



# POLICY

# PRIVACY

## RELATED DOCUMENTS

*The Privacy Act 1988*

*Australian Privacy Principles (APP)*

*NCEC & NCISA Privacy Compliance Manual*

*Standard Collection Notice*

*TCEO Use of Electronic Facilities Policy*

*Archdiocese of Hobart Privacy Policy*

**Policy No: 01/2015**



## PRIVACY POLICY

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### RATIONALE

Your privacy is important. This Privacy Policy applies to all Catholic schools and colleges in the Archdiocese of Hobart, the Tasmanian Catholic Education Office (TCEO) and the Tasmanian Catholic Education Commission (TCEC) and sets out how the TCEO, TCEC and each school/college manages personal information provided to or collected by it. For the purpose of this policy, if not explicitly stated, the term 'school/college' includes the TCEO and TCEC.

The Tasmanian Catholic Education Commission, Tasmanian Catholic Education Office and each Catholic school or college conducted in the Archdiocese of Hobart are bound by the *Australian Privacy Principles (APP)* contained in the Commonwealth *Privacy Act 1988*.

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

### GENERAL INFORMATION

#### **What is Personal Information?**

'Personal information' is defined by the Commonwealth *Privacy Act* as information or an opinion, whether true or not, about an individual whose identity is apparent or can reasonably be ascertained from the information. 'Personal information' does not include information that has been de-identified so that the individual is no longer identifiable, e.g. information that is collected anonymously.

#### **What is Sensitive Information?**

'Sensitive information' is personal information relating to a person's racial or ethnic origin, political opinions, membership of political associations, religious beliefs or affiliations, philosophical beliefs, trade union or other professional or trade association

membership, sexual orientation or practices or criminal record information. It also includes and health, genetic or biometric information.

'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.

### **What is a Standard Collection Notice?**

The standard collection notice describes the information collected about students and their families, how that information is used and to whom it may be disclosed. The standard collection notice is distributed on enrolment and at times of collection of personal information. It can also be found on the school/college website, the Tasmanian Catholic Education Office website [www.catholic.tas.edu.au](http://www.catholic.tas.edu.au), or can be obtained in hard copy from the school/college or Tasmanian Catholic Education Office.

## **WHAT KIND OF PERSONAL INFORMATION DOES A SCHOOL COLLECT AND HOW DOES A SCHOOL/COLLEGE COLLECT IT?**

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

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

***Personal Information you provide:*** A school/college 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. Individuals may provide personal information any time they come into contact with us.

***Personal Information provided by other people:*** In some circumstances a third party may provide a school/college with personal information about an individual, for example a report provided by a medical professional or a reference from another school. Sometimes a school/college will create personal information about a student or other individuals, for example when a teacher writes a report about the student or a file note is recorded.

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

## **HOW WILL A SCHOOL/COLLEGE USE THE PERSONAL INFORMATION YOU PROVIDE?**

A school/college will use personal information it collects from you for the primary purpose for which the information was collected. The information may be used for such other secondary purposes that are related to the primary purpose of collection and which are reasonably expected by you, or to which you have consented.

***Students and Parents:*** In relation to personal information of students and Parents, a school/college's primary purpose of collection is to enable the school/college to provide schooling for the student. This includes satisfying the needs of Parents, the needs of the student and the needs of the TCEO throughout the whole period the student is enrolled in a Catholic school/college in the Archdiocese of Hobart.

The purposes for which a school/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
- looking after student's educational, social, spiritual and medical wellbeing
- seeking donations and marketing for the school/college
- to satisfy the TCEO's and school/college's legal obligations and allow the school/college to discharge its duty of care.

In some cases where a school/college requests personal information about a student or Parent, if the information requested is not obtained, the school/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.

***Job applicants, staff members and contractors:*** In relation to personal information of job applicants, staff members and contractors, a school/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 a school/college uses personal information of job applicants, staff members and contractors include:

- in administering the individual's employment or the contract, as the case may be
- for insurance purposes
- seeking funds and marketing for the school/colleges
- to satisfy Catholic Education in Tasmania and the school/college's legal obligations, for example, in relation to child protection legislation or work health and safety legislation.

