

IGNATIUS LEARNING CENTRE PRIVACY POLICY

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

What kinds of personal information does the ILC collect and how does the ILC collect it?

The ILC collects and holds personal information, including health and other sensitive information, about:

1. Students and parents/carers/guardians before, during and after the course of a student's enrolment at the ILC, including:
 - name, contact details (including next of kin), date of birth, gender, language background, previous school Aboriginal or Torres Strait Islander identification and religion
 - parents/carers/guardians/guardians education, occupation and language background
 - medical information (e.g. details of disability and/or allergies, and details of any assistance the student receives in relation to those disabilities, medical reports, names of doctors)
 - conduct and complaint records, or other behaviour notes, school attendance and school reports
 - information about referrals to government welfare agencies
 - counselling reports
 - health fund details and Medicare number
 - court material and files, the Department of Justice and Community Safety, Court Orders.
 - youth justice system documentation
 - volunteering information (including Working With Children Checks)
 - photos and videos at school events
 - and any additional information required by the National Consistent Collection of Data on school students with disabilities.
2. 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 banking and 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
3. Work emails and private emails (when using work email address) and internet browsing history
4. Other people who come into contact with the ILC, including name and contact details and any other information necessary for the particular contact with the ILC (e.g. WWCC)

Personal Information provided: The ILC will generally collect personal information held about an individual by way of forms filled out by parents, guardians and/or carers, or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parents, guardians and/or carers and students (such as job applicants and contractors) provide personal information to the ILC.

Personal Information provided by other people: In some circumstances the ILC 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, information from lawyers or youth justice workers. The ILC will receive information covering e.g. court material and files, the Department of Justice and Community Safety, Court Orders. The type of information the ILC may collect from another school may include:

- academic records and/or achievement levels
- information that may be relevant to assisting the new school meet the needs of the student including any adjustments

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 the treatment of a ILC employee record where the treatment is directly related to a current or former employment relationship between the ILC and employee. The ILC handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001* (Vic).

Anonymity: The ILC needs to be able to identify individuals with whom it interacts and to collect identifiable information about them to facilitate the delivery of schooling to its students and its educational and support services, conduct the job application process and fulfil other obligations and processes. However, in some limited circumstances some activities and interactions with the ILC may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

How will the ILC use the personal information provided?

The ILC will use personal information it collects from a student and/or parent/carer/guardian for the primary purpose listed below, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected by the individual(s), or to which the individual(s) has/have consented.

Students and Parents/Guardians/Carers: In relation to personal information of students and parents, guardians and/or carers, the ILC's primary purpose of collection is to enable the ILC to provide schooling to students enrolled at the ILC (including educational and support services for 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 ILC. This includes satisfying the needs of parents, guardians and/or carers, the needs of the student and the needs of the ILC throughout the whole period the student is enrolled at the ILC.

The purposes for which the ILC uses personal information of students and parents, guardians and/or carers include:

- i) to keep parents/carers/guardians/guardians informed about matters related to their child's schooling, through correspondence and newsletters
- ii) day-to-day administration of the ILC
- iii) looking after students' educational, social, emotional and medical wellbeing
- iv) seeking donations and marketing for the ILC
- v) seeking feedback from students and parents, guardians or carers on school performance and improvement, including through school improvement surveys
- vi) to satisfy the ILC's legal obligations and allow the ILC to discharge its duty of care
- vii) to satisfy the ILC service providers' legal obligations, including the Catholic Education Commission of Victoria Ltd (CECV) and the Melbourne Archdiocese Catholic Schools

In some cases where the ILC requests personal information about a student or parents, guardians and/or carers, if the information requested is not provided, the ILC 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 and contractors: In relation to personal information of job applicants and contractors, the ILC's primary purpose of collection is to assess and (if successful) to engage the applicant, or contractor, as the case may be.

The purposes for which the ILC uses personal information of job applicants and contractors include:

- i) administering the individual's employment or contract, as the case may be
- ii) for insurance purposes
- iii) seeking donations and marketing for the ILC
- iv) satisfying the ILC's legal obligations, for example, in relation to child protection legislation

Volunteers: The ILC also obtains personal information about volunteers who assist the ILC in its functions or conduct associated activities, such as excursions, student support etc. to enable the ILC and the volunteers to work together, to confirm their suitability and to manage their visits.

