

Privacy Policy

Introduction

The purpose of this policy is to ensure that in the course of Emmaus College activities we manage and protect personal information in accordance with the Privacy Act 1988 (Cth) (**Privacy Act**) and the 13 Australian Privacy Principles (APPs).

This policy outlines the circumstances in which we obtain personal information, how we use that information and how we manage requests to access and or change that information.

This policy applies to all staff, volunteers and contractors of Emmaus College and its related bodies.

What is personal information and how do we collect it?

Personal information is information or an opinion about an individual from which they can be reasonably identified. Depending on the circumstances, we may collect personal information from an individual in their capacity as a student, contractor, volunteer, stakeholder, job applicant or in some other capacity.

In the course of providing services we may collect and hold:

- **Personal Information** including names, addresses and other contact details; dates of birth; and financial information.
- **Sensitive Information** including government identifiers (such as TFN), nationality, country of birth, professional memberships, family court orders and criminal records.
- **Health Information** (particularly in relation to prospective staff and customer records) including medical records, disabilities, immunisation details and psychological reports.

As part of our recruitment processes for employees, contractors and volunteers, we may collect and hold:

- **Personal Information** including names, addresses and other contact details; dates of birth, financial information, citizenship and driver's license information.
- **Sensitive Information** including government identifiers (such as TFN), nationality, country of birth, professional memberships, family court orders and criminal records.
- **Health Information** (particularly in relation to prospective staff) including medical records, disabilities, immunisation details and psychological reports.

Generally, we will seek consent from the individual in writing before we collect their sensitive information (including health information)

Collection of Personal Information

The collection of personal information depends on the circumstances in which Emmaus College is collecting it. If it is reasonable and practicable to do so, we collect personal information directly from the individual.

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. The type of information the School may collect from another school may include;

- academic records and or achievement levels
 - information that may be relevant to assisting the new school meet the needs of the student including any adjustments
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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's treatment of an employee record where the treatment is directly related to a current or former employment relationship between the College and an employee. The School handles staff health records in accordance with the Health Privacy Principles in the Health Records Act 2001 (Vic)

Anonymity

The College needs to be able to identify individuals with whom it interacts and to collect identifiable information about them to facilitate the delivery of schooling to its students and its educational and support services, conduct the job application process and fulfil other obligations and processes. However, in some limited circumstances some activities and interactions with the School may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

Solicited Information

Emmaus College has, where possible, attempted to standardize the collection of personal information by using specifically designed forms (e.g. our Enrolment Application Forms). However, given the nature of our operations we often also receive personal information by email, letters, notes, via our website, over the telephone, in face to face meetings and through financial transactions.

We may also collect personal information from other people (e.g. a third party administrator, referees for prospective employees) or independent sources. However, we will only do so where it is not reasonable and practicable to collect the personal information from the individual directly.

Information Collected from our Website

We may collect information based on how individuals use our website. We use "cookies" and other data collection methods to collect information on website activity such as the number of visitors, the number of pages viewed and the internet advertisements which bring visitors to our website. This information is collected to analyse and improve our website, marketing campaigns and to record statistics on web traffic. We do not use this information to personally identify individuals.

Unsolicited information

Emmaus College may be provided with personal information without having sought it through our normal means of collection. This is known as "unsolicited information" and is often collected by:

- Misdirected postal mail – letters, notes, documents
- Misdirected electronic mail – emails, electronic messages
- Employment applications sent to us that are not in response to an advertised vacancy
- Additional information provided to us which was not requested

Unsolicited information obtained by Emmaus College will only be held, used and or disclosed if it is considered as personal information that could have been collected by normal means. If that unsolicited information could not have been collected by normal means then we will destroy, permanently delete or de-identify the personal information as appropriate.

How do we use personal information?

Emmaus College only uses personal information that is reasonably necessary for one or more of our functions or activities (the primary purpose) or for a related secondary purpose that would be reasonably expected by the individual, or for an activity or purpose to which the individual has consented.