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

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

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

## **WHO MIGHT A SCHOOL/COLLEGE DISCLOSE PERSONAL INFORMATION TO?**

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

- another school
- government departments
- statutory boards (e.g. the Teachers Registration Board of Tasmania)
- medical practitioners
- people providing services to the school including specialist visiting teachers, counsellors, music teachers and coaches
- recipients of school publications, like newsletters and magazines
- Parents
- parishes
- anyone you authorise the school/college to disclose information to; and
- anyone to whom we are required to disclose the information to by law.

**Sending and storing information overseas:** A school/college may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, a school/college will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (including from a Parent on behalf of a student); or
- otherwise complying with the *Australian Privacy Principles* or other applicable privacy legislation.

The school/college may also store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia. However, in this case the information will remain in the effective control of the school/college and the school/college will take steps to ensure the overseas host complies with the *Australian Privacy Principles*.

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

The TCEO and the school/colleges' staff are required to respect the privacy of all individuals' personal information.

Each school/college has in place steps to protect the personal information held from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password-protected access to computerised records.

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

Each school/college endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by a school/college by contacting the school/college office at any time.

The *Australian Privacy Principles* require a school not to store personal information longer than necessary or information that is irrelevant.

### ***Access of personal information***

Under the Commonwealth *Privacy Act*, an individual has the right to check or obtain access to any personal information which the TCEO or a school/college holds about them and to advise the TCEO or the school/college of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Students will generally have access to their personal information through their Parents, but older students may seek access themselves.

To make a request to check or obtain access to any information the TCEO holds about you, please contact the TCEO Manager of Human Services in writing. To make a request to check or obtain access to any personal information the school/college holds about you or your child, please contact the school/college's Principal in writing.

The school/college may require you to verify your identity and specify what information you require. The school/college may charge a fee to cover the cost of verifying your request and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive the school/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 the refusal.

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

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

Generally, a school/college will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. A school/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.

Parents may seek access to personal information held by a school/college or the TCEO about them or their child by contacting the school/college Principal or in the case of the

TCEO the Manager of Human Services. However, there will be occasions when access is denied. Such occasions would include where the 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/college's duty of care to the student.

A school/college may, on the request of a student, grant that student access to the information held by the school/college about them, or allow the student to give or withhold consent to the use of their personal information, independently of their Parents. This would normally be done when the maturity of the student and/or the student's personal circumstances so warranted.

### ***Enquires and complaints***

If you would like further information about the way a school/college or the TCEO manages the personal information it holds, please contact the school/college Principal or the TCEO Manager of Human Services. If you wish to complain that you believe that a school/college or the TCEO has breached the *Australian Privacy Principles*, please contact the school/college Principal or the TCEO Manager of Human Services. The TCEO or the school/college 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.

## **REFERENCES**

*The Privacy Act 1988*

*Australian Privacy Principles*

*NCEC & NCISA Privacy Compliance Manual*

## **FORMS**

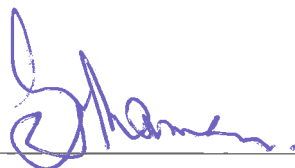
Nil.

## **APPENDICES**

Appendix 1 Standard Collection Notice

Appendix 2 Credit Information Privacy Policy

**SIGNED:**



Chairman of the TCEC

**DATE:**

12<sup>th</sup> March 2015

<b>Approved by:</b>	Tasmanian Catholic Education Commission
<b>Issuing Group:</b>	TCEO: Directorate
<b>Implementation Date:</b>	12 March 2015
<b>Supersedes Policy Dated:</b>	17 October 2013
<b>Revision Date:</b>	12 March 2018
<b>TCEO Contact Officer:</b>	Manager: Human Services



