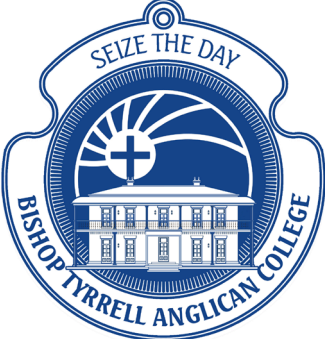


Version: 2	Approved Date: 26/02/2020	
School Contact: <b>College Principal</b> <b><u><a href="mailto:principal@btac.nsw.edu.au">principal@btac.nsw.edu.au</a></u></b> <b>Phone: 02 4979 8484</b>	Next Review: Two Years	
Title:  <h1>Privacy Policy</h1>		
<b>School</b>	In this Policy " <b>School</b> " means Bishop Tyrrell Anglican College	

# Privacy Policy

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## 1. Preamble

- 1.1. Newcastle Anglican Schools Corporation (**NASC**) through its Principal Ordinance (Newcastle Anglican Schools Corporation Ordinance 2016, and subsequent amendments) oversees the School.
- 1.2. The NASC and the School is bound by the Australian Privacy Principles contained in the *Privacy Act* (Cth) 1988. In relation to health records the [CEO / System] is also bound by the Health Privacy Principles contained in the *Health Records and Information Privacy Act* 2002 (NSW) (**Health Records Act**).
- 1.3. The NASC 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.
- 1.4. The relevant Christian Ethos Statement Principle/s applicable to this Policy:

### ***Appreciates Diversity***

*NASC Schools recognise that every person is created in the image of God. Therefore, NASC Schools welcome families from all backgrounds and helps students to build respectful relationships with one another. Students will experience the school as a safe place to explore their identity, vocation and purpose.*

### ***Cultivates wellbeing for all in the school community***

*Life in all its fullness implies personal wellbeing. NASC Schools provide an environment in which individuals can flourish under God's grace as they contribute to building a healthy school community. A NASC school strives to cultivate a strong sense of belonging to its community.*

### ***Serves its Community***

*In response to Jesus' call to love God and love our neighbour Anglican schools nurture an ethic of service and a commitment to social justice. As stewards of God's creation we also*

*encourage respect for our natural environment. Education for these qualities occurs within the curriculum and is demonstrated in active service, pursuing peace and reconciliation and striving to safeguard the integrity of creation.*

## **2. Purpose and scope**

2.1. This Privacy Policy applies to schools conducted by the NASC and sets out how the NASC and the School manages personal information provided to or collected by it.

## **3. Policy Principles**

**3.1. What kinds of personal information does a school collect and how does a school collect it?**

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

- (a) pupils and parents and/or guardians (**Parents**) before, during and after the course of a pupil's enrolment at the School, including but not limited to:
  - i. name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
  - ii. parents' education, occupation and language background;
  - iii. medical information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors);
  - iv. conduct and complaint records, or other behaviour notes, and school reports;
  - v. information about referrals to government welfare agencies;
  - vi. counselling reports;
  - vii. health fund details and Medicare number;
  - viii. any court orders;
  - ix. volunteering information; and
  - x. photos and videos at school events;

- (b) job applicants, staff members, volunteers and contractors, including:
  - i. name, contact details (including next of kin), date of birth, and religion;
  - ii. information on job application;
  - iii. professional development history;
  - iv. salary and payment information, including superannuation details;
  - v. medical information (e.g. details of disability and/or allergies, and medical certificates);
  - vi. complaint records and investigation reports;
  - vii. leave details;
  - viii. photos and videos at school events;
  - ix. workplace surveillance information (but only where the employee has been advised in writing of workplace surveillance);
  - x. work emails and private emails (when using work email address) and Internet browsing history; and
  
- (c) other people who come into contact with the School, including name and contact details and any other information necessary for the particular contact with the School.

3.1.2. **Personal Information you provide:** the 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, emails and telephone calls. On occasions, people other than Parents and pupils provide personal information.

3.1.3. **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.

3.1.4. **Exception in relation to employee records:** Under the Privacy Act and the Health Records Act, 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 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.

### **3.2. How will the School use the personal information you provide?**

3.2.1. The 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.

#### **3.2.2. *Pupils and Parents:***

- (a) In relation to personal information of pupils and Parents, the School's primary purpose of collection is to enable the School to provide schooling to pupils enrolled at the School, exercise its duty of care, and perform necessary associated administrative activities, which will enable pupils to take part in all the activities of the School. This includes satisfying the needs of Parents, the needs of the pupil and the needs of NASC and the School throughout the whole period the pupil is enrolled at the School.
- (b) The purposes for which NASC and the School uses personal information of pupils and Parents include:
  - i. to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
  - ii. day-to-day administration;
  - iii. looking after pupils' educational, social, spiritual and medical wellbeing;
  - iv. seeking donations and marketing for the School; and
  - v. to satisfy the NASC and the School's legal obligations and allow the School to discharge its duty of care.
- (c) In some cases where the 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 or permit the pupil to take part in a particular activity.

