



## YOUR PRIVACY IS IMPORTANT

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

The School is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988. In relation to health records, the School is also bound by the Health Privacy Principles which are contained in the Health Records and Information Privacy Act 2002 (NSW) (Health Records 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 KIND 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 and other sensitive information, about:

- students and parents and/or guardians ('parents') before, during and after the course of a student's application and/or enrolment at the School, including but not limited to:
  - name, contact details (including family members & next of kin), date of birth, gender, language background, previous school and religion;
  - photo's for identification purposes
  - 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;
  - referee details;
  - counselling reports;
  - health fund details and Medicare number;
  - any court orders;
  - volunteering information; and
  - photos and videos at School events and related school activities.
- job applicants, staff members, volunteers, council members and contractors, before during and after period of engagement, including but not limited to:
  - name, contact details (including family members & next of kin), date of birth, and religion;

- photo's for identification purposes;
- information on job application;
- professional development history;
- referee details;
- 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 and related school activities;
- workplace surveillance information; and
- work emails and private emails (when using work email address) and Internet browsing history; and
- other people who come into contact with the School, including name, contact details, photos for identification purposes and any other information necessary for the particular contact with the School.

It is noted that employee records are not covered by the Australian Privacy Principles or the Health Privacy Principles where they relate to current or former employment relations between the School and the employee.

How the School collects personal information is dependent upon whose information is being collected. If it is reasonable and practical to do so, personal information will be collected directly from the person whom the information is about.

Where possible the School has attempted to standardise the collection of personal information by using specifically designed forms (e.g. an Enrolment Form). However, given the nature of the School's operations, personal information may be received by email, letters, notes, over the telephone, in face to face meetings, through financial transactions and through surveillance activities such as the use of CCTV security cameras or email monitoring.

The School may also collect personal information from other people (e.g. a personal reference) or independent sources (e.g. a telephone directory or social media; if available), however the School will only do so where it is not reasonable and practical to collect the information directly.

Sometimes, the School may be provided with personal information without having sought it through normal means of collection. This is referred to as "unsolicited information". Where the School collects unsolicited information, it will only be held, used and/or disclosed where information could

have been collected it by normal means. If the unsolicited information could not have been collected by normal means then the School will destroy it, permanently delete or de-identify the information as appropriate.

## 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 student support or employment and/or contractual requirements as well as for such other secondary purposes that are related to the primary purpose of collection for student support and employment/contractual requirements and reasonably expected by you, or to which you have consented as set out in this policy.

**Students and parents:** In relation to personal information, the School's primary purpose of collection is to enable the School to provide educational services 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 includes but is not limited to the following:

- 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, pastoral, social and medical wellbeing;
- support the activities of the Schools associations like the Parents & Friends Association including the distribution of a parent's contact details on a class contact list;
- supporting community-based causes and activities, charities and other causes in connection with the School's functions and activities;
- helping the School improve its day to day operations including training staff, systems development, developing new programs and services, undertaking planning, research and statistical analysis;
- marketing of the School;
- seeking donations for the benefit of the School; and
- to satisfy the School's legal and insurance obligations and allow the School to discharge its duty of care at law.

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 a student to take part in a particular activity.

**Job applicants and contractors:** In relation to personal information of job applicants and contractors, the School's primary purpose of collection is to assess and (if successful) to engage the applicant or contractor, as the case may be.

The purposes for which the School uses personal information of job applicants and contractors include:

- administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking donations and marketing for the School; and
- satisfying the School's legal and insurance obligations, for example, in relation to child protection legislation.

Information collected from unsuccessful applicants will be destroyed after a period of 12 months from time of application.

**Volunteers:** The School also obtains personal information about volunteers including alumni who assist the School in its functions or conduct associated activities to enable the School and the volunteers to work together.

**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 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 third party organisations that assist in the School's fundraising. This may include the School's Alumni Association and other third-party organisations with respect to this information which would be used for the restricted purposes of fundraising and marketing.

