


Privacy Policy

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| Purpose | The purpose of the policy is to establish privacy guidelines at St Paul's Lutheran Primary School. | |
| Scope: | This policy applies to staff. | |
| Status: | Approved | Date of Approval: 21 March 2023 |
| Approved by: | SPLPS School Council | Supersedes: February 2021 |
| Signed by: | Murray Diment Acting School Council Chair  | Date: 21/03/23 |
| References: | | |
| Review Date: | <u>Every 2 years</u> , as appropriate, to take account of new laws and technology, changes to school's operations and practices and to make sure it remains appropriate to the changing environment. | Next Review Date: 2025 |
| Policy Owner: | School Council | Updated: February 2023 |

The St Paul's Lutheran Primary School is bound by the "National Privacy Principles" contained in the *Commonwealth Privacy Act*. The School's staff are required to respect the confidentiality of students' and parents'/guardians' personal information and the privacy of individuals. The School shall have in place steps to protect the personal information the School holds from misuse, loss, unauthorized access, modification or disclosure by use of various methods including locked storage of paper records and pass worded access rights to information technology records. The School will institute procedures and provide guidance in accordance with this policy concerning the collection, storage, utilization, handling, access, and distribution of information as designated by the *Commonwealth Privacy Act*.

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 School's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between School and employee.

Privacy Procedures

1. Collection of Personal Data

The type of information the School collects and holds includes (but is not limited to) personal information, including sensitive information, about:

- Students and parents and/or guardians, 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 the School.

1.1 Personal Information you provide:

The School will generally collect personal information held about an individual by way of forms filled out by school personnel, parents and students, face-to-face meetings and interviews, and telephone calls. On occasions people, other than those associated with the School, provide personal information.

1.2 Personal Information provided by other people

In some circumstances the 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.

1.3 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 School's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between School and employee.

1.4 Closed Circuit Television and Recording Devices

St Paul's has Closed Circuit Television and Recording Devices (CCTV) in operation 24 hours a day, seven days a week on the school premises, primarily to assist with it's out of hours security measures. Personal information may be collected through these surveillance systems and passed on to relevant staff within the School for external authorities, i.e. the Queensland Police Service, if a situation requiring further investigation is required and/or to satisfy the School's legal obligation and to discharge it's duty of care.

2. The School's Use of Personal Data/Information

The School will use personal information it collects from you for the primary purpose of its 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.

2.1 Students and Parents

In relation to personal information about students and parents/guardians, the School's primary purpose of collection is to enable the School to provide schooling for the pupil. This includes satisfying both the needs of parents/guardians and the needs of the pupil throughout the whole period the pupil is enrolled in the school.

The purposes for which the School uses personal information of students and parents/guardians include:

- to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- day-to-day administration;
- looking after pupil educational, social and medical wellbeing;
- seeking donations and marketing for the School; and
- to satisfy the School's legal obligations and allow the School to discharge its duty of care.

In some cases where the School requests personal information about a pupil or parent/guardian, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the pupil.

2.2 Job applicants, staff members and contractors

In relation to personal information of job applicants, staff members and contractors, the 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 the School 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;
- in seeking funds and marketing for the School; and
- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

2.3 Volunteers

The School also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, such as alumni associations, that enable the School and volunteers to work together.

2.4 Marketing and fundraising

The School treats marketing and seeking donations for the future growth and development of the School as an important part of ensuring the School continues to be a quality learning environment in which both students and staff thrive. Personal information held by the School may be disclosed to an organisation that assists in the School's fundraising, for example, the School Council and Fundraising Committee.

Parents/guardians, 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.

3. Disclosure of Personal Information

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

- another school;
- government departments;
- medical practitioners;
- people providing services to the School, including specialist visiting teachers, e-learning and assessment agencies and sports coaches;
- recipients of School publications, like newsletters and magazines;
- parents/guardians; and
- anyone you authorise the School to disclose information to.

3.1 Sending information overseas

The School will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (or some cases this consent will be implied); or
- otherwise complying with the National Privacy Principles.

4. Handling 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, sexual preferences or criminal record; and health 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.

5. Management and security of personal information

The School's staff are required to respect the confidentiality of students' and parents'/guardians personal information and the privacy of individuals. The School has 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.

6. Updating personal information

The School 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 School by contacting the School at any time.

The National Privacy Principles require the School not to store personal information longer than necessary.

7. A Right to Check Personal Information

Under the Commonwealth Privacy Act, an individual has the right to obtain access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Students will generally have access to their personal information through their parents/guardians, but older students may seek access themselves.

To make a request to access any information the School holds about you or your child, please contact the 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.

8. Consent and right of access to the personal information of students

The School respects every parent's/guardians right to make decisions concerning their child's education.

Generally, the School will refer any request for consent and notices in relation to the personal information of a pupil to the pupil's parents/guardian. The School will treat consent given by parents/guardians as consent given on behalf of the pupil, and notice to parents/guardians will act as notice given to the pupil.

Parents/guardians may seek access to personal information held by the School about them or their child by contacting the School Principal. 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 School's duty of care to the pupil.

The 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/guardians. This would normally be done only when the maturity of the pupil and/or the pupil's personal circumstances so warranted.

9. Enquiries

If you would like further information about the way the School manages the personal information it holds, please contact the Principal.

