



ST VIRGIL'S COLLEGE

A Catholic boys school in the Edmund Rice tradition

Privacy Policy



EDMUND RICE EDUCATION
AUSTRALIA

POLICY STATEMENT:

St Virgil's College is committed to meeting all legislative requirements to protect the rights of individuals in accordance with the Commonwealth Privacy Act 1988 and the Australian Privacy Principles.

RATIONALE:

The College is committed to protecting the rights of individuals in accordance with the Federal and State legislation. The College is bound by the Australian Privacy Principles contained in Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012, which amends the Privacy Act 1988. In relation to health records the School is also bound by the Personal Information Protection Act 2004 (Tas). The College will also comply with the Privacy Amendment (Notifiable Data Breaches Act) 2017.

Privacy legislation and principles apply to the way in which the College uses and manages personal information provided to or collected by it in accordance with its Mission and operational objectives.

An individual's right to privacy is important to the College and hence procedures and processes have been established to ensure that information is collected, utilised and stored in a manner that ensures the rights of individuals are respected and the integrity of collected information is protected.

As technology and legislation evolves the College will review and update Privacy procedures in line with the Mission of the College and will commit to ensuring that such changes are notified to all stakeholders of the College.

The policy is reflective of the College's values of community, justice and respect:

- Community – we foster a culture of enduring relationships by showing compassion, acting with integrity and building connections with each other, our faith community and our environment.
- Justice - we are committed to providing learning opportunities which allow students and staff to reach their potential. Through acceptance, forgiveness and an awareness of social justice, we strive to serve others, particularly the marginalised in our local and global communities.
- Respect – we take pride in our history and tradition by honouring our learning and caring for ourselves, each other and creation.

Policy Guidelines

1. Information Gathered by the College

As part of both the enrolment process, the ongoing education of students and the support for past students, St Virgil's College will have cause to collect and hold personal information, including sensitive information pertaining to:

- Students and parents and/or guardians (parents) before, during and after the period of time students are enrolled at the College;
- Job applicants, staff members, volunteers and contractors; and
- Other stakeholders such as past students and friends of the College who come into direct and indirect contact with the College.

2. Information Collection Methods

The College in the course of its operations will collect information in a number of ways including:

- Personal information provided by parents and/or students. This includes enrolment forms, interviews, meetings, telephone calls for example.
- Personal Information provided by third parties. In some circumstances the College receives information from other sources, for example a reference from a former school a student has attended.

3. Use of Personal Information by the College

The College collects personal information, including sensitive information about students and parents before and during the course of a student's enrolment at the College. The primary purpose of collecting this information is to enable the College to provide schooling and other educational services for students.

Some of this information is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care to parents. Certain laws governing or relating to the operation of the College require that certain information is collected. These include Public Health and Child Protection legislation. Health information is deemed to be sensitive information in terms of the Australian Privacy Principles under the Privacy Act 1988.

The College will use personal information it collects from stakeholders for the primary purpose of providing educational services and facilities and ensuring that the College meets the duty of care owed to all students and parents.

Some of the categories of collected information and how it could be utilised in accordance with the Privacy Policy include:

4. Student and Parent Information

The College collects and manages personal information for a range of purposes including:

- Keeping parents informed about their child's education and developments at the College via newsletters, magazines and annual publications.
- Administration of educational services, including publication of student lists and photos.
- Health information about students is deemed 'sensitive information' within the terms of the National Privacy Principles under the Privacy Act. The College will ask that parents provide medical information about students from time to time to enable the College to exercise its duty of care to the student.
- Ensuring students' educational, social and medical wellbeing are maintained.
- Publicising the achievements, events and developments of the College and its students. On occasions information such as academic and sporting achievements, student activities and other news is published by the College in magazines, newsletters, web sites and other social media sites and could include photographs and other digital imaging.
- Where photos and digital images are being used the College will ensure that all students have parental/guardian photo permission prior to release or publication. Permission will be obtained annually as part of the College enrolment or re-enrolment process. Parents and guardians can contact the College at any time to revoke this permission.
- Where the College uses website browsing behavioural tools this will be communicated to users to enable them to disable the feature.
- Marketing activities of the College including the prospectus, brochures and magazines.
- Fundraising activities conducted on behalf of the College, including those conducted by the Old Virgilians Association.
- Satisfying the College's legal obligations.
- Providing information that will enable the College and its staff to discharge its duty of care.

A condition of enrolment is that students and/or parents provide personal information to enable the College to discharge its duty of care. Failure to do so could mean that the College is not able to offer enrolment or continue the enrolment of a student.

Where parents/guardians provide the College with the personal information for third parties, for example emergency contacts or doctors, the College will advise;

- The specific information disclosed;
- The purposes for which information is disclosed;
- The right of a third party to access the information held by the College; and

- The commitment of the College not to disclose personal information to unless required to by legislation or to meet the duty of care obligation incumbent upon the College.

5. Job Applicants and Contractors

The College collects personal information on job applicants and contractors to enable the College to assess and make an informed decision about the suitability of engaging their services. Information collected is used in a number of ways including:

- Developing the terms of the employment agreement between the College and staff member or contractor.
- To comply with insurance, Workplace Health and Safety (WH&S), Working with Vulnerable People check (WWVP) and other legislative requirements.
- As part of an employee personnel file.
- As part of a fundraising or marketing campaign.

6. Staff Members

The College as part of its commitment to professional development will periodically collect personal information about staff. Staff undertake an annual review and have a major professional development review every three years. The College also collects personal information about staff to comply with employment, insurance, WWVP and WH&S legislation and to administer individuals' employment agreements. Personal information may also be used for the purpose of fundraising and marketing campaigns.

