PRIVACY POLICY

St Martin de Porres School

DATE: MARCH 2014
REVIEW DATE: MARCH 2018
1. PURPOSE

St Martin de Porres School (SMdPS) is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. This policy sets out how SMdPS uses and manages the personal information provided to or collected by it.

SMdPS may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to schools' operations and practices and to make sure it remains appropriate to the changing school environment.

2. SCOPE

This Policy applies to the South Australian Commission for Catholic Schools Inc. (SACCS) and its Committees.

3. DEFINITIONS

'SMdPS' St Martin de Porres School

'School or CEO' includes all Catholic Schools in South Australia and the Catholic Education Offices at Adelaide and Port Pirie (CEO), as well as sites on which staff employed in Catholic Education SA or others engaged in duties or activities such as excursions or conference attendance sanctioned by their School or CEO.

'Staff' means staff employed by SMdPS, any Catholic School or Catholic Education Office.

'SACCS' The South Australian Commission for Catholic School

4. POLICY

4.1 What kinds of personal information does SMdPS collect and how does it collect it?

The type of information SMdPS 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 a Catholic school in South Australia;
- job applicants, staff members, volunteers and contractors; and
- other people who come into contact with SMdPS.

4.1.1 Personal Information you provide: SMdPS 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.
4.1.2 Personal Information provided by other people: In some circumstances SMdPS 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 a school.

4.2 How will SMdPS use the personal information you provide?

SMdPS will use personal information it collects from you for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which you have consented.

4.3 Students and Parents: In relation to personal information of students and parents, SMdPS primary purpose of collection is to enable to provide schooling for students. This includes satisfying the needs of Parents, the needs of students throughout the whole period the student is enrolled at a Catholic school in South Australia.

The purposes for which SMdPS uses personal information of students and Parents include:

- to keep Parents informed about matters related to Catholic schooling, through correspondence, newsletters and magazines;
- looking after students' educational, social, spiritual and medical wellbeing;
- seeking donations and marketing for the school; and
- to contribute to aggregated data that SMdPS may require from time to time to meet their reporting, planning, contract and funding responsibilities on behalf of Schools;
- to satisfy SMdPS legal obligations and allow SMdPS to discharge its duty of care. In some cases where SMdPS requests personal information about a student or Parent, if the information requested is not obtained, SMdPS may not be able to meet its legal obligations or to enable a quality learning environment for students.

4.4 Job applicants, staff members and contractors: In relation to personal information of job applicants, staff members and contractors, SMdPS 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 SMdPS 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 funds and marketing for SMdPS
• to contribute to aggregated data that SMdPS uses to meet its reporting, planning, contract and funding responsibilities;
• to enable SMdPS to maintain necessary staff information for entitlements including long service leave, maternity leave, workers compensation and other necessary industrial or employment purposes, and for accreditation and funding purposes.
• to satisfy SMdPS legal obligations, for example, in relation to child protection legislation.

4.5 Volunteers: SMdPS also obtains personal information about volunteers who assist SMdPS in its functions or conduct associated activities, such as to enable SMdPS and the volunteers to work together.

4.6 Marketing and fundraising: SMdPS treats marketing and seeking donations for the future growth and development of SMdPS as an important part of ensuring that SMdPS continues to enable a quality learning environment in schools in which both students and staff thrive. Personal information held by SMdPS may be disclosed to an organisation that assists in SMdPS fundraising.

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

4.7 Exception in relation to related schools: The Privacy Act allows each Catholic school, being legally related to each of the other Catholic schools, to share personal (but not sensitive) information. The other schools may then only use this personal information for the purpose for which it was originally collected by SMdPS. This allows schools to transfer information between them, for example, when a student transfers from one school to another school.

4.8 To whom might SMdPS disclose personal information?

SMdPS may disclose personal information, including sensitive information, held about an individual to:
• a school operated by the Catholic Church Endowment Society (Archdiocese of Adelaide) or the Diocese of Port Pirie;
• Catholic Education Office in South Australia
• government departments;
• Catholic parishes;
• people providing services to SMdPS;
• recipients of SMdPS publications, such as newsletters and magazines;
• Parents;
• anyone you authorise SMdPS to disclose information to; and
• anyone to whom we are required to disclose the information by law.

4.8.1 Sending information overseas: SMdPS may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers which are situated outside Australia. However, SMdPS 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.

4.9 How does SMDPS treat sensitive information?

In referring to 'sensitive information', SMdPS 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.

4.10 Management and security of personal information

SMdPS staff are required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals.

• SMdPS has in place steps to protect the personal information held 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.

4.11 Access and correction of personal information

Under the Commonwealth Privacy Act, an individual has the right to obtain access to any personal information which SMdPS holds about them and to advise SMdPS 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.

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

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

SMdPS may require you to verify your identity and specify what information you require. SMdPS may charge a fee to cover the cost of verifying your application and locating, reviewing, reviewing and copying any material requested. If the information sought is extensive, SMdPS 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.

4.12 Consent and rights of access to the personal information of students

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

Generally, SMdPS will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. SMdPS 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 SMdPS about them or their child by contacting the 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 SMdPS duty of care to the student.

SMdPS may, at its discretion, on the request of a student grant that student access to information held by SMdPS 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.

4.13 Enquiries

If you would like further information about the way SMdPS manages the personal information it holds please contact the Principal.

5. CONSEQUENCES OF A BREACH

If you wish to complain that you believe SMdPS has breached the Australian Privacy Principles, please contact the Executive Officer at The Catholic Education Office (ph. 08 8301 6600). SACCs 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.
6. RELATED DOCUMENTS/LINKS

Privacy Amendment (Enhancing Privacy Protection) Bill 2012

National Catholic Education Commission and National Council of Independent Schools' Association Privacy Compliance Manual September 2013
CESA privacy collection

Office of the Federal Privacy Commissioner
www.privacy.gov.au

Privacy Collection - Policy and collection notice templates for schools, privacy information for enrolments, employees, volunteers, contractors, etc.
CESA privacy collection

ENDORSEMENT DETAILS

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