We only collect sensitive information if it is:

- reasonably necessary for one or more of these functions or activities, and we have the individuals consent
 - necessary to lessen or prevent a serious threat to life, health or safety
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- another permitted general situation
- another permitted health situation.

We may share sensitive information to other entities in our company group, but only if necessary for us to provide our products or services.

Students and Parents:

In relation to personal information of students and Parents, the School's primary purpose of collection is to enable the School to provide schooling to students enrolled at the School (including educational and support services for the student), 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 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 of the School
- looking after students' educational, social and medical wellbeing
- seeking donations and marketing for the School
- seeking feedback from students and parents on school performance and improvement, [including through school improvement surveys](#).
- to satisfy the School's legal obligations and allow the School to discharge its duty of care.
- to satisfy the School service providers' legal obligations, including the Catholic Education Commission of Victoria Ltd (CECV) and the Catholic Education Offices.

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 the student to take part in a particular activity.

We will only use or disclose sensitive or health information for a secondary purpose if you would reasonably expect us to use or disclose the information and the secondary purpose is directly related to the primary purpose.

We may share personal information to related bodies corporate, but only if necessary for us to provide our services.

The College may disclose information about an individual to overseas recipients only when it is necessary, for example to facilitate a student exchange program. The College will not however send information about an individual outside of Australia without their consent.

School Counsellors

The College employs counsellors to provide counselling services to students. The Principal (or his delegate) may require the Counsellor to inform him or her or other teachers of any issues the Principal (or his delegate) and the Counsellor believe may be necessary for the College to know for the wellbeing or development of the student who is counselled or other students at the College.

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
- satisfying 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, to confirm their suitability and to manage their visits.

Marketing and Fundraisers

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 provide a quality learning environment in which both students and staff thrive. Personal information held by the School may be disclosed to organisations that assist 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 and sometimes people's images, may be used for marketing purposes.

Disclosure of Personal Information

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

- **School service providers** which provide educational, support and health services to the School, (either at the School or off campus) including the Catholic Education Commission of Victoria Ltd (CECV), Catholic Education Offices, specialist visiting teachers, volunteers, counsellors, sports coaches and providers of learning and assessment tools
- **third party service providers** that provide online educational and assessment support services, **services in relation to school improvement surveys**, document and data management services, or applications to schools and school systems including the Integrated Catholic Online Network (ICON) where necessary, to support the training of selected staff in the use of these services.
- **CECV, and Catholic Education offices**, to discharge its responsibilities under the Australian Education Regulation 2013 (Regulation) and the Australian Education Act 2013 (Cth) (AE Act) relating to students with a disability.
- **other third parties** which the school uses to support or enhance the educational or pastoral care services for its students or to facilitate communications with Parents
- **another school** including to its teachers to facilitate the transfer of a student
- Federal and State government departments and agencies
- health service providers
- **recipients of School publications**, such as newsletters and magazines
- student's parents or guardians and their emergency contacts
- **assessment and educational authorities** including the Australian Curriculum, Assessment and Reporting Authority
- anyone you authorise the School to disclose information to
- anyone who we are required or authorised to disclose the information to by law, including child protection laws.

Nationally Consistent Collection of Data on School Students with a Disability

The College is required by the Federal Australian Education Regulation (2013) and the Australian Education Act 2013 (Cth) (AE Act) to collect and disclose certain information under the Nationally Consistent Collection of Data (NCCD) on students with a disability. The school provides the required information at an individual student level to the Catholic Education Offices and the CECV, as an approved authority. Approved authorities must comply with reporting, record keeping and data quality assurance obligations under the NCCD. Student information provided to the federal government for the purpose of the NCCD does not explicitly identify any student.