Parish: The ILC may disclose limited personal information to the ILC parish to facilitate religious and sacramental programs, and other activities such as fundraising.

Marketing and fundraising: The ILC treats marketing and seeking donations for the future growth and development of the ILC as an important part of ensuring that the ILC continues to provide a quality learning environment in which both students and staff thrive. Personal information held by the ILC may be disclosed to organisations that assist in the ILC's fundraising, except where prohibited by *the Children, Youth and Families Act 2005 (Vic)*, which protects the anonymity of children in criminal proceedings, or other applicable laws.

Parents, guardians and/or carers, staff, contractors and other members of the wider school community may from time to time receive fundraising information. School publications, like newsletters, which include personal information and sometimes people's images, may be used for marketing purposes, only where permitted by law.

Who might the ILC disclose the personal information to and store the information provided with?

Subject to the *Children, Youth and Families Act 2005* (Vic), the ILC may disclose personal information, including sensitive information, held about an individual for **educational, administrative** and **support purposes**. This may include to:

- i) school service providers which provide educational, support and health services to the ILC, (either at the ILC or off campus) including the Catholic Education Commission of Victoria Ltd (CECV), Melbourne Archdiocese Catholic Schools, specialist visiting teachers, volunteers, counsellors, sports coaches and providers of learning and assessment tools
- ii) third party service providers that provide online educational and assessment support services, services in relation to school improvement surveys, document and data management services, or applications to schools and school systems including the Integrated Catholic Online Network (ICON) and Google's G Suite, including Gmail and, where necessary, to support the training of selected staff in the use of these services
- iii) CECV, and Melbourne Archdiocese Catholic Schools, to discharge its responsibilities under the *Australian Education Regulation 2013* (Cth) and the *Australian Education Act 2013* (Cth) relating to students with a disability, other third parties which the ILC uses to support or enhance the educational or pastoral care services for its students or to facilitate communications with Parents, Guardians or Carers
- iv) another school including to its teachers to facilitate the transfer of a student
- v) Federal and State government departments and agencies
- vi) health service providers
- vii) student's parents/carers/guardians/guardians and their emergency contacts
- viii) assessment and educational authorities including the Australian Curriculum, Assessment and Reporting Authority
- ix) anyone the student and/or parent/carer/guardian authorises the ILC to disclose information to
- x) anyone who the ILC is required or authorised to disclose the information to by law, including child protection laws, the *Children, Youth and Families Act 2005* (Vic) or because of a court order (e.g. a Youth Justice Worker)

Nationally Consistent Collection of Data on School Students with Disability

The ILC is required by the *Australian Education Regulation 2013* (Cth) and *Australian Education Act 2013* (Cth) to collect and disclose certain information under the *Nationally Consistent Collection of Data* (NCCD) on students with a disability. The ILC provides the required information at an individual student level to the Melbourne Archdiocese Catholic Schools and the CECV, as an approved authority. Approved authorities must comply with reporting, record keeping and data quality assurance obligations under the NCCD. Student information provided to the federal government for the purpose of the NCCD does not explicitly identify any student.

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

- i) obtaining the consent of the individual; or
- ii) otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

The ILC may from time to time use the services of third party online service providers (including for the delivery of services and third party online applications, or Apps relating to email, instant messaging and education and assessment, such as Google's G Suite, including Gmail) which may be accessible by students, parent, guardians, carers or staff. Some personal information [including sensitive information] may be collected and processed or stored by these providers in connection with these services. These online service providers may be located in or outside Australia.

The ILC staff personnel and the ILC's service providers, and the CECV and its service providers, may have the ability to access, monitor, use or disclose emails, communications (e.g. instant messaging), documents and associated administrative data for the purposes of administering the system and services ensuring their proper use.

The ILC makes reasonable efforts to be satisfied about the security of any personal information that may be collected, processed and stored outside Australia, in connection with any cloud and third party services and will endeavour to ensure the cloud is located in countries with substantially similar protections as the APPs.

The countries in which the servers of cloud service providers and other third party service providers are located may include:

- United States of America
- Singapore

Where personal and sensitive information is retained by a cloud service provider on behalf of CECV to facilitate Human Resources and staff administrative support, this information may be stored on servers located in or outside Australia.

How does the ILC treat sensitive information?

In referring to 'sensitive information', the ILC 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.

