



Diocese of Broken Bay

**PRIVACY POLICY
FOR
DIOCESAN SYSTEMIC SCHOOLS**

February 2006

PURPOSE

This Privacy Policy applies to schools conducted by the Catholic Schools Office (“the CSO”) on behalf of the Trustees of the Diocese of Broken Bay (“the Diocese”). This statement outlines the Diocese's policy on how each school and the CSO uses and manages personal information provided to or collected by the CSO and the schools it administers. The CSO and schools are committed to compliance with the requirements of all relevant Commonwealth and State privacy legislation.

POLICY CONTENT

Definitions

In this policy:

“parents” includes parents and guardians;

“adult students” means students who are 18 years of age or older;

“school” or “schools” means schools owned by the Trustees of the Diocese of Broken Bay and administered by the Catholic Schools Office, Diocese of Broken Bay.

“sensitive information”, means information relating to a

- person's racial or ethnic origin
- political opinions
- religion
- trade union or other professional or trade association membership
- sexual preferences
- criminal record or
- health information about an individual.

Relevant Legislation

The CSO is committed to compliance with the following legislation –
The Privacy Amendment (Private Sector) Act 2000 (Commonwealth)
Health Records and Information Privacy Act 2002 (NSW)
as well as other legislative obligations that impact on the privacy of the individual.

Information covered by this Policy

The type of information schools collect and hold includes (but is not limited to) personal information, including sensitive information, about:

- pupils and 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 schools conducted by the Diocese.

Personal Information Schools Collect

Schools 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, and telephone calls.

Standard Collection Notice

The Standard Collection Notice must be provided to the parent/guardian when the school personnel first collect personal information.

On occasions people other than parents and pupils 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 the National Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the treatment by a school or the CSO of an employee record, where the treatment is directly related to a current or former employment relationship between the school and employee.

Use of Personal Information

A school will use personal information it collects for the primary purpose of education, and for such other secondary purposes that are related to the primary purpose of collection and may be reasonably expected, or which have been consented to.

Pupils and parents

A school's primary purpose for the collection of information is to enable it to provide schooling for the pupil. This includes satisfying both the needs of parents and the needs of the pupil throughout the whole period the pupil is enrolled at the school. The purposes for which a 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 well-being
- seeking donations and marketing for the school
- to satisfy the Diocese'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 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.

Job applicants, staff members and contractors

In relation to personal information of job applicants, staff members and contractors, a 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 a school uses personal information of job applicants, staff members and contractors include:

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

Volunteers

A school obtains personal information about volunteers who assist the school in its functions or who conduct associated activities, such as ex-student associations or parent associations, to enable the school and the volunteers to work together.

Marketing and fundraising

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. Personal information held by a school may be disclosed to an organisation that assists in the school's fundraising, for example, the school's ex-student or parent organisation.

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.

Exception in relation to related schools

As each school is owned by the same legal entity, namely the Trustees of the Diocese of Broken Bay, each school may share information with other schools conducted by the Diocese. Schools receiving this information may only use it for the same purpose as it was originally collected. This allows schools to transfer information between them, for example, when a pupil transfers from a Diocesan school to another Diocesan school.

Schools may also share personal (but not sensitive) information with other schools within the Diocese conducted by Catholic Religious Congregations.

Treatment of Sensitive Information

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless otherwise agreed by the person who provided the information, or where the use or disclosure of the sensitive information is allowed by law.

Disclosure of Personal Information by Schools

A school may disclose personal information, including sensitive information (with permission, as described above), held about an individual to:

- another school conducted by the Trustees of the Diocese of Broken Bay;
- another school which is not within the same system, only with permission;
- government departments;
- the local parish;
- medical practitioners;
- people providing services to the school, including specialist visiting teachers and sports coaches;
- recipients of school publications, like newsletters and magazines;
- parents; and
- anyone authorised by the person about whom the information was collected.

Sending information overseas

A 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
- otherwise complying with the National Privacy Principles and the NSW Health Privacy Principles.

Treatment of Sensitive Information

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless otherwise agreed by the person who provided the information, or where the use or disclosure of the sensitive information is allowed by law.

Management and Security of Personal Information

The Diocese's and the school's staff are required to respect the confidentiality of pupils' and parents' personal information and the privacy of individuals.

Each school is to have in place steps to protect the personal information the school holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and pass worded access rights to computerised records.

Updating Personal Information

Each school will endeavour to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by a school by contacting the School Principal or School Secretary at any time.

The National Privacy Principles and the NSW Health Privacy Principles require a school not to store personal information longer than necessary.

Individuals may seek access to the Personal Information held by a School or the CSO

Under the Commonwealth Privacy Act, and the Health Records and Information Privacy Act, an individual may seek access to any personal information that the CSO or a school holds about them and to advise the CSO or the school of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Pupils will generally have access to their personal information through their parents. Adult students have a right to seek access themselves.

The school or CSO may require an applicant to verify his or her identity and specify what information is required. The school or CSO may charge a fee to cover the cost of verifying the application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the school or the CSO will advise the likely cost in advance.

Consent and Access to the Personal Information of Pupils

The Diocese 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 pupil to the pupil's parents. A 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.

Parents may seek access to personal information held about them or their child by:

- a school by contacting the School's Principal or
- the CSO by contacting the Director of Schools or his/her nominee.

Access may be denied 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 or CSO's duty of care to the pupil.

A school may, at its discretion, on the request of a pupil grant that pupil access to information held by the school about them, or allow a pupil to give or withhold consent to the use of their personal information, independently of their parents. This would normally be done only in the case of an adult student or when the maturity of the pupil and/or the pupil's personal circumstances so warranted.

Links to Other Policies and Support Documents

- This policy provides guidelines for the access of student records in the context of proceedings conducted pursuant to the Diocesan Pastoral Care and Student Discipline Policies.
- This policy does not apply to the Child Protection Legislation Investigation Protocols, nor to any other matter covering CSO employee records.

- The CSO Complaints Handling Policy and Procedures provide guidelines for the handling of complaints relating to the operation of the Diocesan Systemic Schools, including complaints about management of personal information provided to or collected by the CSO and the schools it administers.

Policy Responsibility

This policy is issued by the Diocesan Schools Board. Enquiries regarding the operation, review or amendment of this policy can be made to the Executive Officer of the Diocesan Schools Board, Caroline Chisholm Centre, Building 2, 423 Pennant Hills Road, Pennant Hills NSW 2120 or by telephone on 9847 0000.

POLICY DATES

The Privacy Policy is to be reviewed periodically and not less frequently than once every three years from the date of the implementation of the policy.

Date of development	22 November 2001
Date of implementation	1 February 2002
Revised and confirmed	February 2006
Date of next review	February 2009

ENQUIRIES

Further information about the way a school manages the personal information it holds, can be obtained by contacting the School Principal by telephone or in writing.

In relation to matters handled by the CSO enquiries can be directed to:

The Director of Schools
Catholic Schools Office
Diocese of Broken Bay
Caroline Chisholm Centre
Building 2, 423 Pennant Hills Road
Pennant Hills NSW 2120
ph: 9847 0000
fax: 9847 0001

authorised by
Bishop David L. Walker
Bishop of Broken Bay