## APPENDIX 1

### Standard Collection Notice (Revised 22/09/14)

1. The Tasmanian Catholic Education Office and each Catholic school/college in the Archdiocese of Hobart (both referred to in the document as 'the school/college') 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/college.
2. The primary purpose of collecting this information is to enable the school/college to provide schooling for the student and to enable them to take part in all the activities of the school/college.
3. Some of the information we collect is to satisfy the school/college's legal obligations, particularly to enable the school/college to discharge its duty of care.
4. Certain laws governing or relating to operation of schools require that certain information be collected and disclosed. These include relevant *Australian Curriculum, Assessment and Reporting Authority Act*, the *Education Act*, the *Public Health Act* and child protection laws.
5. Health information about students is sensitive information within the terms of the *Australian Privacy Principles* under the *Privacy Act*. We may ask you to provide medical reports and health information about the student from time to time.
6. If we do not obtain the information referred to above we may not be able to enrol or continue the enrolment of the student.
7. The school/college from time to time discloses personal and sensitive information to others for administrative and educational purposes, including facilitating the transfer of the student between schools. This includes disclosures to other schools, government departments (such as the Education Department), government agencies (such as the Australian Curriculum, Assessment and Reporting Authority (ACARA)), statutory bodies (such as the Teachers Registration Board of Tasmania), medical practitioners, and people providing services to the school/college (such as specialist visiting teachers, sports and other coaches, music teachers, volunteers and counsellors).
8. Certain personal information relating to students and parents may also be made available, in accordance with Australian Government requirements, to ACARA for the purpose of publishing some school information relating to the circumstances of parents and students on the *MySchool* website.
9. The school/college may store personal information in the 'cloud', which may mean that it resides on servers, which are situated outside of Australia.
10. When a student moves between schools both operated by the Archdiocese of Hobart, the schools may exchange any and all personal information about the student. When a student moves from a school operated by the Archdiocese ("old school") to a school not operated by the Archdiocese ("new school"), the old school may provide personal information about the student to the new school with the consent of the student (or their Parent(s) on their behalf).
11. Personal information collected from students is regularly disclosed to their parents or guardians. On occasions, information such as academic and sporting achievements, students activities and similar news is published in school/college newsletters, magazines and on our website. We may include your contact details in a class list and School directory.
12. In addition to other disclosures, personal information collected from one Parent may be disclosed to others responsible for payment of fees, including information about payments made or overdue.

13. Photographs of student activities such as sporting events, school camps and school excursions may be taken for and published in school/college newsletters and magazines and on our intranet. The school/college will obtain separate permissions from the students' parents or guardians if we wish to include photographs or other identifying material in promotional material for the school/college or otherwise make it available to the public such as on the Internet.
14. Parents may seek access to personal information collected about them and the student by contacting the school/college. Students may also seek access to personal information about them. However, there will be occasions where access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the school/college's duty of care to the student, or where students have provided information in confidence.
15. The school/college Privacy Policy also sets out how you may complain about a breach of privacy and how the school/college will deal with such a complaint.
16. As you may know the school/college from time to time engages 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/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.
17. Personal information about the student may be used by the Archdiocese of Hobart for religious purposes, including inviting the student to participate in sacraments or Church activities
18. In the event of a default, the school/college may seek credit information from and disclose credit information to credit reporting bodies in accordance with the Tasmanian Catholic Education Commission Credit Information Privacy Policy, available in electronic form from [www.catholic.tas.edu.au](http://www.catholic.tas.edu.au) and in hard copy from the Tasmanian Catholic Education Office or school/college.
19. For further information about the collection of personal and sensitive information please see the Tasmanian Catholic Education Commission Privacy Policy available in electronic form from [www.catholic.tas.edu.au](http://www.catholic.tas.edu.au) and in hard copy from the Tasmanian Catholic Education Office or the school/college. This contains information on how the school/college handles personal information, how it can be accessed or corrected and how to complain about interferences with privacy.

If you provide the school/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 the school/college and why, that they can access that information if they wish and that the school/college does not usually disclose the information to third parties.

