



# Star of the Sea College

## Privacy Policy

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Star of the Sea College is a Catholic Independent Girls' school, founded by the Presentation Sisters in 1883. Since 2014, Star of the Sea College has operated under the auspices of Kildare Ministries.

At Star of the Sea College we hold the care, safety and wellbeing of our students as a central and fundamental responsibility of our College. Our commitment is drawn from, and inherent in, the teaching and mission of Jesus Christ, with love, justice and the sanctity of each human person at the heart of the gospel: CECV Commitment Statement to Child Safety:

The person of each individual human being, in his or her material and spiritual needs, is at the heart of Christ's teaching: that is why the promotion of the human person is the goal of the Catholic School (Congregation for Catholic Education 1997, n.9).

### **PURPOSE**

This Privacy Policy sets out how the College manages personal information provided to or collected by it.

### **Types of Information Collected**

The type of information that the College collects and holds includes (but is not limited to) personal information, including health 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 College;
- job applicants, staff members, volunteers and contractors;
- other people who come into contact with the College.

### **Personal Information**

The College will generally collect personal information 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.

### **Personal Information Provided By Other People**

In some circumstances, the 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.

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### **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 College's treatment of an employee record unless required by law or organisational policy where the treatment is directly related to a current or former employment relationship between the College and employee. The College handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*

### **How Will the College use the Personal Information you Provide?**

The College 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/Guardians**

In relation to personal information of students and Parents, the College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying the needs of parents, the needs of the student and the needs of the College throughout the whole period the student is enrolled at the College.

The purposes for which the College uses personal information of students and parents include:

- keeping parents informed about matters related to their daughter's schooling through correspondence, newsletters and magazines;
- day-to-day administration of the College;
- looking after student's educational, social and medical wellbeing;
- seeking donations and marketing for the College;
- satisfying the College's legal obligations and allowing the College to discharge its duty of care.

In some cases where the College requests personal information about a student or parent, if the information requested is not provided, the College may not be able to enrol or process the enrolment of the pupil or permit the student to take part in a particular activity.



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### **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.

The purposes for which the College uses personal information of job applicants, staff members and contractors include:

- administering the individual's employment or contract;
- for insurance purposes;
- seeking donations and marketing for the College;
- to satisfy the College's legal obligations, for example, in relation to child protection legislation.

### **Volunteers**

The College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities, such as Past Students' Association.

### **Marketing and Fundraising**

The College treats marketing and seeking donations for the future growth and development of the College as an important part of ensuring that the College continues to provide a quality learning environment in which both students and staff thrive. Personal information held by the College may be disclosed to organisations that assist in the College's fundraising: for example, the College's Past Students' 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 which include personal information may be used for marketing purposes.



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### **Who Might the College Disclose Personal Information to and Store Your Information With?**

The College may disclose personal information, including sensitive information, held about an individual to:

- another school for the purposes of processing an enrolment or upon transfer of a student to that school;
- government departments;
- medical practitioners;
- people providing services to the College, including specialist visiting teachers, counsellors and sports coaches, the Catholic Education Office Melbourne (CEOM), the Catholic Education Commission and other diocese;
- recipients of College publications;
- Parents;
- anyone you authorise the College to disclose information to;
- anyone to whom we are required to disclose the information to by law.

### **Sending and Storing Information Overseas**

The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a College exchange. However, the 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) or
- otherwise complying with the *Australian Privacy Principles* or other applicable privacy legislation.

The College may also store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.\*\*

### **How Does the College Treat Sensitive Information?**

In referring to 'sensitive information', the 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.



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### Management and Security of Personal Information

The College's staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals.

The College has in place steps to protect the personal information the 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.

### Eligible data breach under the Notifiable Data Breaches scheme (Scheme)

The College is required to mandatorily report eligible data breaches to particular individuals and to the Office of the Australian Information Commissioner (**OAIC**). An eligible data breach will occur if

- (a) there is unauthorised access to, unauthorised disclosure of, loss of, personal information held by the school; and
- (b) a reasonable person would conclude that access, disclosure or loss would be likely to result in serious harm to any of the individuals to whom the information relates.

The College has implemented a Data Breach Response Plan (**Plan**) which is intended to enable the College to contain, assess and respond to data breaches in a timely manner and to develop processes to assist the College to respond to a data breach. The Plan also assists the College to meet its obligations under the scheme, to ensure that affected individuals are notified about serious data breaches as well as the OAIC. The scheme is to be administered by the OAIC.

A data breach is eligible if it is likely to result in serious harm to any of the individuals to whom the information relates. Examples of serious harm as a result of a data breach are malicious action such as theft of laptops containing personal information or 'hacking' of databases that contain personal information, but may also arise from internal errors or failures to follow information handling policies. Each of these examples may give rise to an obligation on the College to comply with the requirements of this Scheme.

In deciding whether a reasonable person would conclude that a data breach would be likely to result in serious harm to an individual, the following factors may need to be considered:

- the kind of information
  - the sensitivity of the information
  - the extent to which the information is protected by security measures, eg encryption
  - the kind of persons who have obtained, or could obtain the information
  - the nature of the harm an individual could suffer (consider whether an individual might suffer physical, psychological, emotional or financial harm or harm to reputation).
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If the College is aware that there are reasonable grounds to suspect that a data breach may have occurred, it is required to carry out a reasonable and expeditious assessment to ascertain whether a breach did in fact occur and this must happen within 30 days.

Attached to this Policy is the Plan.

### **Access and Correction of Personal Information**

Under the *Commonwealth Privacy Act* and the *Health Records Act*, an individual has the right to obtain access to any personal information which the College holds about them and to advise the College of any inaccuracies, (such as their date of birth or address). Students will generally be able to access and update their personal information through their parents, but older students can seek access and correction themselves.

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

Personal and medical information about students is managed by parents through the third party provider, CareMonkey. Parents make changes to this information themselves.

To make a request to access to information the College holds about you or your daughter, please contact the College Principal in writing. The College may require you to verify your identity and specify what information you require. The 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, the 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.

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 the student.



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### **Consent and Rights of Access to the Personal Information of Students**

The College respects every parent's right to make decisions concerning their daughter's education.

Generally, the College will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. The 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.

The College may, at its discretion, on the request of a student grant that student access to information held by the 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 so warranted.

### **Enquiries and Complaints**

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



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<b>Responsible Officer</b>	The Principal
<b>Approved By</b>	The Risk & Compliance Manager
<b>Approved &amp; Commenced</b>	22 February 2018
<b>Review By</b>	The Principal
<b>Relevant Legislation</b>	Health Records Act 2001 (Vic.) Privacy and Data Protection Act 2014 (Vic ) Victorian Health Records Act 2001. Part IIIC of the Privacy Act 1988 Privacy Amendment (Notifiable Data Breaches) Act 2017
<b>Related Policies &amp; Procedures</b>	<p><b>CECV Policies</b></p> <p>1.123 Privacy Policy of the Catholic Education Commission of Victoria Ltd (CECV 2016)</p> <p><b>Catholic Education Melbourne Policies</b></p> <ul style="list-style-type: none"> <li>• Policy 2.21 Privacy Policy</li> </ul> <p>Grievance Procedures ICT Staff Policy ICT Student Policy Volunteer’s Policy IT Disaster Recovery Plan Business Continuity Plan</p>
<b>Version</b>	3
<b>Amendments to Version</b>	