicable privacy legislation.
- 3.5.6. Further to item 3.5.5 above, the school may store personal information with 'cloud' service providers that are located outside Australia (e.g. Microsoft Sharepoint cloud services and the suite of Google Apps).

## 3.6. Corrections and complaints

- 3.6.1. The school shall take all reasonable steps to ensure that personal information is accurate, current and complete. Records will be rectified when advised by a parent, guardian or other authorised person that information being held is incorrect or incomplete. Such a request will be completed within a reasonable period after the request is made.
- 3.6.2. Complaints in relation to the privacy of personal information must be made to the Executive Principal in writing so that the issues are clearly documented and understood. The wishes of any complainant who requests anonymity shall be respected.
- 3.6.3. The Executive Principal shall ensure that all complaints are dealt with promptly and that the complainant is updated periodically regarding the progress and outcome of their complaint. Should the school fail to respond to a complaint within thirty days, a complaint may be made to the Australian Privacy Information Commissioner.
- 3.6.4. In responding to any complaint, or alleged or established privacy breach, the Executive Principal will be guided by the provisions and processes set out in the ISV Privacy Compliance Manual:  
(<https://connect.iseducation.com.au/portal/Home/Products/Governance,-Compliance-and-Risk/Privacy-Compliance-Manual>) and established internal procedures (e.g. Data Breach Policy, Data Breach Response Plan). Should the Executive Principal refuse to change the personal information as requested by the individual, the entity must give the individual a written notice that sets out:
  - a) the reasons for the refusal except to the extent that it would be unreasonable to do so; and



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- b) the mechanisms available to complain about the refusal; and
- c) any other matter prescribed by the regulations.

3.6.5. Should the Executive Principal refuse to change the personal information as requested by an individual, and the individual requests the school to associate with the information a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading, the Executive Principal will take such steps as are reasonable in the circumstances to associate the statement in such a way that will make the statement apparent to users of the information.