



## PRIVACY POLICY & PROCESURES

Drafted By:	Business Manager	Board Ratified	June 2018
Responsibility:	Management Team	Scheduled review Date:	July 2021
Updated by:		Amendments made:	

### 1. INTRODUCTION

This Privacy Policy sets out how Mumbulla School for Rudolf Steiner Education Ltd (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. In relation to health records the School is also bound by the New South Wales Health Privacy Principles which are contained in the *Health Records and Information Privacy Act 2002* (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.

A vast array of personal information is obtained and kept by Mumbulla School about students, former students, parents and staff. For example, contact details, bank details, family information, medical records, photos. For this reason, it is paramount for Mumbulla School to practice privacy everyday to ensure that the collection, storage, use and disclosure of information about all its stakeholders complies with the Privacy Act and the Australian Privacy Principles (APPs).

### 2. PURPOSE

The type of information the School collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about:

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

**Personal Information you provide:** The School will generally collect personal information held about an individual by way of forms filled out by Parents or pupils, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than Parents and pupils provide personal information.

**Personal Information provided by other people:** In some circumstances the School 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.

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

### **3. PURPOSE INFORMATION USED**

The School 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.

***Pupils and Parents:*** In relation to personal information of pupils and Parents, a school's primary purpose of collection is to enable the School to provide schooling for the pupil. This includes satisfying the needs of Parents, the needs of the pupil and the needs of the School throughout the whole period the pupil is enrolled at the School. The purposes for which the School uses personal information of pupils 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 pupils' educational, social, spiritual and medical wellbeing;
- seeking donations and marketing for the School; and
- to satisfy the School's legal obligations and allow the school to discharge its duty of care.

In some cases where the School requests personal information about a pupil or Parent, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the pupil or permit the pupil 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, the School'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 the School 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 the School; and
- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

***Volunteers:*** The School also obtains personal information about volunteers 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 that the School continues to be a quality learning environment in which both pupils and staff thrive. Personal information held by the School may be disclosed to an organisation that assists in the School's fundraising, for example, the school's Foundation or alumni organisation or, on occasions, external fundraising organisations. 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.

### **4. DISCLOSURE OF PERSONAL INFORMATION AND STORAGE**

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

- another school;
- government departments;
- medical practitioners;
- people providing services to the School, including specialist visiting teachers, counsellors and sports coaches;
- recipients of School publications, such as newsletters and magazines;
- Parents;
- anyone you authorise the school to disclose information to; and
- anyone to whom we are required to disclose the information by law.

***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:

- a. obtaining the consent of the individual (in some cases this consent will be implied); or
- b. otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

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

## **5. TREATMENT OF 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.

## **6. MANAGEMENT OF SECURITY AND PERSONAL INFORMATION**

The School's staff are required to respect the confidentiality of pupils' 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.

## **7. ACCESS AND CORRECTION OF PERSONAL INFORMATION**

Under the Commonwealth Privacy Act and Health Records Act, an individual has the right to obtain access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Pupils will generally be able to access and update their personal information through their Parents.

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

To make a request to access or update any personal information the School holds about you or your child, please contact the Education Manager 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 we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

## **8. CONSENT AND RIGHTS OF ACCESS TO THE PERSONAL INFORMATION OF PUPILS**

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 pupil to the pupil's Parents. The School will treat consent given by Parents as consent given on behalf of the pupil and notice to Parents will act as notice given to the pupil.

As mentioned above, parents may seek access to personal information held by the School about them or their child by contacting the Education Manager. 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 school's duty of care to the pupil.

**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 Business Manager. The School 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.

