

PRIVACY POLICY 2020

Privacy Policy

Purpose

St. Michael's College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. This statement outlines the privacy policy of St. Michael's College and describes how St. Michael's College uses and manages personal information provided to or collected.

Scope

The policy applies to Board Members, employers, employees, volunteers, parents/caregivers and students, contractors, and people visiting St. Michael's College site; and describes the type of information St. Michael's College collects, how the information is handled, how and to whom the information is disclosed, and how the information may be accessed.

References

- [Privacy Act 1988 \(Cth\)](#)
- [Privacy Amendment \(Enhancing Privacy Protection\) Act 2012](#)
- [St. Michael's College Child Protection Policy](#)
- [St. Michael's College Disabilities Discrimination Policy](#)

Exception in Relation to Employee Records

Under the Privacy Act 1988 (Cth) (Privacy Act), the Australian Privacy Principles do not apply to an employee record held by the employing entity. As a result, this Privacy Policy does not apply to the College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between St. Michael's College and employee.

Policy

This Privacy Policy sets out how St. Michael's College manages personal information provided to or collected by it. St. Michael's College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. St. Michael's College may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the College's operations and practices and to make sure it remains appropriate to the changing school environment.

Information Collected

What kinds of personal information does St. Michael's College collect and how does St. Michael's College collect it?

The type of information St. Michael's College collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about:

- Students and parents and/or caregivers ('parents') before, during and after the course of a student's enrolment at St. Michael's College;
 - 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 College events.
- Job applicants, staff members, volunteers and contractors;
 - 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 College events;
 - workplace surveillance information;
 - work emails and private emails (when using work email address) and Internet browsing history
- Other people who come into contact with St. Michael's College.

Personal Information you provide:

St. Michael's College will generally collect personal information held about an individual by way of forms (including electronic 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.

Personal Information provided by other people:

In some circumstances, St. Michael's College 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.

How will St. Michael's College use the personal information you provide?

St. Michael's College will use personal information it collects from you for the primary purpose of collection, (providing schooling for students) 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 primary purpose of collection is to enable St. Michael's College to provide schooling to students enrolled at St. Michael's College, exercise its Duty of Care, and perform necessary associated administrative activities, which will enable students to take part in all the activities of St. Michael's College. This includes satisfying the needs of parents, the needs of the students and the needs of St. Michael's College throughout the whole period that the student is enrolled at St. Michael's College.

The purposes for which St. Michael's College 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 St. Michael's College;
- looking after student's educational, social and medical wellbeing;
- seeking donations and marketing for St. Michael's College;
- to satisfy the College's legal obligations and allow St. Michael's College to discharge its duty of care.

In some cases, where St. Michael's College requests personal information about a student or parent, if the information requested is not provided, St. Michael's College 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 St. Michael's newsletters and magazines, on the College's intranet, on the College's website and on the College's social media platforms. This may include photographs and videos of student activities such as sporting events, camps and excursions. St. Michael's College will obtain permissions at enrolment from the student's parent/caregiver (and from the student if appropriate), if the College would like to include such photographs or videos (or other identifying material) in the College's promotional material or otherwise make this material available to the public such as on the internet.

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 St. Michael's College 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 St. Michael's College; and
- to satisfy the College's legal obligations, for example, in relation to child protection legislation.

Volunteers

St. Michael's College also obtains personal information about volunteers who assist St. Michael's College in its functions or conduct associated activities, such as alumni associations, to enable St. Michael's College and the volunteers to work together.

Marketing and fundraising

St. Michael's College treats marketing and seeking donations for the future growth and development of St. Michael's College as an important part of ensuring that St. Michael's College continues to provide a quality learning environment in which both students and staff thrive. Personal information held by St. Michael's College may be disclosed to organisations that assist in the College's fundraising, for example, St. Michael's College Parents and Friends Association (or, on occasions, external fundraising organisations).

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.

If you would like to opt-out of direct marketing please contact the Principal on 54958311 or admin@smccab.qld.edu.au.

Video Surveillance Network

The School has an extensive IP based Video Surveillance Network (VSN) which is used to monitor and record activity for a range of purposes including providing a safe and secure environment for students, staff and visitors, as well as for protecting the school buildings and assets by deterring incidences of theft and vandalism, both during and after school hours. Appropriate signage has been installed in either the immediate or general vicinity of cameras to advise that cameras are in operation.

Security, Storage and Retention

The footage recorded by the cameras is securely stored as digital files within the VSN software, and will only be viewed and accessed by authorised people. The footage recorded is stored for a maximum of thirty-one (31) days, after which it is programmed to be automatically overwritten unless required by law enforcement authorities. Controlled access to the secured footage is strictly maintained.

Disclosure

Footage may be disclosed to third parties, in accordance with Australian Privacy Principle 6 - use or disclosure of personal information. Circumstances under which footage will be shown to a third party may include:

- for law enforcement purposes (e.g. police);
- where it is necessary for the health, safety or welfare of individuals or public health reasons;
- when otherwise required by law (e.g. court order).

Information Disclosed

Who might St. Michael's College disclose personal information to?

St. Michael's College may disclose personal information, including sensitive information, held about an individual to:

- another school;
- Government departments (including for policy and funding purposes);

- medical practitioners;
- people providing educational, support and health services to St. Michael's College, 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 St. Michael's College;
- recipients of College publications, such as newsletters and magazines;
- students' parents/caregivers;
- anyone you authorise St. Michael's College to disclose information to, and;
- anyone to whom we are required to disclose the information to by law.

Sending and Storing Information Overseas

St. Michael's College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, St. Michael's College 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.

