



PRIVACY POLICY AND COLLECTION NOTIFICATION

Policy Number	SEC 57
Relative to	All current and potential staff, students, volunteers, parents/guardians and practicum teachers External service providers and affiliated organisations.
Responsibility	Principal
Authority	Principal
History of policy/procedure	Developed 1988, Amended 2010, Updated 2014
Related policies	SEC 65 Student Files SEC 122 Grievance Procedure SEC 121 Personal Information record Management SEC 119 Contractor Management
Publication location tracking	Handbook P drive and website

Preamble

Your privacy is important and the College has implemented policies and procedures to ensure that the College protects your privacy to a degree that is within its power to do so.

This statement outlines the Schools' policy on how the School uses and manages personal information provided to or collected by it for the purpose of the education and pastoral care of students enrolled in the College, staff employed by the College, Service providers to the College, contractors, Volunteers and information on affiliated organisations (EREA).

APP 1 Open and Transparent management of personal information

The School is bound by, initially the National Privacy Principles contained in the Commonwealth Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012. The new Australian Privacy Principles replace the former National Privacy Principles from 12 March 2014.

The School may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the Schools' operations and practices and to make sure it remains appropriate to the changing school environment and legal requirements.

APP 2 Anonymity and pseudonymity

What kind of personal information does the School collect and how does the School collect it?

1. The **type of information the School collects and holds includes** (but is not limited to) personal information, including sensitive information, about:
 - 1.1 pupils and parents and/or guardians ('Parents') before, during and after the course of a pupil's enrolment at the School;
 - 1.2 job applicants, staff members, volunteers and contractors and other people who come into contact with the School.
 - 1.3 the nature of the College's business, Educating students and employing teaching and support staff does not allow for anonymity or pseudonymity for its legal functions. All staff must have current Working with Vulnerable People registration (in their legal names) to be employed at the College (ACT Legislation), all students need to be enrolled in their legal name as the outcome of their education is a legal certificate of completion of education, all parents/carers must identify themselves to enable the processing of the enrolment.

APP 3 Collection of solicited personal information:

The School will generally collect personal information held about an individual by way of the enrolment process and its associated forms. This process is preceded by a Notification of Collection Notice. The information gathered is by lawful and fair means via forms filled out by Parents, face-to-face meetings and interviews, and electronically provided information (email, sms). This information is required to enable the College to carry out its function as an Educational Institution.

From time to time more personal information may be required regarding financial information, family details, Family Court Decisions affecting the student, medical reports affecting the student or student family. This information is collected with the permission of the parent, staff member and held in restricted files. Family Court orders, medical or learning needs details are held in the students file at Head of House level (restricted access). In the case of financial details these are held only in the Finance department under restricted access.

APP 4 Dealing with unsolicited personal information:

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. This information is usually of a nature that would have been collected by the College. The College if requiring this information to full fill its obligations under the Education Act (ACT) 2004 and Commonwealth Compliance requirement will treat this information like information collected under AAP 3.

If the unsolicited information would not be collected by the College for its lawful business then the information is destroyed. If the information aides the College in fulfilling its legal obligations then the subject of the unsolicited information is informed of the receipt of the information.

APP 5 Notification of the collection of personal information:

The College uses a Notification or Collection Notice that is distributed to all parents at the time of their enrolling their son and to all staff at the commencement of the recruitment process. If further information is required

during the enrolment of a student or the employment of a staff member it is sought from either the subject or from an external organization with the subjects consent.

For example annual updates are required from parents/carers on other than address: student's medical conditions and medical plans say if they are asthmatic etc. Staff of the College are also required to update their information other than change of address. Such information would include, additional qualifications gained, Teacher registration, medical conditions or family circumstances that may affect their work or that require the College (employer) to make conditional changes in the work place (for example flexible working hours to take care of a sick member of the employees family)

APP 6 How will the School use the personal information you provide?

- 6.1 The School will use personal information it collects for the primary purpose of the College, and for such other secondary purposes that are related to the primary purpose of the collection and reasonably expected to be used by the subject of the information, or to which the subject of the collected information have consented.