Disclosure of your personal information to overseas recipients

The College may disclose personal information about an individual to overseas recipients, for instance to facilitate an overseas exchange. However, the College will not send personal information about an individual outside Australia without:

- Obtaining the consent of the individual; or
- Otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

Personal information about an individual may be disclosed to an overseas organisation in the course of providing our services, for example when storing information with a "cloud service provider" which stores data outside of Australia.

We will however take all reasonable steps not to disclose an individual's personal information to overseas recipients unless:

- we have the individual's consent (which may be implied);
- we have satisfied ourselves that the overseas recipient is compliant with the Australian Privacy Principles, or a similar privacy regime;
- we form 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
- we are taking appropriate action in relation to suspected unlawful activity or serious misconduct.

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.

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. This includes responding to any incidents which may affect the security of the personal information it holds. If we assess that anyone whose information is affected by such a breach is likely to suffer serious harm as a result, we will notify them and the Office of the Australian Information Commissioner of the breach.

It is recommended that parents and the school community adopt secure practices to protect themselves. You should ensure that all passwords you use are strong and regularly updated and that your log in details are kept secure. Do not share your personal information with anyone without first verifying their identity

and organisation. If you believe any of your personal information has been compromised, please let the School know immediately.

Access and correction of personal information

We take all reasonable steps to ensure the personal information we hold, use and disclose is accurate, complete and up-to-date, including at the time of using or disclosing the information.

If Emmaus College becomes aware that the Personal Information is incorrect or out of date, we will take reasonable steps to rectify the incorrect or out of date information.

Individuals may submit a request to us to access the personal information we hold, or request that we change the personal information. Upon receiving such a request, we will take steps to verify the individual's identity before granting access or correcting the information.

If we reject the request, you will be notified accordingly. Where appropriate, we will provide the reason/s for our decision. If the rejection relates to a request to change personal information, an individual may make a statement about the requested change and we will attach this to their record.

Complaints

An individual can make a complaint about how Emmaus College manages personal information by notifying us in writing as soon as possible. We will respond to the complaint within a reasonable time (usually no longer than 30 days) and we make seek further information in order to provide a full and complete response.

The College does not charge a fee for the handling of complaints. If the individual is not satisfied with our response, they may refer the complaint to the OAIC. A complaint can be made using the OAIC online [Privacy Complaint form](#) or by mail, fax or email.

A referral to OAIC should be a last resort once all other avenues of resolution have been exhausted.

How to contact us

Emmaus College can be contacted about this Privacy Policy or about personal information generally, by:

- Emailing [privacy@emmaus.vic.edu.au]
- Calling **98453376**
- Writing to our Privacy Officer at Emmaus College Vermont South 503 Springvale Road Vermont South 3133.

If practical, you can contact us anonymously (i.e. without identifying yourself) or by using a pseudonym. However, if you choose not to identify yourself, we may not be able to give you the information or provide the assistance you might otherwise receive if it is not practical to do so.

Changes to our Privacy and Information Handling Practices

The College 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. Please check our Privacy Policy on our website www.emmaus.vic.edu.au regularly for any changes.

Relevant Legislation

Australian Education Act (2013) (Cth) (AE Act)

Federal Australian Regulation (2013)

Health Records Act 2001 (Vic)

Privacy Act 1988 (Cth)

References

Please click the links below to access these resources.

Australian Privacy Principles (APPs)

Health Privacy Principles

Nationally Consistent Collection of Data (School Students with Disability) (NCCD)

Privacy Compliance Manual – Independent Schools Council of Australia and National Catholic Education Commission ©ISCA & CEC

Review

This Privacy Policy was approved by the Board in May 2019. It has been reviewed in line with the Circular to Principals of Catholic Schools in the Archdiocese of Melbourne 26 April 2019.ⁱ

ⁱ Amendments to this document cover the use and disclosure of personal information in relation to the Catholic Education Melbourne School Improvement Surveys (CEMSIS), including provision of data to a third party engaged for this purpose and the Privacy policy template provided.