Subject to the *Children, Youth and Families Act 2005* (Vic), sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless the student and/or parent/carer/guardian agrees otherwise, or the use or disclosure of the sensitive information is allowed by law.

Management and security of personal information

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

The ILC has in place steps to protect the personal information the ILC 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. This includes responding to any incidents which may affect the security of the personal information it holds. If we assess that anyone whose information is affected by such a breach is likely to suffer serious harm as a result, we will notify them and the Office of the Australian Information Commissioner of the breach.

The ILC recommends that parents, guardians, carers and the wider school community adopt secure practices to protect themselves. The ILC will provide guidance around ensuring that all passwords used are strong, regularly updated and that log in details are kept secure. In addition,

advice will be provided around not sharing personal information with anyone without first verifying their identity and organisation and to advise the ILC immediately if there is an incident where personal information has been compromised.

Access and correction of personal information

Under the *Privacy Act 1988* (Cth) and the *Health Records Act 2001* (Vic), an individual has the right to seek and obtain access to any personal information and health records respectively which the ILC holds about them and to advise the ILC of any perceived inaccuracy. Students will generally be able to access and update their personal information through their parents, guardians or carers, but some students may seek access and correction themselves.

There are some exceptions to the access rights set out in the applicable legislation.

To make a request to access or to update any personal information the ILC holds about a student and/or parent/carer/guardian, the ILC Principal should be contacted by telephone or in writing. The ILC may require the student and/or parent/carer/guardian to verify their identity and specify what information they require. The ILC 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 ILC will advise the likely cost in advance. If the ILC cannot provide the individual with access to the requested information, the ILC will provide a written notice explaining the reasons for refusal.

Consent and rights of access to the personal information of students

The ILC respects every parent/guardian/carer's right to make decisions concerning their child's education.

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

Parents, guardians and/or carers may seek access to personal information held by the ILC about them or their child by contacting the Principal or by telephone or in writing. However, there may 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 ILC's duty of care to the student.

The ILC may, at its discretion, on the request of a student grant that student access to information held by the ILC about them, or allow a student to give or withhold consent to the use of their personal information, independently of their parents, guardians and/or carers. This would normally be done only when the maturity of the student and/or the student's personal circumstances warrant it.

Enquiries and complaints and contact details

If a student and/or parent/carer/guardian would like further information about the way the ILC manages personal information it holds about them, or they wish to make a complaint in relation to a breach of their privacy obligations, it is best to contact the ILC Principal by telephone or in writing. The ILC will investigate the complaint and will notify the individual of the making of a decision in relation to the complaint as soon as is practicable after it has been made.

If an individual is not satisfied with the ILC's decision they may make a complaint to the Office of the Australian Information Commissioner (OAIC) whose contact details are:

GPO Box 5218, Sydney, NSW 2001
Telephone: 1300 363 992
www.oaic.gov.au

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Policy owner:	ILC Principal
Policy category:	Enrolment
Level of approval:	Jesuit Social Services Board
Review Date:	February 2023
Purpose:	This Policy sets out how the ILC manages personal information provided to or collected by it.
Relevant legislation and/or standards:	<i>Children, Youth and Families Act 2005 (Vic)</i> <i>Privacy Act 1988 (Cth)</i> <i>Health Records Act 2001 (Vic)</i> <i>Australian Education Regulation 2013 (Cth)</i> <i>Australian Education Act 2013 (Cth)</i>
Risk Awareness:	Reputational, Compliance, OHS and Financial
Related Documents:	ICT Policy
Scope:	The ILC Community
Definitions:	<p>APP Australian Privacy Principles</p> <p>ILC Ignatius Learning Centre</p> <p>CECV Catholic Education Commission of Victoria</p> <p>ICON Integrated Catholic Online Network</p> <p>NCCD Nationally Consistent Collection of Data</p> <p>OAIC Office of the Australian Information Commissioner</p>
Policy:	The ILC is bound by the Australian Privacy Principles (APPs) contained in the <i>Privacy Act 1988 (Cth)</i> . In relation to health records. The ILC is also bound by the <i>Health Records Act 2001 (Vic)</i> and the Health Privacy Principles in that Act. In relation to students involved in criminal proceedings. The ILC may be restricted by the <i>Children, Youth and families Act 2005 (Vic)</i> in relation to the publication of identifying information.
Responsibilities:	The Principal, administrative and teaching staff