Primarily the information is used fro:

6.1.1 to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;

6.1.2 day-to-day administration;

6.1.3 looking after pupils' educational, social and medical wellbeing;

6.1.4 seeking donations directly from the College to parents or promoting the College;

6.1.5 to satisfy the School's legal obligations and allow the School to discharge its duty of care;

6.1.6 in some cases where the School requests personal information about a pupil or Parent, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the pupil.

- 6.2 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 education and to full fill its Duty of Care under law (pastoral care) of the pupil. This includes; satisfying both the needs of Parents and the needs of the pupil throughout the whole period the pupil is enrolled at the School, satisfying legislative requirements for reporting to government agencies. Much statistical data is de- identified with no student names appearing however student ID numbers are issued at a National level and identify a student across a National system.

- 6.3 Employees of the College, practicum teachers, and Volunteers – The College collect and hold personal information about these individuals that was collected for the College’s primary purpose. The disclosure of such information to another entity is either with the consent of the subject or full fills a legal requirement of the College.

APP 7 Direct marketing:

The College does not engage in direct marketing nor does it disclose collected information to third parties for the purposes of direct marketing.

APP 8 Cross border (overseas recipient) disclosure of personal information:

The College may be requested to supply student information to another educational entity overseas. The College would release information to the overseas entity at the request of the subject of the information only. This position applies to both students of the College, parents of students and employees.

No information collected by the College for its primary purpose is released to overseas recipients without the consent of or a request from, the subject.

APP9 Adoption, use or disclosure of government related identifiers:

Each student is issued with a government student ID number which is used for that student throughout their schooling in Australia. The College is required to use this number in identifying the student for purposes of the College’s activities.

Employees have similar identifiers for: Teacher Registration and Working with Vulnerable People (ACT) and Working with Children (NSW) and tax file numbers. These identifiers are shared only with the relevant Agencies which generate the identifiers.

The College does not use any of the ‘employee’ related identifiers in any shared documentation however there are legal requirements that the ‘student’ identifiers are utilized in interagency (Government) information requests (9.2b)

APP10 Quality of personal information:

The College has in place procedures for collecting and maintaining accurate personal information held on students, parents/carers, employees, contractors, service providers and volunteers. The Collection process is not anecdotal but through agreed forms which are signed off on by the submitter of the information.

Parents are requested to check their details held by the College and update them on an annual basis. They can update or change their details at any time during the school year.

Employees can amend their personal details and add to them at any time during the school year.

Volunteers are also invited to update details at any time during the College year. This also applies to contractors and service providers.

An annual request to student/parents is made for any changes to personal information held by the College. The College's primary function by its nature and constant contact with all parties it collects information from ensures the currency of information held.

APP11 Security of personal information:

The College has in place a Personal Information Management Policy and Procedure SEC 121 fully informed by the APP's and available on request.

The College has personal information on students and their families, employees, volunteers and contractors. The information is kept often in both hard and electronic formats.

The College has a 'Corporate Identity' structure in place which manages electronic access to personal information and is aligned to specific roles and authority levels within the College.

Hard copy files are held in specific areas relating to their use: Student files in locked files in the Heads of House Office, academic information on the student is held in locked limited access in the Studies Office

Staff are inducted into and conversant with the APP's across all areas of the College where information is their responsibility or handled by them in their normal function.

All staff employed at the College are required as a condition of employment to sign a Confidentiality Agreement and this is part of their Code of Professional Conduct.

Access by staff to student and family information is essential for the execution of their responsibilities which form the primary purpose of the College.

Employee records are held in secure files within HR and are only accessible by the Principal's immediate staff and on request by the staff member wishing to see their individual files.

The College has a retention and archive policy for the management of personal information held in Archives. The College has a legal requirement to retain attendance information on students and has an obligation (agreed and acknowledged by employees) to retain information on employee Statement of Service and promotion records.

APP12 Access to personal information:

Requests by a subject for access to their personal information held by the College are received in writing by the Principal.

The Principal has the authority within the College to respond to request for access.

