PRIVACY POLICY

Introduction and Purpose

The College is committed to compliance with the following legislation: The Privacy Amendment (Private Sector) Act 2000 (Commonwealth), Health Records and Information Privacy Act 2002 (NSW) as well as other legislative obligations that impact on the privacy of the individual.

Implementation

Definitions

In this policy ‘parents’ includes parents and guardians; ‘adult students’ means students who are 18 years of age or older; ‘sensitive information’, means information relating to a:

- Person's racial or ethnic origin
- Political opinions
- Religion
- Trade union or other professional or trade association membership
- Sexual preferences
- Criminal record
- Health information about an individual

Information Covered by this Policy

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

- Students and parents before, during and after a student's enrolment at the College
- Job applicants, staff members, volunteers and contractors
- Other people who come into contact with the College

Personal Information

The College will generally collect personal information held about an individual by way of forms filled out by parents or students, face-to-face meetings and interviews, and telephone calls.

Standard Collection Notice

The Standard Collection Notices are available on the College website covering the procedures, permissions and exclusions for particular sections of the school community. These outline the use of information including photographs retained by the College for the various purposes conducted by it in its normal operation.

Personal Information Provided by Other People

On occasions people other than parents and students provide personal information. The College may be provided with personal information about an individual from a third party, eg a report provided by a medical professional or a reference from another school.
Exception in Relation to Employee Records

Under the Privacy Act the National Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the treatment by the College of an employee record, where the treatment is directly related to a current or former employment relationship between the College and employee.

Use of Personal Information

The College will use personal information it collects for the primary purpose of education, and for such other secondary purposes that are related to the primary purpose of collection and may be reasonably expected, or which have been consented to.

Students, Past Students and Parents

The College’s primary purpose for the collection of information is to enable it to provide schooling for the student. This includes satisfying both the needs of parents and the needs of the student throughout the whole period the student is enrolled at the College. The College maintains a connection with past students of the school. The purposes for which the College uses personal information of students, parents and past students include:

- To keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines
- Day-to-day administration
- Looking after students' educational, social, spiritual and medical well-being
- Seeking assistance in marketing for the College
- Facilitating and assisting with gathering and communication between past students
- To satisfy the College’s legal obligations and allow the College to discharge its duty of care.

In some cases where the College requests personal information about a student or parent, if the information requested is not obtained, the College may not be able to enrol or continue the enrolment of the student.

Job Applicants, Staff Members and Contractors

In relation to personal information of job applicants, staff members and contractors, the 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 College 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
- To satisfy the College’s legal obligations, eg in relation to child protection legislation.
**Volunteers**

The College obtains personal information about volunteers who assist the College in its functions or who conduct associated activities, such as ex-student associations or parent associations, to enable the College and the volunteers to work together.

**Marketing and Fundraising**

Parents, staff, contractors and other members of the wider College community may, from time to time, receive fundraising information. College publications, like newsletters and magazines, which include personal information, may be used for marketing purposes for example, the College’s Old Boys Association or P&F Association.

**Exception in Relation to Related Schools**

As each school is owned by the same legal entity, the Trustees of Christian Brothers, each school may share information with other schools conducted by EREA. Schools receiving this information may only use it for the same purpose as it was originally collected. This allows schools to transfer information between them, for example, when a student transfers between EREA schools.

Taking due care and discretion schools may also share personal (but not sensitive) information with other schools within the Catholic education system.

**Treatment of 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 otherwise agreed by the person who provided the information, or where the use or disclosure of the sensitive information is allowed by law.

**Disclosure of Personal Information**

A College may disclose personal information, including sensitive information (with permission, as described above), held about an individual to:

- Another school conducted by EREA
- Another school which is not within the same system, only with permission
- Government departments
- The local parish
- Medical practitioners
- People providing services to the College, including specialist visiting teachers and sports coaches
- Recipients of the College’s publications, like newsletters and magazines
- Parents
- Anyone authorised by the person about whom the information was collected

**Sending Information Overseas**

The College will not send personal information about an individual outside Australia without:
• Obtaining the consent or authority of the individual (in some cases this consent will be implied)
• Otherwise complying with the National Privacy Principles and the NSW Health Privacy Principles

Treatment of 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 otherwise agreed by the person who provided the information, or where the use or disclosure of the sensitive information is allowed by law.

Management and Security of Personal Information
The College staff are required to respect the confidentiality of students’ and parents’ personal information and the privacy of individuals.

Individuals May Seek Access To The Personal Information Held By The College
Under the Commonwealth Privacy Act, and the Health Records and Information Privacy Act, an individual may seek access to any personal information that the College holds about them and to advise the College of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Students will generally have access to their personal information through their parents. Adult students have a right to seek access themselves.

The College may require an applicant to verify his or her identity and specify what information is required. The College may charge a fee to cover the cost of verifying the application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the College will advise the likely cost in advance.

Consent and Access to the Personal Information of Students
The College respects every parent's right to make decisions concerning their child's education. Generally, the College will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. The College 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.

Parents may seek access to personal information held about them or their child by contacting the College Principal or their delegate.

Access may be denied 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 College's duty of care to the Student.

The College may, at its discretion, on the request of a student grant that student access to information held by the College 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 in the case of an adult student or when, after a considered process, the maturity of the student and/or the student’s personal circumstances so warranted.

Policy Review

Last Reviewed: 25 March 2013
Approved By: College Executive