



## POLICY ON PRIVACY

### 1. Reflection Material:

- 1.1 All Hallows' School Mission Statement
- 1.2 All Hallows' School Strategic Plan

### 2. Definitions:

**Employee** means all persons employed by the School, including applicants, past Employees and prospective Employees.

**Employee Record** means a record as defined in the Act.

**Parent** means the parent / guardian / carer of a Student.

**Student** means a prospective, current or past student of the School.

**Personal Information** is information or an opinion, whether true or not and whether recorded in material form or not, about an identified individual or an individual whose identity is reasonably apparent, or can be determined, from the relevant information or opinion.

**Sensitive Information** is a type of Personal Information. It includes information or opinion about an individual's racial or ethnic origin, political opinion, 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 used for the purpose of automated biometric verification, biometric identification or biometric templates.

**Health Information** is a subset of Sensitive Information. It is information or an opinion about the health or disability of an individual and information collected to provide, or in providing a Health Service.

**Health Service** includes an activity performed to assess, record, maintain or improve an individual's health, to diagnose an illness or disability, to treat an individual, or the dispensing on prescription of a drug or medicinal preparation by a pharmacist.

### 3. Your Privacy is Important:

This Privacy Policy sets out how All Hallows' School ("the School") manages Personal Information provided to or collected by it. The School will refer to the QCEC Privacy Manual, as updated from time to time, as a guide when implementing procedures and practices under this policy.

The School is bound by the Australian Privacy Principles contained in the Commonwealth *Privacy Act 1988, as amended* ("the Act"). The School may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the School's operations and practices and to make sure it remains appropriate to the changing school environment.

What kinds of Personal Information does the School collect and how does the School collect it?

The type of information the School collects and holds includes (but is not limited to) Personal Information, including Health Information and other Sensitive Information, about:

- Students and Parents and/or guardians ('Parents') before, during and after the course of a Student's enrolment at the School:
  - 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);
  - 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; and
- photos and videos at School events.
- job applicants and staff members:
  - 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);
  - complaint records and investigation reports;
  - leave details;
  - photos and videos at School events;
  - workplace surveillance information;
  - work emails and private emails (when using work email address) and Internet browsing history
- volunteers and contractors:
  - name and contact details;
  - information in relation to volunteer applications via the School's employment platform;
  - payment information in the case of volunteer honorarium payments;
  - professional development history if required eg boat licences and water safety training for rowing;
  - professional registrations and qualifications recorded through contractor induction process;
  - photos and videos at School events - volunteers;
  - workplace surveillance information.
- 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.

#### 4. Personal Information you provide:

**The School** 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, emails and telephone calls. On occasions people other than Parents and Students provide Personal Information.

#### 5. 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 (APPs) 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 the School use the Personal Information you provide?**

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 by you, or to which you have consented.

#### **Students and Parents:**

In relation to Personal Information of Students and Parents, the School's primary purpose of collection is to enable the School to provide schooling to Students 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 Personal Information of Students and Parents include:

- to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines
- day-to-day administration of the School;
- looking after Students' 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 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.

On occasions information such as academic and sporting achievements, student activities and similar news is published in School newsletters and magazines, on our intranet and on our website. This may include photographs and videos of student activities such as sporting events, school camps and school excursions. The School will request permission from the student's parent or caregiver to use student photographs and video material for all school publications at the time of student enrolment.

## **6. 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 donations and marketing for the School
- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

## **7. Volunteers:**

The School also obtains Personal Information about volunteers who assist the School in its functions or conduct associated activities, such as those involving the School's Foundation, the Past Pupils' Association and the Parents and Friends Association, to enable the School and the volunteers to work together.

## **8. 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 provide a quality learning environment in which both Students and staff thrive. Personal Information held by the School may be disclosed to organisations that assist in the School's fundraising, for example, the School's Foundation or Parent support bodies.

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.

In such instances where the School uses or discloses Personal Information for direct marketing purposes, the relevant individual may "Opt Out" by requesting:

- (a) not to receive direct marketing communication;
- (b) that their Personal Information not be used by or disclosed to other entities for the purpose of facilitating direct marketing; and
- (c) to be provided with the source of the information received (unless it is impracticable or unreasonable for the School to do so).

## **9. Who might the School disclose Personal Information to and store your information with?**

The School may disclose Personal Information, including Sensitive Information, held about an individual for educational, legal, administrative, marketing and support purposes. This may include to:

- another school or staff at another school
- government departments (including for policy and funding purposes)
- medical practitioners
- people providing educational, support and Health Services to the School, including specialist visiting teachers, [sports] coaches, volunteers, counsellors and 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)
- people providing administrative and financial services to the School;
- recipients of School publications, such as newsletters and magazines
- Students' Parents or guardians
- anyone you authorise 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.