10. Identifying & Reporting Breaches of Privacy

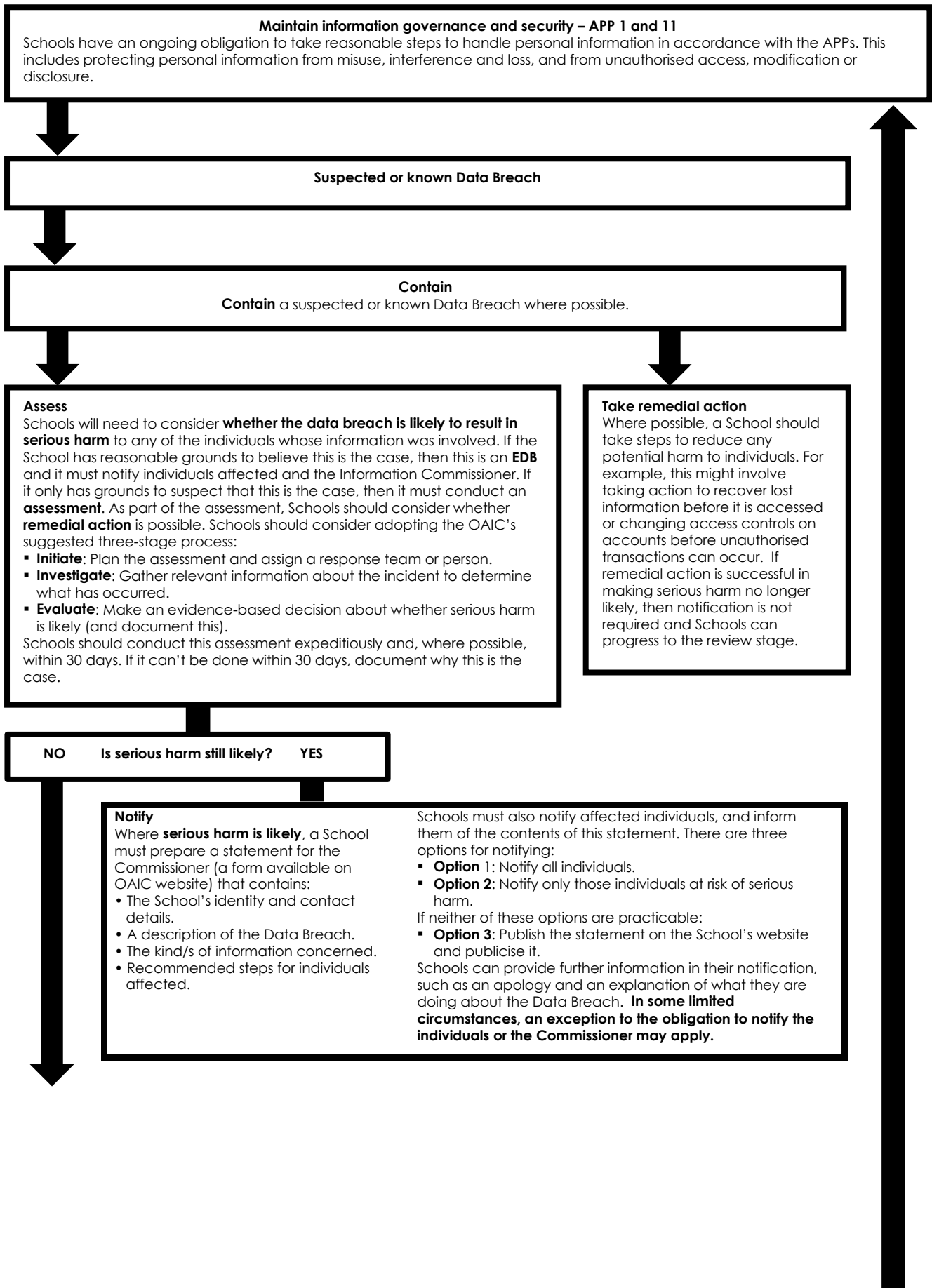
The school will use the attached flow chart to identify and report breaches of privacy (see attached Annexure).

Resources:

National Privacy Principles in Federal Privacy Act at this website:

<http://www.privacy.gov.au/act/index.html>

ANNEXURE – MANDATORY NOTIFICATION OF ELIGIBLE DATA BREACHES SUMMARY





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| <p>Review</p> <p>Review the incident and take action to prevent future Data Breaches. This may include:</p> <ul style="list-style-type: none">• Fully investigating the cause of the Data Breach.• Developing a prevention plan.• Conducting audits.• Updating security/response plan.• Considering changes to policies and procedures.• Revising staff training practices. | <p>Schools should also consider reporting the incident to other relevant bodies, such as:</p> <ul style="list-style-type: none">• Police or Law Enforcement.• Other external or third parties (e.g. the ATO).• The Australian Cyber Security Centre and related agencies• Professional bodies.• Credit card companies or financial services providers. <p>Schools that operate outside Australia may have notification obligations under other breach notification schemes, such as the EU General Data Protection Regulation.</p> |
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**This summary is a modified version of the OAIC Data Breach response summary available at www.oaic.gov.au/privacy-law/privacy-act/notifiable-data-breaches-scheme
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