The Principal will not give access if any of the following applies:

- (a) The Principal reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual; or
- (b) Giving access would have unreasonable impact on the privacy of other individuals; or
- (c) The request is frivolous or vexatious; or
- (d) The information relates to existing or anticipated legal proceedings between the College and the individual, and would not be accessible by the process of discovery in those proceedings; or
- (e) Giving access would be prejudicial to intended negotiations between the requester and the College; or
- (f) Giving access would be unlawful; or
- (g) Denying access is required or authorised by or under an Australian law or court order; or

All requests will be responded to in writing within 20 days of the request being made.

Approval for access will be organized between the requester and the Principal's office giving a time and nature of the access. No charge is made for an individual's access request but an administrative charge is made for a court order /tribunal request (photocopying, postage etc).

If access is refused for any of the reasons stated above (APP12 a,b,c,d,e,f,g) the responding letter will identify the reasons specifically. This communication will also outline the mechanism for a compliant or appeal against the decision. The College has a Grievance Procedure (Policy SEC 122).

APP13 Correction of personal information:

The College method for ensuring up to date and relevant personal information on students, parents/carers, employees, service providers and volunteers is outlined in under **APP10**.

14. Enquiries

If you would like further information about the way the School manages the personal information it holds, please contact the Principal's Office 6239 0691

COLLECTION NOTIFICATION NOTICE

St Edmund's College Canberra collects *solicited* personal information including sensitive information about pupils and parents or guardians before and during the course of a pupil's enrolment at the School. The primary purpose of collecting this information is to enable the school to provide schooling and pastoral care for your son and is directly related to the College being able to carry out its functions.

For the purpose of this collection the following is provided for your information and serves as your consent to the collection of material requested in this communication unless you notify the school in writing of any objections. Please address any objections or questions to reception@stedmunds.act.edu.au.

Some of the information we collect is to satisfy the School's legal obligations, particularly to enable the school to discharge its duty of care and to meet Government (both Territory and Federal) compliance requirements.

Certain Legislation and Acts governing or relating to the operation of school require that certain information is collected. These include Public Health, Child Protection Laws, Federal Government Funding Compliance requirements and WH&S Legislation.

Health information about pupils is sensitive information within the terms of the National Privacy Principles under the Privacy Act 1988 and the Australian Privacy Principles of the Privacy Amendment (Enhancing Privacy Protection) Act 2012. At enrolment we collect information on student's medical condition/s and also signed consent from parents/guardians for First Aid treatment. We send regular electronic requests/reminders to parents/guardians to update or amend this information.

The school from time to time is required to disclose personal information to others for administrative and educational purposes. This includes other schools through the Student Transfer Register requests for students transferring to another school in Australia (parents/guardians are asked to sign a release when the school aged student in their care leaves the school), government departments, and people providing services to the School, including special visiting teachers, coaches' and counselors. Disclosure of such information continues to be for the **primary purpose** of the entity St Edmund's College Canberra.

Personal information collected from pupils is regularly disclosed to their parents or guardians. On occasion information such as academic and sporting achievements, pupil activities and other news is published with images in newspapers, School newsletters, magazines, on our website, Facebook and Co-Curricular sites. No personal details are used and no **identifiers** provided with images but student names may appear in the text of a story.

Parents may seek access to personal information collected about them and their son by contacting the school. Students may also seek access to personal information about themselves. However there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the schools duty of care to the pupil, or where pupils have provided information in confidence.

The school from time to time engages in promotion and fund raising activities. Information received from you may be used to make an appeal to you. It may also be disclosed to organizations that assist in the schools fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.

We may from time to time use photographs or other images of your son in promotion or marketing materials and for media releases and media stories. If you do not want this to happen please contact enrolments@stedmunds.act.edu.au.

We may include your contact details in a class list or school directory for internal use and for the **primary purpose** of St Edmund's College. For other publication of contact details (e.g. Blue Book the College will seek your signed permission for this.

If you provide the school with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the school and why, that they can access that information if they wish and that the school does not usually disclose the information to third parties.

If you have a complaint about any perceived breach of the Australian Privacy Principles by the College, the College has a formal Complaints Policy and Procedure that you may access by contacting the Administration Manager at St Edmund's College on 02 6295 3598.

Authoritative Act Privacy Act 1988
Privacy Amendment (Enhancing Privacy Protection) Act 2012
Contact Executive Officer 6239 0691