### 3.2.3. **Job applicants and contractors:**

- (a) In relation to personal information of job applicants and contractors, the School's primary purpose of collection is to assess and (if successful) to engage the applicant or contractor, as the case may be.
- (b) The purposes for which the School uses personal information of job applicants and contractors include:
  - i. administering the individual's employment or contract, as the case may be;
  - ii. for insurance purposes;
  - iii. seeking funds and marketing for the school; and
  - iv. satisfying the NASC and the School's legal obligations, for example, in relation to child protection legislation.

### 3.2.4. **Volunteers:**

- (a) The 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.

### 3.2.5. **Marketing and fundraising:**

- (a) 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 the School may be disclosed to an organisation that assists in the school's fundraising, for example, the School's Foundation or alumni organisation or, on occasions, external fundraising organisations.
- (b) 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.

### 3.2.6. ***Exception in relation to related schools:***

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

### 3.3. **Who might a school disclose personal information to and store your information**

3.3.1. The School may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes. This may include to:

- (a) other schools and teachers at those schools;
- (b) government departments (including for policy and funding purposes);
- (c) the NASC, the School's local diocese and the parish, other related church agencies/entities, and schools within other Dioceses/other Dioceses;
- (d) the School's local parish;
- (e) medical practitioners;
- (f) people providing educational, support and health services to the school, including specialist visiting teachers, coaches, volunteers, and counsellors;
- (g) providers of specialist advisory services and assistance to the School, including in the area of Human Resources, child protection and students with additional needs;
- (h) providers of learning and assessment tools;
- (i) 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);

- (j) people providing administrative and financial services to the school;
- (k) recipients of school publications, such as newsletters and magazines;
- (l) pupils' parents or guardians;
- (m) anyone you authorise the School to disclose information to; and
- (n) anyone to whom we are required or authorised to disclose the information by law, including child protection laws.

**3.3.2. Sending and storing information overseas:**

- (a) The School may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, the School will not send personal information about an individual outside Australia without:
  - i. obtaining the consent of the individual (in some cases this consent will be implied); or
  - ii. Otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.
- (b) The School may use online or 'cloud' service providers 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' that means that it may reside on a cloud service provider's servers that may be situated outside Australia.

An example of such a cloud service provider is Google. Google provides the 'Google Apps for Education' (GAFE) including Gmail, and stores and processes limited personal information for this purpose. Another example is Microsoft Office 365.

School personnel, the NASC and their service providers may have the ability to access, monitor, use or disclose emails, communications (e.g. instant



messaging), documents and associated administrative data for the purposes of administering GAFE or Microsoft Office 365 and ensuring its proper use

### **3.4. How does the School treat sensitive information?**

3.4.1. 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.

3.4.2. 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.

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

3.5.1. The NASC and the Schools' staff are required to respect the confidentiality of pupils' and Parents' personal information and the privacy of individuals.

3.5.2. Each school 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.

### **3.6. Access and correction of personal information**

3.6.1. Under the Commonwealth Privacy Act and Health Records Act, an individual has the right to seek and obtain access to any personal information that the NASC or the School holds about them and to advise the NASC or the School of any perceived inaccuracy. There are some exceptions to this right set out in the Act.

3.6.2. Pupils will generally be able to access and update their personal information through their Parents, but older pupils may seek access and correction themselves.

3.6.3. There are some exceptions to these rights set out in the applicable legislation.

3.6.4. To make a request to access or to update any personal information the NASC or the School holds about you or your child, please contact the School Principal by telephone or in writing.

3.6.5. The School may require you to verify your identity and specify what information you require.

3.6.6. 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.

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

3.7.1. The NASC respects every Parent's right to make decisions concerning their child's education.

3.7.2. Generally, the School 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.

3.7.3. Parents may seek access to personal information held by a school or the NASC about them or their child by contacting the School Principal by telephone or in writing. However, there may 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.

3.7.4. The 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 warrant it.

### **3.8. Enquiries and complaints**

3.8.1. If you would like further information about the way the NASC or the School manages the personal information it holds, or wish to complain that you believe that NASC or the School has breached the Australian Privacy Principles, please contact the School Principal by writing or telephone on the details on the cover page of this Policy. The

NASC or the School will investigate any complaint and will notify you of a decision in relation to your complaint as soon as is practicable after it has been made.

#### **4. Definitions/Dictionary**

4.1. Any approved NASC Policy Dictionary applies to this Policy;

4.2. In this Policy the following terms have the applicable meaning:

<b>Defined Term</b>	<b>Meaning</b>

#### **5. Related policies**

5.1. Staff Code of Conduct

5.2. Risk Management Policy

5.3. Delegations Policy

5.4. Whistle-blower Policy

#### **6. Contact**

6.1. If you have any queries about this policy, you should contact the nominated Contact person for advice.