## **10. Sending and Storing Information Overseas:**

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:

- obtaining the consent of the individual (in some cases this consent will be implied)
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

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' which means that it may reside on a cloud service provider's server which may be situated outside Australia.

An example of such a cloud service provider is Microsoft. Microsoft provides the Microsoft Office 365 including mail services, and stores and processes limited personal information for this purpose. School personnel and Microsoft and its 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 Microsoft Office and ensuring its proper use. The data centres where the personal information is likely to be kept are located within Australia.

## **11. 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 you agree otherwise, or the use or disclosure of the Sensitive Information is required by law.

## **12. Management and Security of Personal Information:**

The School's staff are required to respect the confidentiality of Students' 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, 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.

### 13. Data Breaches

It will be deemed that an 'eligible data breach' has occurred if:

- there has been unauthorised access to, or unauthorised disclosure of, personal information about one or more individuals (the affected individuals)
- a reasonable person would conclude there is a likelihood of serious harm to any affected individuals as a result
- the information is lost in circumstances where:
  - unauthorised access to, or unauthorised disclosure of, the information is likely to occur
  - assuming unauthorised access to, or unauthorised disclosure of, the information was to occur, a reasonable person would conclude that it would be likely to result in serious harm to the affected individuals.

Serious harm may include serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation.

#### **What must the school do in the event of an 'eligible data breach'?**

If the School suspects that an eligible data breach has occurred, it will carry out a reasonable and expedient assessment/investigation within 30 days.

If such an assessment/investigation indicates there are reasonable grounds to believe an eligible data breach has occurred, then the School will be required to lodge a statement to the Information Commissioner (**Commissioner**). Where practical to do so, the school entity will also notify the affected individuals. If it is not practicable to notify the affected individuals, the School will publish a copy of the statement on its website, or publicise it in another manner.

#### **Exception to notification obligation**

An exception to the requirement to notify will exist if there is a data breach and immediate remedial action is taken, and as a result of that action:

- there is no unauthorised access to, or unauthorised disclosure of, the information, and
- there is no serious harm to affected individuals, and
- as a result of the remedial action, a reasonable person would conclude the breach is not likely to result in serious harm.

### 14. Access and Correction of Personal Information:

Under the Commonwealth Privacy Act, an individual has the right to seek and obtain access to any Personal Information that 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. Students will generally be able to access and update their Personal Information through their Parent/s, but older Students may seek access and correction themselves.

To make a request to access or to update any personal information the School holds about you or your child, please contact the School via our website, telephone or email. The School will 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. The School will take reasonable steps to ensure that any personal information is accurate, up to date, complete, relevant and not misleading.

### 15. Consent and Rights of Access to the Personal Information of Students:

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

Student to the Student's Parents. The School will generally 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.

On a case-by-case basis, the Principal may consider a request for access to a Student's Personal Information, or allow a Student to give or withhold consent to the use of their Personal Information, independently of their Parents. This may apply in limited situations where:

- it is both reasonable and practicable to do so; and
- the Student is aged over 15 years and the Principal has formed the view that the Student has sufficient maturity to understand what is being proposed.

As mentioned above, parents may seek access to personal information held by the School about them or their child by contacting the School 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.

## **16. Enquiries and Complaints:**

If you would like further information about the way the School manages the Personal Information it holds, or wish to make a complaint that you believe the School has breached of the Australian Privacy Principles please address your enquiry or complaint in writing to the Principal.

All Hallows' School  
547 Ann Street  
Brisbane Qld 4000  
Phone (07) 3230 9502

The Principal 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.

## **17 Related Policies, Guidelines and Procedures**

### **17.1 Notifiable Data Breach Response Procedure**

## **18. Additional Resources:**

Appendix 1 – Standard Collection Notice  
Appendix 2 – Past Pupils Association Collection Notice  
Appendix 3 – Employment Collection Notice  
Appendix 4 – Contractor/Volunteer Collection Notice

