



MacKillop College

Policy: Privacy

MacKillop College recognises the importance of demonstrating respect for the dignity of each person and creating an environment where a sense of belonging for all is experienced. These aspirations are central to the wellbeing of members of our community.

This policy sets out how MacKillop College uses and manages personal information provided to or collected by it. MacKillop College is bound by the Australian Privacy Principles contained in the *Commonwealth Privacy Act 1988*. In relation to health records, the School is also bound by the Victorian Health Privacy Principles which are contained in the *Health Records Act 2001 (Vic)*. MacKillop College may, from time to time, review and update this Privacy Policy to take account of new laws and technologies, changes to schools' operations and practices and to make sure it remains appropriate to the changing school environment.

What kind of personal information does MacKillop College collect and how do we collect it?

The type of information MacKillop College collects and holds includes (but is not limited to) personal information, including health other sensitive information, about:

- pupils and parents and/or guardians ('Parents') before, during and after the course of a pupil's enrolment at MacKillop College;
- job applicants, staff members, volunteers and contractors; and
- other people who come into contact with the MacKillop College.

Personal Information you provide: MacKillop College will generally collect personal information held about an individual by way of forms, printed or electronic, 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.

Personal Information provided by other people: In some circumstances MacKillop College 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.

Exception in relation to employee records: Under the *Privacy Act 1988* and *Health Records Act 2001 (Vic)*, 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 MacKillop College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between MacKillop College and employee.

How will MacKillop College use the personal information you provide?

MacKillop College will use personal information it collects from you 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 you, or to which you have consented.

Pupils and Parents: In relation to personal information of pupils and parents, MacKillop College's primary purpose of collection is to enable MacKillop College to provide schooling for the pupil. This

includes satisfying both 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.

The purposes for which the school uses personal information of pupils and Parents include:

- looking after pupils' educational, social and medical wellbeing;
- to satisfy the school's legal obligations and allow MacKillop college to discharge its duty of care;
- day-to-day administration;
- to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- seeking donations and marketing for the school.

In some cases where MacKillop College 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.

Job applicants, staff members and contractors: In relation to personal information of job applicants, staff members and contractors, the MacKillop College's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

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

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

Volunteers: MacKillop College also obtains personal information about volunteers who assist the school in its functions or conduct associated activities, such as MacKillop Old Collegians Association ('MOCA') or College Retreats, for example, to enable the school and the volunteers to work together.

Marketing and fundraising: MacKillop treats marketing and seeking donations for the future growth and development of the school as an important part of ensuring that MacKillop College continues to be a quality learning environment in which both pupils and staff thrive. Personal information held by MacKillop College may be disclosed to an organisation that assists in MacKillop College's fundraising, for example, MOCA, or, on occasions the Parents and Friends Committee, for example. Parents, staff, contractors and other members of the wider MacKillop College community may from time to time receive fundraising information. MacKillop publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

Who might the School disclose personal information to?

MacKillop College may disclose personal information, including sensitive information, held about an individual to:

- another school;
- government departments;
- medical practitioners;
- people providing services to the school, including specialist visiting teacher, counsellors and sports coaches;
- organisations engaged by the school to assist with the collection of school fees;

- recipients of MacKillop College publications, like newsletters and magazines;
- Parents; and
- anyone you authorise the school to disclose information to; and
- anyone to whom we are required to disclose the information to by law

Sending and storing information overseas: MacKillop College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, MacKillop College 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

MacKillop College may also store personal information using 'cloud' services which may mean that it resides on servers which are situated outside Australia.

How does MacKillop College treat sensitive information?

In referring to 'sensitive information' MacKillop College means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual orientation or practices or criminal record, that is also personal information; and health and biometric information about an individual. Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

Management and security of personal information

MacKillop College staff are required to respect the confidentiality of pupils' and Parents' personal information and the privacy of individuals. MacKillop College 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 including locked storage of paper records and password access rights to computerised records.

Access and correction of personal information

Under the Commonwealth Privacy Act and the Health Records Act 2001 (Vic) an individual has the right to obtain access to any personal information which MacKillop College 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. To make a request to access any information MacKillop College holds about you or your child, please contact the Principal in writing. MacKillop College may require you to verify your identity and specify what information you require. MacKillop College 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, MacKillop College will advise the likely cost in advance. If MacKillop College cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

Consent and rights of access to the personal information of pupils

MacKillop College respects every Parent's right to make decisions concerning their child's education. Generally, MacKillop College 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.

Parents may seek access to personal information held by the MacKillop College about them or their child by contacting the 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 MacKillop College's duty of care to the pupil.

MacKillop College 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.

Enquiries

If you would like further information about the way MacKillop College manages the personal information it holds, or wish to complain that you believe that MacKillop College has breached the Australian Privacy Principles please contact the Principal. MacKillop College 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 the complaint has been made. Complainants will be kept informed of the progress of their complaint.

Principles

MacKillop College aims to:

- respect the dignity of all members of its community
- uphold the Australian Privacy Principles
- investigate and respond to any complaints regarding possible breach of the Australian Privacy Principles

Objectives:

MacKillop College is committed to:

- ensuring all members of our community are aware of their responsibilities in relation to the Australian Privacy Principles
- ensuring that the processes and procedures of the College comply with Australian Privacy Principles
- the satisfactory resolution of complaints

Implementation:

i) Principal Commitment

The Principal is responsible for ensuring that:

- the objectives of this policy are integrated into practice
- that complaints are satisfactorily investigated and resolved

ii) Staff Commitment

Staff are responsible for ensuring that:

- the privacy of others is respected according to the Australian Privacy Principles
- they comply with this policy and relevant procedures

This policy works in conjunction with the following policies, procedures, provisions and guidelines:

- All MacKillop College Policies and any procedures pertaining to the collection of personal information

Relevant Legislation

- Commonwealth Privacy Act 1988
- Health Records Act 2001 (Vic)

Review Date

This Policy will be reviewed in: January 2017