

## Privacy Policy

### Introduction

Child Side School collects, holds, uses and manages personal information in accordance with this policy. The policy complies with the Australian Privacy Principles contained in the Commonwealth Privacy Act as well as regulations schools are bound by in the School Education Act 2000. This Privacy Policy sets out how Child Side School manages personal information provided to or collected by it.

### Scope and Application

This policy applies to all employees of Child Side School. This policy will be reviewed and amended in accordance with Child Side School Policy on Policies and Policy Guidelines and Procedures Contents Schedule and 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.

The use of the word child/children in this policy refers to students in the context of the school environment.

### Related Legislation/Guidelines

- The Privacy Act 1988 (Commonwealth Act)
- Australian Privacy Principles Guidelines
- National Catholic Education Commission and Independent Schools Council of Australia Privacy Compliance Manual

### Related Policies

- Policy on Policies
- Internet and Mobile Phone Usage Policy
- Retention of Correspondence and Emails Policy
- Staff Code of Conduct
- Staff Recruitment
- Enrolment Policy
- Access to Students
- Child Protection
- Grievance
- Guiding Children's Behaviour
- Incursions
- Excursions
- Work Health and Safety
- Therapy of School Site
- Procedure for Engaging Volunteers
- Whistle blower Protection

### Policy Statement

The following Privacy Process is put in place to ensure compliance with the Privacy Policy. All members of staff from educators to administrators, full time and part time need to be aware of and follow the process.

## Appendices

|            |                 |
|------------|-----------------|
| Appendix 1 | Privacy Process |
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### Version Management

| VERSION | DATE REVIEWED | DATE RATIFIED | CHANGES MADE  | AUTHOR OF CHANGES | NEXT REVIEW DATE |
|---------|---------------|---------------|---|-------------------|------------------|
| 1       | June 2011     | 28/3/2012     |   | KM                |                  |
| 2       | Feb 2014      | 26/2/2014     | Changes in line with new Privacy legislation – Aust Priv Principles   | KM                |                  |
| 3       | Oct 2017      | February 2018 | Addition of note on Notification of Data Breaches and changed to standard format  | KM                |                  |
| 4       | Oct 2021      | 01/12/21      | Updated overall policy format to align with other CS policies Added updated information about digital storage and added vaccination certificates under personal information | KM                |                  |
| 5       | June 2023     |               |   | LF                | Term 2 - 2026    |
|         |               |               |   |                   |                  |
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## Privacy Process

### Introduction

This Privacy Process sets out how Child Side manages personal information provided to or collected by it.

### The Collection of Personal Information

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

- children and parents and/or guardians before, during and after the course of a child's enrolment at the school.

For example:

- name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
- parents' education, occupation and language background;
- medical information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors, immunisation records);
- results of tests (eg NAPLAN)
- conduct and complaint records, or other behaviour notes, and school reports;
- information about referrals to government welfare agencies;
- counselling reports;
- health fund details and Medicare number;
- any court orders;
- volunteering information;
- photos and videos of school learning, activities or school events

- job applicants, staff members, volunteers and contractors;

For example:

- name, contact details (including next of kin), date of birth, and religion;
- information on job application;
- professional development history;
- salary and payment information, including superannuation details;
- medical information (e.g. details of disability and/or allergies, and medical certificates), Vaccination Certificates
- complaint records and investigation reports;
- leave details;
- photos and videos at School events;

- workplace surveillance information;
- work emails and private emails
- other people who come into contact with the school.

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

**Personal Information provided by other people:** 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.

**Exception in relation to employee records:** Under the Privacy Act the Australian Privacy Principles do not apply to an employee record. As a result, past and present employees of the school cannot automatically access the personal information held about them by the school.

## **The Use of Personal Information**

The school will use personal information it collects from individuals 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 have been consented.

**Children and Parents:** In relation to personal information of children and Parents, the School's primary purpose of collection is to enable the school to provide schooling for the child. This includes satisfying both the needs of Parents and the needs of the child throughout the whole period the child is enrolled at the school.

The purposes for which the School uses personal information of children and Parents include:

- to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters, story park stories, communication messages via app, internal FB messages;
- day-to-day administration;
- looking after children's educational, social and medical wellbeing;
- seeking donations and marketing for the school; and
- 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 child or Parent, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the child or permit the child 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 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;
- seeking funds and marketing for the school.
- to satisfy the school's legal obligations, for example, in relation to child protection legislation.

**Volunteers:** The School also obtains personal information about volunteers who assist the school in its functions or conduct associated activities, to enable the School and the volunteers to work together.

**Marketing and fundraising:** The School treats 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 children and staff thrive. Personal information held by the school may be disclosed to an organisation that assists in the school's fundraising, for example the school's P&F (or, on occasions, external fundraising organisations).

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

### Disclosure of Personal Information

The school 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 teachers and sports coaches;
- providers of specialist advisory services and assistance to the School, including in the area of Human Resources, child protection and students with diverse needs;
- providers of learning and assessment tools;
- assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA) and NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN)
- agencies and organisations to whom we are required to disclose personal information for education, funding and research purposes;
- people providing administrative and financial services to the school
- recipients of School publications, like newsletters and story park;
- Parents; and
- anyone the individual authorises the school to disclose information to.
- anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

**Sending information overseas:** The School will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

The school uses online and 'cloud' service providers (One Drive, Microsoft 365) through our IT provider (Bizling) to store personal information and to provide services to the school that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may be stored in the 'cloud' which means that it may reside on a cloud service provider's servers which may be situated outside Australia.

### **Treatment of Sensitive Information**

In referring to 'sensitive information', the school means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information: health information 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 the individual agrees otherwise, or the use or disclosure of the sensitive information is allowed by law.

### **Management and security of personal information**

The School's staff are required to respect the confidentiality of children's and Parents' personal information and the privacy of individuals.

The 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 **restricted** access rights to computerised records and storage of digital records on a secure server environment managed by the school's IT firm Bizling.

### **Accessing and Updating personal information**

The 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 the school by contacting the Administration of the School at any time.

Under the Commonwealth Privacy 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. There are some exceptions to this right set out in the Act. Children will generally have access to their personal information through their Parents, but older children may seek access themselves.

Individuals need to contact the School Senior Educator or Administrator in writing to make a request to access any information the school holds about them or their child.

The school may require individuals to verify their identity and specify what information they require. The school 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 school will advise the likely cost in advance.

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

The school respects every Parent's right 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 child to the child's Parents. The school will treat consent given by Parents as consent given on behalf of the child and notice to Parents will act as notice given to the child.

Parents may seek access to personal information held by the school about them or their child by contacting the Senior Teacher or Administrator. 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 child.

The school may, at its discretion, on the request of a child grant that child access to information held by the school about them, or allow a child 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 child and/or the child's personal circumstances so warranted.

### **Mandatory Notification of Data Breaches**

In accordance with the Notification of Data Breaches (NDB) Scheme, Child Side School will notify any individuals likely to be at risk of serious harm due to a data breach and will notify the Office of the Australian Information Commissioner (OAIC).

### **Enquiries**

If you would like further information about the way the school manages the personal information it holds, or wish to complain that you believe that the school has breached the Australian Privacy Principles please contact the School Administrator or Senior Educator. The school 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 it has been made.