St. Michael's College may use online or 'cloud' service providers to store personal information and to provide services to St. Michael's College 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 Google. Google provides the 'Google Apps for Education' (GAFE) including Gmail, and stores and processes limited personal information for this purpose. St. Michael's College personnel and the AIS 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 GAFE and ensuring its proper use.

The data centres where the personal information is likely to be kept are located in the USA, Taiwan, Singapore, Ireland, Netherlands and Belgium.

Sensitive Information

In referring to 'sensitive information', St. Michael's College 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 allowed by law.

Management and security of personal information

St. Michael's College staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals. St. Michael's College has in place steps to protect the personal information St. Michael's College 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.

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 St. Michael's College do in the event of an 'eligible data breach'?

If St. Michael's College 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 St. Michael's College will be required to lodge a statement to the Privacy Commissioner (Commissioner). Where practical to do so, St. Michael's College will also notify the affected individuals. If it is not practicable to notify the affected individuals, St. Michael's College will publish a copy of the statement on the College's 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 authorised access to, or unauthorised disclosure of, the information
- 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.

Access and correction of personal information

Under the Privacy Act, an individual has the right to seek and obtain access to any personal information which St. Michael's College holds about them and to advise St. Michael's College 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 parents, but older students may seek access and correction themselves.

To make a request to access or to update any personal information St. Michael's College holds about you or your child, please contact the Principal of St. Michael's College in writing. St. Michael's College may require you to verify your identity and specify what information you require. St. Michael's College 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, St. Michael's College 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.

St. Michael's College will take reasonable steps to ensure that any personal information is accurate, up to date, complete, relevant and not misleading.

Consent and Rights of Access to the Personal Information of Students

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

As mentioned above, parents may seek access to personal information held by St. Michael's College about them or their child by contacting the Principal of St. Michael's College. 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 College's Duty of Care to a student.



St. Michael's College may, at its discretion, on the request of a student grant that student access to information held by St. Michael's 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 when the maturity of the student and/or the student's personal circumstances warrant it.

Enquires and Complaints

Enquiries and complaints

If you would like further information about the way St. Michael's College manages the personal information it holds, or wish to complain that you believe that St. Michael's College has breached the Australian Privacy Principles, please contact the Principal. St. Michael's College 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.

Policy Release Details

Date of Policy:	Jan 2020	Supersedes:	Previous
Authorised by:	Board Chair	Date of Authorisation:	Feb 2020
Review Date:	Annually	Next Review Date:	Jan 2021
Policy Owner:	St. Michael's College Board.		

Appendix 1 Standard Collection Notice

1. St. Michael's College collects personal information, including sensitive information about students and parents or guardians before and during the course of a student's enrolment at St. Michael's College. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable St. Michael's College 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 St. Michael's College.
2. Some of the information we collect is to satisfy the College's legal obligations, particularly to enable St. Michael's College 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. St. Michael's College 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;
 - government departments (including for policy and funding purposes);
 - medical practitioners;
 - people providing educational, support and health services to St. Michael's College, 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 St. Michael's College;
 - anyone you authorise St. Michael's College to disclose information to; and
 - anyone to whom St. Michael's College 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. St. Michael's College may use online or 'cloud' service providers to store personal information and to provide services to St. Michael's College 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.
8. The St. Michael's College Privacy Policy, accessible on the St. Michael's College website, sets out how parents or students may seek access to and correction of their personal information which St. Michael's College 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 College'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 St. Michael's College 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. St. Michael's College 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 College'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 St. Michael's College newsletters and magazines, on our intranet (and on our website), this may include photographs and videos of student activities such as sporting events, camps and excursions. St. Michael's College will obtain permissions from the student's parent or caregivers (and from the student if appropriate), if we would like 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. If you provide St. Michael's College 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 St. Michael's College and the reasons why.



APPENDIX 2

St. Michael's College Alumni Collection Notice

1. The St. Michael's College Alumni 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 St. Michael's College 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 Alumni 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 St. Michael's College to assist in its fundraising activities. If you do not agree to this, please advise us now.
4. The St. Michael's College Alumni may publish details about you in our Yearbook, Newsletter, St. Michael's College Facebook Page and the St. Michael's College website. If you do not agree to this, you must advise us in writing upon enrolment.
5. The St. Michael's College Privacy Policy, accessible on the St. Michael's College website, contains details of how you may seek access to and correction of your personal information which St. Michael's College has collected and holds, and how you may complain about a breach of the Australian Privacy Principles.
6. St. Michael's College may use online or 'cloud' service providers to store personal information and to provide services to St. Michael's College 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.
7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to St. Michael's College and the reasons why.

APPENDIX 3

Employment Collection Notice

1. In applying for this position, you will be providing St. Michael's College with personal information. We can be contacted at admin@smccab.qld.edu.au and 54958311.
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 St. Michael's College Privacy Policy, accessible on the St. Michael's College 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 St. Michael's College 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.
5. We are required to conduct a criminal record check and 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. St. Michael's College may use online or 'cloud' service providers to store personal information and to provide services to St. Michael's College 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.
7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to St. Michael's College and the reasons why.



APPENDIX 4

Contractor/Volunteer Collection Notice

1. In offering, applying or agreeing to provide services to St. Michael's College, you will be providing St. Michael's College with personal information. We can be contacted at admin@smccab.qld.edu.au or 54958311.
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 seven years.
4. The St. Michael's College Privacy Policy, accessible on the St. Michael's College 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 St. Michael's College 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.
6. We are required to conduct a criminal record check and 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.
7. St. Michael's College may use online or 'cloud' service providers to store personal information and to provide services to St. Michael's College 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.
8. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to St. Michael's College and the reasons why.