7. Volunteers

The College is committed to the belief that education is a partnership between parents, students and the College. It also welcomes the opportunity for past students and friends of the College to assist in enhancing the educational opportunities and facilities available to students. This may involve representatives of these groups assisting the College as volunteers in canteen operations, events, activities, programmes and fundraising appeals. Personal information will be collected in line with the College's duty of care to volunteers in areas such as WH&S and to meet the College's legal requirements in relation to the wellbeing of students; for example, WWVP checks for all volunteers.

8. Marketing and Fundraising

The College is committed to providing students and staff with the optimal teaching and learning facilities and equipment to enhance learning outcomes for boys. This requires that the College undertake marketing and fundraising activities with a variety of stakeholders. Personal information held by the College may be disclosed to external

contractors who have been engaged to assist the College with marketing and fundraising programmes. This disclosure will only be for College auspiced fundraising and marketing activities. Contractors are strictly prohibited from using personal information for any third party marketing or business activity.

Students, parents, staff, contractors, past students and other stakeholders in the College community may from time to time receive fundraising information. College publications such as annuals, magazines, curriculum documents, web sites, social media and newsletters that contain personal information (photos and text) may be used for marketing purposes.

The College will at no time disclose personal information to third parties for non-St Virgil's College marketing activities without first obtaining written consent.

Students, parents, staff, contractors, past students and other stakeholders in the College community can elect not to receive such information or request that they not be included in such publications by contacting the Development Office.

9. Disclosure of Personal Information

The College may disclose personal information, including sensitive information to others for administrative and educational purposes. This includes:

- Other schools;
- Government departments;
- Tasmanian Catholic Education Offices;
- Tasmanian Catholic Education Commission;
- Edmund Rice Education Australia;
- Old Virgilians Association;
- Local diocese and feeder parishes;
- Medical practitioners;
- People providing services to the College including visiting specialist teachers, sports coaches, volunteers and counsellors;
- Recipients of College publications;
- Parents; and
- Anyone to whom parents authorise the College to provide information.

Sending Information Overseas

The College may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers that are situated outside Australia or to facilitate a school exchange. However, the College will not send personal information about an individual outside Australia without:

- obtaining consent of the individual (in some cases, consent will be implied); or

- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

10. Management of Sensitive Information

As defined in the Australian Privacy Principles 'sensitive information' refers to information collected about a person's racial or ethnic origins, political beliefs, religion, sexual preference or criminal record and information relating to an individual state of health and wellbeing. Sensitive information will be used and disclosed only for the reasons for which it was collected, if permission is provided by the individual (or parent) or if the disclosure of the sensitive information is permitted by legislation.

11. Security of Personal and Sensitive Information

Staff of St Virgil's College are required to respect the privacy and confidentiality of students and parents' personal and sensitive information.

The College has in place processes to protect the integrity of personal and sensitive information from misuse, loss, modification, unauthorised access or disclosure. These include locked storage of paper records, secure disposal of paper records and password-protected access to computer records. The College also takes reasonable steps to destroy or de-identify personal information if, in the College's opinion, it is no longer needed for the purpose for which it was collected.

12. Access to Personal Information

Under the Commonwealth Privacy Act [and the Personal Information Protection Act 2004 (Tas)], individuals have the right to access personal and sensitive information held by the College that pertains to them. Parents may seek access to personal information held by the College about them and their son by contacting the College.

Students may also seek access (generally via parents) to information held about them. There may however be times where access is denied as set out in the Act. Such occasions could include where access could have an unreasonable impact upon the privacy of others, where access could result in a breach of the College's duty of care to the student, or where students have provided information in confidence.

The College may require that individuals verify their identity and specify what information is required. Requests for specific information should be in writing and directed to the Principal of St Virgil's College.

13. Consent

The College respects every parent's right to make decisions concerning their child's

education. Generally, the College will refer any requests for consent and notices in relation to the personal information of a student to the student's parents or guardians. The College will treat consent given by parents or guardians as consent given on behalf of the student and notice to parents will act as notice given to the student.

The College may, at its discretion, on the request of a student grant that student access to information held by the College 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 are so warranted.

14. Updating Personal Information

St Virgil's endeavours 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 the College by contacting the Development Office at any time.

The Australian Privacy Principles require St Virgil's College not to store personal information longer than necessary or information that is irrelevant.

Personal and sensitive information can be updated at any time by contacting the College Development Office.

15. Notifiable Data Breaches

The College is required under the Privacy Amendment (Notifiable Data Breaches Act) 2017 to notify when there is any data breach that is likely to result in serious harm to any individual to whom the information relates. The College will follow all procedures published by the Office of the Australian Information Commission, including the provision of appropriate training to all staff members.

16. Complaint Management Process

The College has in place formal procedures for managing complaints and/or grievances about matters pertaining to the operation of the College. Persons who believe they have a complaint in regards to the way in which their personal information is managed are encouraged to refer to the College's Complaint Management process which can be sourced at <http://stvirgils.tas.edu.au/policies-2/>

Enquiries

If you require further information about the College's collection and management of personal information please do not hesitate to contact:

Director of Development

St Virgil's College
development@stvirgils.tas.edu.au

RESPONSIBILITIES:

Board

The Board has the responsibility to ensure compliance with this policy.

Policy Committee

The Policy Committee has the responsibility for the development of procedures that guide the implementation of this policy.

Principal

The Principal has the responsibility to ensure that this policy and its procedures are in place.

REVIEW:

This policy was reviewed in 2017 and will be reviewed next in 2020 or at an earlier time determined by the Board.