## APPENDIX 2

### Credit Information Privacy Policy (Revised 05/02/15)

1. The Tasmanian Catholic Education Office and each Catholic school/college in the Archdiocese of Hobart (both referred to in the document as 'the school/college') may collect credit information including identification information, information about a person's current and past consumer credit liabilities, information about other credit that person has sought or obtained, information about their repayment of other credit, information held by a credit reporting body about them, information about their previous defaults, payments and payment arrangements relating to credit provided to them, information about their insolvency, information about court proceedings involving them, information from the Personal Property Securities Register, and publicly available information about their creditworthiness.
2. The school/college will only collect credit information from a credit reporting body, or provide credit information to a credit reporting body, in the event of a default in payment to the school/college by that individual. This information may be used by the credit reporting body to create or maintain a credit information file containing information about the individual, and may be shared by the credit provider with others.
3. Individuals seeking credit from the school/college (or guaranteeing payment by another person) consent and give the school/college authority to:
  - a. disclose information to and seek information from credit reporting bodies;
  - b. disclose information to and seek information from other fee payers and guarantors on the same account;
  - c. exchange credit information with other providers of credit to the individual, including credit history information, credit standing information, information about credit capacity and defaults; and
  - d. conduct public record searches, including searches of the Personal Property Securities Register;
4. The school/college may deal with the following credit reporting bodies: Veda ([www.veda.com.au](http://www.veda.com.au)) and the Tasmanian Collection Service ([www.tascol.com.au](http://www.tascol.com.au)). Each provides their privacy policy (including in relation to credit information) on their website.
5. The school/college also collects and holds information about your current and previous credit liabilities. This can include information about credit the school/college provides to you as well as information they obtain from other credit providers.
6. The school/college collects, holds and uses credit information for the purpose of managing credit and recovery of debts. The school/college does not conduct credit reports on school fee payers unless they have defaulted in a payment or they are believed to pose a significant credit risk.
7. The school/college will only disclose a person's credit information to another entity when permitted by law. This includes disclosing information with the individual's consent, disclosing information to others who are also parties to a credit application (as principals or guarantors), and disclosing applications for credit, credit terms, defaults and serious credit infringements to credit reporting bodies, as described in this policy.
8. The school/college may disclose credit information to service providers or professional advisors where necessary for its activities and permitted by the *Privacy Act*, for example to debt recovery service providers, legal advisors, IT service providers, accountants, auditors or insurers.
9. An individual may at any time request access to their credit information by contacting the school/college. Access will be given unless giving access would be unlawful, denying access is required or authorised by or under an Australian law or a court/tribunal order, or giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf

of, an enforcement body. The school/college may charge a reasonable fee for providing access, and may need to verify the individual's identity before providing access.

10. The school/college will take reasonable steps to ensure credit information is up-to-date, complete and accurate. An individual can request that their information is updated by contacting the school/college. If the school/college agrees the information needs updating, they will take reasonable steps to correct that information. In order to determine whether that information needs to be updated they may consult a credit reporting body or a credit provider, for example to confirm that a debt has been discharged. If they update the individual's information and have previously disclosed that information to another entity then they will also disclose the update to that other entity.
11. If the school/college does not agree the information needs correcting, the individual can ask them to put a statement on their file explaining what the individual says needs to be corrected. The school/college will do that in such a way as is apparent to staff who use that information.
12. Any refusal to provide access or to update credit information will be explained in writing. A decision will be made on providing access or updating information within 14 days, or 30 days if the decision is more complicated.
13. An individual can complain about interferences with their privacy, including breaches of this policy, the Credit Reporting Code (CR Code) or breaches of the *Privacy Act*. These complaints should be directed to the school/college principal in the first instance, or to the Tasmanian Catholic Education Office. The school/college will endeavour to respond to all complaints within 14 days.
14. If an individual is not satisfied with how their complaint has been handled they can complain to the Credit and Investments Ombudsman. Complaints can be lodged through their website at [www.cio.org.au](http://www.cio.org.au) or by phoning 1800 138 422.
15. Complaints can also be made to the Office of the Australian Information Commissioner. They can be contacted through their website at [www.oaic.gov.au](http://www.oaic.gov.au) or by phoning 1300 363 992.
16. For further information about the collection of personal and sensitive information please see the Tasmanian Catholic Education Commission Privacy Policy available in electronic form from [www.catholic.tas.edu.au](http://www.catholic.tas.edu.au) and in hard copy from the Tasmanian Catholic Education Office or the school/college.