## **9. PROCEDURES**

### **a. Responsibilities**

1. The Business Manager will be the Privacy Officer, or appoint a delegate, to carry out any actions required.
2. A Privacy Information Audit will be undertaken noting the following of information on hand:
  - i) What personal information is collected;
  - ii) Why the information is collected;
  - iii) How the information is collected;
  - iv) How the personal information is stored and protected;
  - v) If the information is shared with a third party and, if so:
    - (1) How it is transmitted and
    - (2) How the third party protects the information, and
    - (3) When the information is destroyed and by what process.
3. Once an Inventory Audit is created, the inventory must be kept current. This will ensure compliance.
4. Guidelines have been established of how we should document on an ongoing process.
5. Staff Training will occur when this privacy program is initially implemented. New hires will be trained upon joining the organization as should contractors and temporary employees. Annual refresher sessions of every staff member will take place at the beginning of each school year. Completion of the training will be logged and maintained.
6. The School is responsible for data it collects and shares when it is provided to a third party for processing (eg, School Pro, MYOB, etc). To ensure that all third parties with whom the School shares information is protecting the data to our satisfaction, the School will consider the following:
  - Are the third parties meeting our policy requirements?
  - If not, are they willing to meet the new requirements?
  - If not, are there ways to remediate or compensate for the requirements in questions?
  - If not, is there a different third party you could use to meet the requirements?

The School will give notice to all third parties initially, and before contracting services for new providers, about our requirements.

7. The Privacy Notice will be posted on the School's website noting how the school values Privacy and the importance we place on protecting personal information. (See Section 9 above) It will give insight into
  - i) When the School collects personal information;
  - ii) Why the School collects personal information;
  - iii) What information is collected;
  - iv) How the School protects the information;
  - v) When the School shares the information, and
  - vi) What a parent/carer/past student should do if they think their information has been compromised.
8. This policy will be reviewed annually as the Privacy Laws and requirements change periodically.

## **10. APPLICATION OF THIS POLICY**

We seek the co-operation of all workers, students and their families and other persons.

This policy applies to all educational and business operations and functions, including those situations where staff, students and parents are required to work off-site.

## Appendix A

TASK	BY Whom?	Completed
Document a Privacy Program (why, what, how, who, when).	Business Manager	
Appoint a Privacy Officer	Business Manager	
Conduct a Personal Information Management Audit to test the security of personal information protection processes and procedures.	BM, or delegate	
Ensure standard contracts with third parties include language that requires your policies about privacy be adhered.	Business Manager	
Ensure all Information Collection Forms include a Privacy Collection Notice	Business Manager	
Ensure all direct marketing communications set out clear "opt out" provisions	Public Relations Group	
Ensure that your complaints and incident management systems are working	Education & Business Manager	
Review your Privacy Policy to ensure it reflects your approach to managing personal information, including your use of technology to collect or hold personal information	MGMT Team & ICT Administrator	
Train your staff on privacy issues	MGMT TEAM	
Publish your up-to-date Privacy Policy on your public website	ICT Administrator	

## Appendix B

### Standard Collection of Information Notice for website publication

2. The School collects personal information, including sensitive information about pupils and parents or guardians before and during the course of a pupil's enrolment at the School. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the School to provide schooling to the pupil and to enable them to take part in all the activities of the School.
3. Some of the information we collect is to satisfy the School's legal obligations, particularly to enable the School to discharge its duty of care.
4. 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.
5. Health information about pupils is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. We may ask you to provide medical reports about pupils from time to time.
6. The School from time to time discloses personal and sensitive information to others for administrative and educational purposes, including facilitating the transfer of a pupil to another school. This includes to other schools, government departments, medical practitioners, and people providing services to the School, including specialist visiting teachers, volunteers and counsellors.
7. Personal information collected from pupils is regularly disclosed to their parents or guardians.
8. The School may store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.
9. The School's Privacy Policy sets out how parents or pupils may seek access to personal information collected about them. However, there will be occasions when 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's duty of care to the pupil, or where pupils have provided information in confidence.
10. The School's Privacy Policy also sets out how you may complain about a breach of privacy and how the School will deal with such a complaint.
11. As you may know the School 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'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.
12. On occasions information such as academic and sporting achievements, pupil activities and similar news is published in School newsletters and magazines and on our website. Photographs of pupil activities such as sporting events, school camps and school excursions may be taken for publication in School newsletters and magazines and on our intranet. The School will obtain separate permissions from the pupils' parent or guardian prior to publication if we would like to include photographs or other identifying material in promotional material for the school or otherwise make it available to the public such as on the internet.
13. We may include pupils' and pupils' parents' contact details in a class list.
14. If you provide the School 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 and why, that they can access that information if they wish and that the School does not usually disclose this information to third parties.