

# POLICY: Privacy

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## 1. PURPOSE

Brisbane Catholic Education (BCE) is responsible for the administration of approximately 140 Catholic primary and secondary schools and colleges within the Archdiocese of Brisbane.

This Privacy Policy applies to schools administered by BCE and the BCE Office (BCEO) and sets out how each school and BCEO manage personal information which is provided to or collected by it.

## 2. RATIONALE

BCE is bound by the Australian Privacy Principles contained in the *Privacy Act 1988 (Cth)* and as such 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 ensure it remains appropriate to the changing school environment.

## 3. POLICY STATEMENT

**Brisbane Catholic Education will collect, hold, use and disclose personal information, as set out in this Privacy Policy.**

### **What kinds of personal information does a school collect and how does a school collect it?**

The type of information schools collect and hold 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 school, including;
  - name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
  - 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 behavior notes, and school reports;
  - information about referrals to government welfare agencies;
  - counselling reports;
  - health fund details and Medicare number;
  - any court orders;
  - volunteering information;
  - photos and videos at school events;
- Job applicants, staff members, volunteers and contractors, including:
  - name, contact details (including next of kin), date of birth and religion;
  - information on job application;
  - professional development history;
  - 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;
  - workplace surveillance information;
  - work emails and private emails (when using work email address) and Internet browsing history; and

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- Other people who come into contact with the school, including name and contact details and any other information necessary for the particular contact with the school.

**Personal information you provide:** A school 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.

**Personal information provided by other people:** In some circumstances, a 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 1988 (Cth)*, the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to BCE's treatment of an employee record where the treatment is directly related to a current or former employment relationship between the school and an employee.

### How will a school use the personal information you provide?

A 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 for which you have consented.

**Students and Parents:** In relation to personal information of students and Parents, a BCE school's primary purpose of collection is to enable the school to provide a quality Catholic education to 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 BCE and the school throughout the whole period the student is enrolled at the school.

The purposes for which BCE and its schools use 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;
- looking after students' educational, social, spiritual and medical well-being;
- seeking donations and marketing for the school; and
- to satisfy BCE's and the school's legal obligations and allow the school to discharge its duty of care.

In some cases where a school requests personal information about a student or Parent, if the information requested is not obtained, 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.

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

The purposes for which BCE and a school use 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 BCE's and the school's legal obligations, for example, in relation to child protection legislation.

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**Volunteers:** A school also obtains personal information about volunteers who assist the school in its functions or conduct associated activities, such as alumni associations, to enable the school and the volunteers to work together.

**Marketing and fundraising:** BCE schools treat 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 students and staff thrive. Personal information held by a school may be disclosed to an organisation that assists in the school's fundraising, for example, the school's Foundation or alumni organisation, church and parish authorities or the Catholic Archdiocese of Brisbane.

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

**Exception in relation to related schools:** The *Privacy Act 1988 (Cth)* allows each school, being legally related to each of the other schools administered by BCE to share personal (but not sensitive) information with other BCE administered schools and colleges. Other schools administered by BCE may then only use this personal information for the purpose for which it was originally collected by the BCE school. This allows schools to transfer information between them, for example, when a student transfers from one BCE school to another.

### Who might a school disclose personal information to and store information with?

A 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 departments (including for policy and funding purposes);
- the Brisbane Catholic Education Office, the school's parish, and other related church agencies/entities;
- 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;
- Parents;
- anyone you authorise the school to disclose information to; and
- anyone to whom we are required to disclose information by law, including child protection laws.

**Sending and storing information overseas:** A school may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, a school will not send personal information about an individual outside Australia without:

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

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The school may use online or 'cloud' service providers to store 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 in the 'cloud' which means that it may reside on a cloud service provider's server which may be situated outside Australia.

An example of such a cloud service provider is Microsoft. Microsoft provides 'Office365' (O365) including email, file storage and processes limiting personal information for this purpose. School personnel, BCE and their service providers may have ability to access, monitor, use or disclose emails, communications (e.g. instant messaging), documents and associated administrative data for the purposes of administering O365 and ensuring its proper use.

### **How does a school treat sensitive information?**

In referring to 'sensitive information', a 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 sensitive information is allowed by law.

### **Management and security of personal information**

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

Each 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 *Privacy Act 1988 (Cth)*, an individual has the right to seek and obtain access to any personal information which BCE or a school holds about them and to advise BCE or the school 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 that BCE or a school holds about you or your child, please contact the school's Principal 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, where appropriate.

### **Consent and rights of access to the personal information of students**

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

Generally, a school will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. A 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.

As mentioned above, Parents may seek access to personal information held by a school or BCE about them or their child by contacting the school's Principal. However, there will be occasions when

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access is denied. Such occasions would include where the 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.

A 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 so warranted

### **Enquiries and complaints**

If you would like further information about the way BCE or a school manages the personal information it holds, or wish to make a complaint that you believe that BCE or a school has breached the Australian Privacy Principles, please contact the school's Principal. BCE or 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.

## **4. REFERENCES AND DEFINITIONS**

The *Privacy Act 1988 (Cth)*.