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.

The School will only use or disclose personal information to third parties (who have privacy policies compliant with Australian Privacy Principles or similar policies) for a secondary purpose if it is reasonable to expect the School to use or disclose the information and the secondary purpose is directly related to the primary purpose.

## WHO MIGHT THE SCHOOL DISCLOSE PERSONAL INFORMATION TO?

The School may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes. This may include to:

- other schools and teachers at those schools;
- government agencies (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, and counsellors;
- providers of specialist advisory services and assistance to the School, including in the area of Human Resources, child protection and students with additional needs;
- 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; and
- anyone to whom the school is required or authorised to disclose the information to by law, including child protection laws.

If one or more of the following apply:

- you have consented;
- you would reasonably expect the School to use or disclose your personal information in this way;
- the School is authorised or required to do so by law;
- disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety;
- where another permitted general situation or permitted health situation exception applies;
- disclosure is reasonably necessary for a law enforcement related activity.

**Personal Information of Students:** The Privacy Act does not differentiate between adults and children and does not specify an age after which individuals can make their own decisions with respect to their personal information.

The School takes a common-sense approach to dealing with a student's personal information and generally will refer any requests for personal information to a student's parents/carers. The School treats notices provided to parents/carers as notices provided to students and will treat consents provided by parents/carers as consents provided by a student.

The School is cognisant of the fact that children do have rights under the Privacy Act, and that in certain circumstances (especially when dealing with older students and especially when dealing with personal information), it will be appropriate to seek and obtain consents directly

from students. The School acknowledges that there may be occasions where a student may give or withhold consent with respect to the use of their personal information independently from their parents/carers.

There may also be occasions where parents/carers are denied access to information with respect to their children, because to provide such information would have an unreasonable impact on the privacy of others or result in a breach of the School's duty of care to the student.

**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); or
- being satisfied that the overseas recipient is compliant with the Australian Privacy Principles, or a similar privacy regime; or
- having formed the opinion that the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety; or
- taking appropriate action in relation to suspected unlawful activity or serious misconduct.

The School may use online or 'cloud' service providers to store and manage 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 and/or managed in the 'cloud' which means that it may reside on a cloud service provider's server which may be situated outside Australia. The School will ensure that each service provider has a privacy policy which complies with the Australian Privacy Principles or similar policies where it is a provider outside Australia.

### HOW DOES THE SCHOOL TREAT 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 allowed by law.

## THE QUALITY OF YOUR PERSONAL INFORMATION

The School will take all reasonable steps to ensure the personal information held, used and disclosed is accurate, complete and up to date. These steps include ensuring that the personal information is accurate, complete and up to date at the time of collection and when being used or disclosed. On an ongoing basis the School will maintain and update personal information when advised by individuals or when made aware through other means that personal information has changed.

Please contact the School if any of the details you have provided change. You should also contact the School if you believe that the information held about you is not accurate, complete or up to date.

## 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.

## ACCESS AND CORRECTION OF PERSONAL INFORMATION

Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to seek and obtain access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy. 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 to update any personal information the School holds about you or your child, please contact the School by email, telephone or in writing. The School may 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 the School cannot provide access to that information, it will provide you with written notice explaining the reasons for refusal.

## 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 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 the School about them or their child by contacting the School by telephone, email or in writing.

However, there may 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.

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

## ENQUIRIES AND COMPLAINTS

If you would like further information about the way the School manages the personal information, it holds or wish to complain that you believe that the School has breached the Australian Privacy Principles please contact the School via email, in writing or telephone. The School 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.

## CONTACT DETAILS

You can contact the School about this Policy or about personal information by:

Email: [privacy@arden.nsw.edu.au](mailto:privacy@arden.nsw.edu.au)

Telephone: 02 9484 1146

Writing to our Privacy Officer at:

P O Box 23

BEECROFT NSW 2119