

Privacy Policy

Purpose: To ensure the school complies with all state and federal laws relating to privacy, particularly in relation to the collection, storage, use and dissemination of information relating to students, staff, parents or volunteers.

Scope: Students, parents, staff, job applicants, board members, alumni, contractors and volunteers at Koonwarra Village School

Implemented by: Principal

Approved by: KVS Board

Reviewed: Every three years or as legislative changes arise or improvements are identified.

Communicated via: School website, Staff Induction, Student Parliament, whole school agreements, Parent Handbook, Enrolment Agreement, Policies and Procedures Manual

Overview

In order to operate effectively and comply with relevant legislation and regulatory requirements the School collects information from students, parents, staff, job applicants, contractors and volunteers.

This information is subject to the Health Records Act 2001 (Vic), the Privacy Act 1988 (Cth). and the Privacy and Data Protection Act 2014 (Vic).

The School is required to take reasonable steps to ensure information is collected, used, stored and destroyed in a way that upholds the privacy of the relevant individual/s.

Definitions

Personal information is recorded information or opinion, whether true or not, about a person whose identity is apparent, or can reasonably be ascertained, from the information. The information can be recorded in any form. A person's name, address, phone number and date of birth (age) are all examples of personal information.

Sensitive information is a type of personal information with stronger legal protections due to the risk of discrimination. It may include information or opinion about an identifiable person's racial or ethnic origin, political opinions or affiliations, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, criminal record, or membership of a trade union.

Personal and sensitive information is regulated in Victoria under the Privacy and Data Protection Act 2014 (Vic).

Health information is information about an identifiable person's physical, mental or psychological health or disability. Health information is a type of personal information which, because of its sensitivity, also has different and stronger legal protections.

Health information is regulated in Victoria under the Health Records Act 2001 (Vic).

Implementation

The Principal is responsible for implementing this policy, and developing and implementing processes and procedures to ensure the School is meeting its regulatory and legal obligations.

Staff are responsible for complying with relevant school processes and procedures to ensure the privacy of individuals is maintained.

What kinds of personal information does the School collect?

The type of information the School collects, stores and uses includes (but is not limited to) personal information, including health and other sensitive information, about:

- **students and parents /carers/guardians ('Parents')** before, during and after the course of a student's enrolment at the School; including information such as name, age, race, cultural background, religion, address, medical information, parents education & occupation data and contact information, conduct & behaviour notes, academic assessments & reports, court orders, photos & videos taken by the school and any referrals made to outside agencies.
- **job applicants, staff members, volunteers and contractors;** including information provided by them such as name, address & contact information, past employment & professional development, qualifications or relevant certifications, medical information such as any allergies or disabilities, salary information including leave, tax, superannuation and banking, next of kin contact information and performance appraisal information.
- other people who come into contact with the School including information such as name, address, contact information and communications with the School.

Private Information you provide

The School will generally collect information about an individual by way of forms filled out by Parents or students, face to face meetings and interviews, emails and telephone calls.

Private Information provided by other people

In some circumstances the School may be provided with personal, health or sensitive information about an individual from a third party, for example a report provided by a medical professional or a reference from another school.

How will the School use the private information you provide?

Students and Parents:

In relation to private information of students and Parents, the School's primary purpose of the collection and storage of information is for the School to provide schooling for the student enrolled at the school, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all 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 at the School.

The purposes for which the School uses private information of students and Parents include:

- to keep Parents informed about matters related to their child's schooling,
- day-to-day administration of the School;
- looking after students' educational, social and medical wellbeing;
- to satisfy the School's legal obligations and allow the School to discharge its duty of care.

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

Job applicants, staff members, volunteers, and contractors:

In relation to private 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.

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

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

Who might the School disclose private information to?

The School may disclose private information, including sensitive information, held about an individual to:

- another school during an enrolment transfer;
- government departments and regulatory bodies;
- medical practitioners involved in your child's care, or during a medical incident or emergency;
- people providing services to the School, including specialist visiting teachers, allied health practitioners, counsellors and sports coaches;
- providers of specialist advisory services such as Human Resources, Financial, Compliance, Child Protection and providers of supports for students with additional needs.
- third party providers who are engaged by the school to run internal or external or external programs
- anyone you authorise the School to disclose information to; and
- anyone to whom we are required to disclose the information to by law.

How does the School treat sensitive information?

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

Management, storage and security of personal and sensitive information

The School may store and process personal and sensitive information about an individual in the following ways:

- Digitally within third-party services and software, such as cloud based service providers which may be situated outside Australia.
- Digitally via email
- Hard copy files stored onsite
- Hard copy files stored offsite
- Verbal disclosure of information in person or over the phone

In utilising third-party providers or internal systems the School will endeavour to use the highest level of security available.

The School will not disclose any personal information to a third party for the purposes of marketing or any non-school related activity without your permission.

The School will take reasonable steps to protect the personal and sensitive information the School holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods and tools.

In determining what steps are reasonable to take, the School will take into consideration the following common areas of concern:

- The type and amount of sensitive information being stored and used
- The physical security of hardcopy information
- The data security robustness of cloud based services and providers
- The security of devices that access or store personal and sensitive information
- Situations in which hard copy or digital information may be left unattended
- The practical and financial implications of implementing the security measures

When determining retention, archiving and destruction processes, the School will comply with the Australian Society of Archives called Records Retention & Disposal Schedule for Non-Government Schools (RRDS).

Access and correction of personal information

Under the Commonwealth Privacy Act and the Health Records Act, 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. Students will generally be able to access and update their personal information through their Parents, but older students 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 or update any personal information the School holds about you or your child, please contact the Principal in writing. The School may require you to verify your identity and specify what information you require. The School 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, the School will advise the likely cost in advance. If we 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 students

The School respects every Parent's legal rights 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.

The School may, at its 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 so warranted.

There are some scenarios in which consent is not required from an individual to disclose sensitive and personal information. Examples include but are not limited to:

- reporting of child safety or wellbeing disclosures, incidents and mandatory reporting
- instances in which information is disclosed or acquired under the Family Violence and Information Sharing Scheme (FVISS) and Child Information Sharing Scheme (CISS)
- Commonwealth and State Government data collections
- a medical incident or emergency that requires liaison with emergency services.

Enquiries and complaints

If you would like further information about the way the School manages the personal information it holds or to access a copy of your information we have collected please contact 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 the School's duty of care to the student.

If you believe there are errors in the information we have stored, please contact Administration.

If you believe there has been a breach of this policy or a privacy related matter, please refer to our Concerns & Complaints Policy for steps to take.

Related Resources & Policies

- Enrolment Policy
- Enrolment Form
- Enrolment Agreement
- Concerns and Complaints Policy & Pathway
- Commonwealth School Data Collection Notice
- Health Records Act 2001 (Vic)
- Privacy Act 1988 (Cth).
- Privacy and Data Protection Act 2014 (Vic).
- Australian Society of Archives called Records Retention & Disposal Schedule for Non-Government Schools (RRDS)
- Australian Privacy Principles (APPs)