



## Privacy Policy 2-D9 Catholic Education Office of Western Australia

### Your privacy is important

This Privacy Policy applies to schools conducted by the Catholic Education of Western Australia (the 'CEWA').

This statement outlines the CEWA's policy on how each school uses and manages personal information provided to or collected by it.

The CEWA is bound by the National Privacy Principles contained in the Commonwealth Privacy Act. In relation to health records the CEWA is also bound by the Health Privacy Principles contained in the *Health Records and Information Privacy Act 2002* (Health Records Act).

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

### What kind of personal information does a school collect and how does a school collect it?

The type of information schools collect and hold includes (but is not limited to) personal information, including sensitive information, about:

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

**Personal Information you provide:** A school will generally collect personal information held about an individual by way of forms filled out by Parents or pupils, face-to-face meetings and interviews, and telephone calls. On occasions people other than Parents and pupils provide personal information.

**Personal Information provided by other people:** In some circumstances a 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.

**Exception in relation to employee records:** Under the Privacy Act and the Health Records Act the National Privacy Principles and Health Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the School's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the school and employee.

## **How will a school use the personal information you provide?**

A school 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, or to which you have consented.

***Pupils and Parents:*** In relation to personal information of pupils and Parents, a school's primary purpose of collection is to enable the school to provide schooling for 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.

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

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

In some cases where a 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.

***Job applicants, staff members and contractors:*** In relation to personal information of job applicants, staff members and contractors, a 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 a 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;
- seeking funds and marketing for the school;
- to satisfy the CEWA's and the school's legal obligations, for example, in relation to child protection legislation.

***Volunteers:*** A school also obtains personal information about volunteers who assist the school in its functions or conduct associated activities, such as [Alumni associations], to enable the school and the volunteers to work together.

***Marketing and fundraising:*** Schools treat marketing and seeking donations for the future growth and development of the school as an important part of ensuring that the school continues to be a quality learning environment in which both pupils and staff thrive. Personal information held by a school may be disclosed to an organisation that assists in the school's fundraising, for example, the school's Foundation or alumni organisation.

Parents, staff, contractors and other members of the wider school community may from time to time receive fundraising information. School publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

***Exception in relation to related schools:*** The Privacy Act allows each school, being legally related to each of the other schools conducted by the CEWA to share personal (but not sensitive) information with other schools conducted by the CEWA. Other CEWA, schools may then only use this personal information for the purpose for which it was originally collected by the CEWA. This allows schools to transfer information between them, for example, when a pupil transfers from a CEWA school to another school conducted by the CEWA.

### **Who might a school disclose personal information to?**

A school may disclose personal information, including sensitive information, held about an individual to:

- another school;
- government departments;
- your local parish;
- medical practitioners;
- people providing services to the school, including specialist visiting teachers, counsellors and sports coaches;
- recipients of school publications, like newsletters and magazines;
- Parents;
- anyone you authorise the school to disclose information to; and
- anyone to whom we are required to disclose the information by law.

***Sending information overseas:*** A school 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 National Privacy Principles or other applicable privacy legislation.

### ***How does a school treat sensitive information?***

In referring to 'sensitive information', a school 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 or criminal record, that is also personal information; and health 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***

The CEWA's and the schools' staff are required to respect the confidentiality of pupils' and Parents' personal information and the privacy of individuals. Each school has in place steps to protect the personal information the school holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and pass worded access rights to computerised records.

### ***Updating personal information***

Each school endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by a school by contacting the [Secretary] of the school at any time. The National Privacy Principles require a school not to store personal information longer than necessary. The Health Records Act requires health records to be stored for a particular period depending on the age of the individual.

### ***You have the right to check what personal information a school holds about you***

Under the Commonwealth Privacy Act and Health Records Act, an individual has the right to obtain access to any personal information which the CEWA or a school holds about them and to advise the CEWA or the school of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Pupils will generally have access to their personal information through their Parents, but older pupils may seek access themselves. To make a request to access any information the CEWA or a school holds about you or your child, please contact the school's 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.

### ***Consent and rights of access to the personal information of pupils***

The CEWA respects every Parent's right to make decisions concerning their child's education. Generally, a school will refer any requests for consent and notices in relation to the personal information of a pupil to the pupil's Parents. A 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 a school or the CEWA about them or their child by contacting the [school's 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 pupil. A school 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.

### ***You may seek access to the personal information the School holds about you***

Under the Commonwealth Privacy Act and Health Records Act, an individual may seek access to personal information which the School holds about them. There are some exceptions to this set out in the applicable legislation. Pupils will generally have access to their personal information through their Parents, but older pupils may seek access themselves. To make a request to access any information the School holds about you or your child, please contact the School Principal in writing. The School may require you to verify your identity and specify what information you require. The School may charge a fee for access and will advise the likely cost in advance.

### ***Enquiries***

If you would like further information about the way the CEWA or a school manages the personal information it holds, please contact the school's Principal.

## St Mary's Catholic School Standard Collection Notice

1. The School (the Diocese both independently and through its Schools) collects personal information, including sensitive information about pupils and parents or guardians before and during the course of a pupil's enrolment at the School. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the School to provide schooling to the student and to enable them to take part in all the activities of the School. 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.
2. Certain laws governing or relating to the operation of schools require that certain information is collected. These include Public Health, School Education Act 1999 and Child Protection laws, including The Children and Community Services Act 2004.
3. Health information about students is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. We may ask you to provide medical reports about students from time to time.
4. If we do not obtain the information referred to above we may not be able to enrol or continue the enrolment of your son/daughter.
5. The School from time to time discloses personal and sensitive information to others for administrative and educational purposes. This includes to other schools, government departments, government agencies, statutory boards, the Catholic Education Office, the Catholic Education Commission, your local diocese and the parish and/or schools within other Catholic Dioceses. Information is also disclosed to government authorities such as Schools Curriculum and Standards Authority the Australian Curriculum, Assessment and Reporting Authority (ACARA), medical practitioners, and people providing services to the School, including specialist visiting teachers, [sports] coaches, volunteers and counsellors.
6. In addition to the agencies and purposes cited above personal information relating to students and parents may also be made available, in accordance with Australian Government requirements, to ACARA for the purpose of publishing certain aggregated school information relating to the circumstances of parents and students on the MySchool website.
7. The School may store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.
8. Personal information collected from pupils is regularly disclosed to their parents or guardians.
9. Parents may seek access to personal information collected about them and their son/daughter by contacting the School. Pupils may also seek access to personal information about them. 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 School's duty of care to the pupil, or where pupils have provided information in confidence.
10. The School Privacy Policy also sets out how you may complain about a breach of privacy and how the School will deal with such a complaint.