## APPENDIX 1

### Standard Collection Notice

1. The School collects personal information, including sensitive information about students and parents or guardians before and during the course of a student'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 students enrolled at the school, exercise its duty of care, engage in marketing/fundraising and perform necessary associated administrative activities, which will enable students to take part in all the activities of the School.
2. 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.
3. Laws governing or relating to the operation of a school require certain information to be collected and disclosed. These include relevant Education Acts, and Public Health [and Child Protection] \* laws.
4. Health information about students is sensitive information within the terms of the Australian Privacy Principles (**APPs**) under the *Privacy Act 1988*. We may ask you to provide medical reports about students from time to time.
5. The School may disclose personal and sensitive information for educational, legal, administrative, marketing and support purposes. This may include to:
  - other schools and teachers at those schools;
  - [Catholic Education Office, the Catholic Education Commission, the School's local diocese and the parish, other related church agencies/entities, and Schools within other Dioceses/other Dioceses;] \*
  - medical practitioners;
  - people providing educational, support and health services to the School, including specialist visiting teachers, [sports] coaches, volunteers, and counsellors;
  - 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);
  - people providing administrative and financial services to the School;
  - anyone you authorise the School to disclose information to; and
  - anyone to whom the School is required or authorised by law, including child protection laws, to disclose the information.
6. Personal information collected from students is regularly disclosed to their parents or guardians.
7. 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 reside on a cloud service provider's servers which may be situated outside Australia. Further information about the School's use of on online or 'cloud' service providers is contained in the School's Privacy Policy.
8. The School's Privacy Policy, accessible on the School's website, sets out how parents or students may seek access to and correction of their personal information which the School has collected and holds. However, access may be refused in certain circumstances such as 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 a student, or where students have provided information in confidence. Any refusal will be notified in writing with reasons if appropriate.
9. The School's Privacy Policy also sets out how parents and students can make a complaint about a breach of the APPs and how the complaint will be handled.
10. The School may engage in fundraising activities. Information received from you may be used to make an appeal to you. [It may also be disclosed to organisations that assist in the School's fundraising activities solely for that purpose.] We will not disclose your personal information to third parties for their own marketing purposes without your consent.
11. On occasions information such as academic and sporting achievements, student activities and similar news is published in School newsletters and magazines, on our intranet and on our website. This may include photographs and videos of student activities such as sporting events, school

camps and school excursions. The School will obtain permission on enrolment from the student's parent or guardian to include such photographs or videos [or other identifying material] in our promotional material or otherwise make this material available to the public such as on the internet.

12. We may include students' and students' parents' contact details in a class list and School directory.
13. If you provide the School with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the School and why.

## APPENDIX 2

### Past Pupils' Association Collection Notice

1. The Past Pupils' Association may collect personal information about you from time to time. The primary purpose of collecting this information is to enable us to inform you about our activities and the activities of [name of School] and to keep alumni members informed about other members.
2. We must have the information referred to above to enable us to continue your membership of the Past Pupils' Association
3. As you know, from time to time we engage in fundraising activities. The information received from you may be used to make an appeal to you. It may also be used by the School to assist in its fundraising activities. If you do not agree to this, please advise us now.
4. The Past Pupils' Association may publish details about you in our newsletters and our/the School's website. If you do not agree to this, you must advise us now.
5. The School's Privacy Policy, accessible on the School's website, contains details of how you may seek access to and correction of your personal information which the School has collected and holds, and how you may complain about a breach of the Australian Privacy Principles.
6. 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 email services. 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 reside on a cloud service provider's servers which may be situated outside Australia. Further information about the School's use of on online or 'cloud' service providers is contained in the School's Privacy Policy.
7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why.

## APPENDIX 3

### Employment Collection Notice

1. In applying for this position, you will be providing the School with personal information. We can be contacted at the address shown within the Privacy Policy.
2. If you provide us with personal information, for example, your name and address or information contained on your resume, we will collect the information in order to assess your application for employment. We may keep this information on file if your application is unsuccessful in case another position becomes available.
3. The School's Privacy Policy, accessible on the School's website, contains details of how you may complain about a breach of the Australian Privacy Principles and how you may seek access to and correction of your personal information which the School has collected and holds. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others. Any refusal will be notified in writing with reasons if appropriate.
4. We will not disclose this information to a third party without your consent unless otherwise permitted. / We usually disclose this kind of information to the following types of organisations [insert list e.g. support vendors that provide services around staff administration systems].
5. [We are required to [conduct a criminal record check] collect information [regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences] under Child Protection laws\*]. We may also collect personal information about you in accordance with these laws. \*
6. 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 email services. 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 reside on a cloud service provider's servers which may be situated outside Australia. Further information about the School's use of on online or 'cloud' service providers is contained in the School's Privacy Policy. \*
7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why.

\* If applicable

## APPENDIX 4

### Contractor/Volunteer Collection Notice

1. In offering, applying or agreeing to provide services to the School, you will be providing [name of School] with personal information. We can be contacted [insert address, email address, telephone number].
2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information in order to assess your application. We may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information for [insert amount of time].
4. The School's Privacy Policy, accessible on the School's website, contains details of how you may complain about a breach of the Australian Privacy Principles and how you may seek access to and correction of your personal information which the School has collected and holds. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others. Any refusal will be notified in writing with reasons if appropriate.
5. We will not disclose this information to a third party without your consent unless otherwise permitted to. / We usually disclose this kind of information to the following types of organisations [insert list e.g. support vendors that provide services around administration systems].
6. [We are required to [conduct a criminal record check] collect information [regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences] under Child Protection law. \*] [We may also collect other personal information about you in accordance with these laws. \*]
7. 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 reside on a cloud service provider's servers which may be situated outside Australia. Further information about the School's use of on online or 'cloud' service providers is contained in the School's Privacy Policy. \*
8. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why.

\* If applicable

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