



## PRIVACY POLICY

### 1.0 INTRODUCTION

This Privacy Policy applies to the Catholic Education Office of the Diocese of Sale (CEOSale) and sets out how the Catholic Education Office manages personal information provided to or collected by it.

The CEOSale is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. In relation to health records the CEOSale is also bound by Victorian legislation, for instance: Health Privacy Principles contained in the *Health Records and Information Privacy Act 2002* (Health Records Act).

The CEOSale may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the Office's operations and practices and to make sure it remains appropriate to the changing office environment.

### 2.0 PROCEDURES

#### 2.1 What kinds of personal information does CEOSale collect and how does CEOSale collect it?

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

- staff members
- pupils and parents regarding their involvement in specific programs/activities
- job applicants, volunteers and contractors; and
- other people who come into contact with the office.

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

**2.1.2 Personal Information provided by other people:** In some circumstances CEOSale 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 office/school.

**2.1.3 Exception in relation to employee records:** Under the Privacy Act and Victorian Health Records and Information Privacy Act 2002 (VIC), 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 CEOSale treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the CEOSale and employee.

## 2.2 How will CEOSale use the personal information you provide?

CEOSale 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.

**2.2.1 Pupils and Parents:** In relation to personal information of pupils and parents, CEOSale's primary purpose of collection is to enable CEOSale with the pupil's school to support the education of the pupil. This includes satisfying the needs of parents, the needs of the pupil and the needs of CEOSale and school throughout the whole period the pupil is enrolled at a school in the Diocese of Sale.

The purposes for which CEOSale uses personal information of pupils and parents include:

- looking after pupils' educational, social, spiritual and wellbeing needs;
- to satisfy the CEOSale 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 or permit the pupil to take part in a particular activity.

**2.2.2 Job applicants, staff members and contractors:** In relation to personal information of job applicants, staff members and contractors, CEOSale'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 CEOSale 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 CEOSale; and
- to satisfy the CEOSale's legal obligations, for example, in relation to child protection legislation.

**2.2.3 Volunteers:** CEOSale also obtains personal information about volunteers who assist CEOSale in its functions or conduct associated activities, such as the Learning Expo, Awards ceremonies, etc.

**2.2.4 Marketing and fundraising:** CEOSale publications, which include personal information, may be used for marketing purposes.

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

## 2.3 Who might CEOSale disclose personal information to?

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

- another Catholic Education Office;
- government departments;
- medical practitioners;
- people providing services to CEOSale, including specialist visiting teachers;
- recipients of CEOSale publications;
- Parents;
- anyone you authorise CEOSale to disclose information to; and
- anyone to whom we are required to disclose the information by law.

**2.3.1 Sending information overseas:** CEOSale may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers which are situated outside Australia or to facilitate an exchange experience. However, CEOSale 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 Australian Privacy Principles or other applicable privacy legislation.

## 2.4 How does CEOSale treat sensitive information?

In referring to 'sensitive information', CEOSale 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.

## 2.5 Management and security of personal information

The CEOSale's staff are required to respect the confidentiality of personal information and the privacy of individuals.

CEOSale has in place steps to protect the personal information it 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.

## 2.6 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 CEOSale holds about them and to advise the CEOSale of any perceived inaccuracy. There are some exceptions to this right set out in the Act.

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 CEOSale holds about you, please contact the Director of Catholic Education in writing.

CEOSale may require you to verify your identity and specify what information you require. CEOSale 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, CEOSale 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.

## **2.7 Consent and rights of access to the personal information of pupils**

CEOSale 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. CEOSale 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 a school or the CEOSale about them or their child by writing to the Director of Catholic Education. 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 CEOSale's duty of care to the pupil.

CEOSale may, at its discretion, on the request of a pupil grant that pupil access to information held by CEOSale 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 when the maturity of the pupil and/or the pupil's personal circumstances so warranted.

## **3.0 Enquiries and complaints**

If you would like further information about the way the CEOSale manages the personal information it holds, or wish to complain that you believe that CEOSale has breached the Australian Privacy Principles, please write to the Director of Catholic Education. The CEOSale 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.

## **REVIEW**

**Draft Review: February, 2014**

**Implementation Date: February, 2014**

**Review Date: February, 2017**