



# Privacy Policy

<b>Policy Number:</b>	504	
<b>Status:</b>	Approved	
<b>Applies to:</b>	All Board members, staff, parents, students, contractors and visitors to the School	
<b>Scope:</b>	Describes the type of information the school collects, how the information is handled, how and to whom the information is disclosed, and how the information may be accessed. <b>This is a compulsory Policy.</b>	
<b>Date of Authorisation:</b>	22/03/17	
<b>Authorised by:</b>	Director	<b>Reviewed:</b> 23/08/19
<b>Review:</b>	Annually, as appropriate to take account of new laws and technology, and changes to school operations	<b>Next Review Date:</b> August 2020
<b>Policy Owner:</b>	Director	

Please do not retain hard copies of policies for a length of time; the latest version will be available online.

## PURPOSE

The Samford Valley Steiner School (SVSS) is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988. The purpose of this Policy is to outline the School's approach to privacy and describes how the school uses and manages personal information provided to or collected by it.

## DEFINITIONS

**Sensitive information:** 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.

## WHEN IT APPLIES

The policy applies to board members, employers, employees, volunteers, parents/guardians and students, contractors, and people visiting the school site; and describes the type of information the school collects, how the information is handled, how and to whom the information is disclosed, and how the information may be accessed.

### **Exception in relation to employee records:**

Under the Privacy Act, the Australian Privacy Principles do not apply to an employee record held by the employing entity. 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 the School and employee.

## PRINCIPLES

Confidentiality; safety of personal information

## **POLICY**

The School is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988.

### **Type of Information Collected**

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

- Students and parents and/or guardians ('Parents') before, during and after the course of a student's enrolment at the School;
- Job applicants, staff members, volunteers and contractors; and
- Other people who come into contact with the School.

The School will generally collect personal information held about an individual by way of forms filled out by Parents or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than Parents and students provide personal information. For example, the School may be provided with personal information about an individual from a third party, such as a report provided by a medical professional or a reference from another school.

### **Personal Information you provide:**

SVSS will generally collect personal information held about an individual by way of forms filled out by parents or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parents and students provide personal information.

### **Personal Information provided by other people:**

In some circumstances SVSS 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.

### **Use and Disclosure of Information**

The School 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 by you, or to which you have consented.

The School may disclose personal information, including sensitive information, held about an individual for educational, legal, administrative, marketing and support purposes. This may include to:

- Another school or staff at another school;
- Government departments (including for policy and funding purposes);
- Medical practitioners;
- People providing educational, support and health services to the School, including specialist visiting teachers, [sports] coaches, volunteers, counsellors and providers of learning and assessment tools
- Assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA) and NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN)

- People providing administrative and financial services to SVSS;
- Recipients of School publications, such as newsletters and magazines
- Students' parents or guardians
- Anyone you authorise SVSS to disclose information to
- Anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

### **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 you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

### **Management and security of personal information**

The School's staff are required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals. The School has in place steps to protect the personal information the School holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and computer access rights to computerised records.

### **Data Breaches**

It will be deemed that an 'eligible data breach' has occurred if:

- there has been unauthorised access to, or unauthorised disclosure of, personal information about one or more individuals (**the affected individuals**)
- a reasonable person would conclude there is a likelihood of serious harm to any affected individuals as a result
- the information is lost in circumstances where:
  - unauthorised access to, or unauthorised disclosure of, the information is likely to occur
  - assuming unauthorised access to, or unauthorised disclosure of, the information was to occur, a reasonable person would conclude that it would be likely to result in serious harm to the affected individuals.

Serious harm may include serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation.

### **What must the school do in the event of an 'eligible data breach'?**

If SVSS suspects that an eligible data breach has occurred, it will carry out a reasonable and expedient assessment/investigation within 30 days.

If such an assessment/investigation indicates there are reasonable grounds to believe an eligible data breach has occurred, then SVSS will be required to lodge a statement to the Privacy Commissioner (**Commissioner**). Where practical to do so, the school entity will also notify the affected individuals. If it is not practicable to

notify the affected individuals, SVSS will publish a copy of the statement on its website, or publicise it in another manner.

### **Exception to notification obligation**

An exception to the requirement to notify will exist if there is a data breach and immediate remedial action is taken, and as a result of that action:

- there is no unauthorised access to, or unauthorised disclosure of, the information
- there is no serious harm to affected individuals, and as a result of the remedial action, a reasonable person would conclude the breach is not likely to result in serious harm.

### **Access and Correction of 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. Students will generally be able to access and update their personal information through their Parents, but older students may seek access and correction themselves. There are some exceptions to these rights set out in the applicable legislation.

To make a request to access or to update any personal information SVSS holds about you or your child, please contact the School Director in writing. SVSS may require you to verify your identity and specify what information you require. SVSS 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, SVSS 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.

The School will take reasonable steps to ensure that any personal information is accurate, up to date, complete, relevant and not misleading.

### **Consent and Rights of Access to the Personal Information of Students**

The School respects every Parent's right to make decisions concerning their child's education. Generally, the School will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. The School will treat consent given by Parents as consent given on behalf of the student and notice to Parents will act as notice given to the student.

Parents may seek access to personal information held by the School about them or their child by contacting the School Director. 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 student.

The School may, at its discretion, on the request of a student grant that student access to information held by the School 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 warrant it.

### **Sending Information Overseas**

The School may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, SVSS 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)
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

SVSS may use online or 'cloud' service providers to store personal information and to provide services to SVSS that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services.

This personal information may be stored in the 'cloud' which means that it may reside on a cloud service provider's server which may be situated outside Australia

### **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 that the School continues to provide a quality learning environment in which both students and staff thrive. Personal information held by the School may be disclosed to organisations that assist in the School's fundraising, for example, the School's Foundation or alumni organisation or, on occasions, external fundraising organisations.

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.

If you would like to opt-out of direct marketing please contact the School Director on [director@samfordsteiner.qld.edu.au](mailto:director@samfordsteiner.qld.edu.au)

### **Enquiries and Complaints**

If you would like further information about the way SVSS manages the personal information it holds or wish to make a complaint about a breach of the Australian Privacy Principles please contact the School Director, and using the Complaints Resolution Forms and system, available on the school website. SVSS will investigate any complaint and will notify you of the making of a decision in relation to your complaint as soon as is practicable after it has been made.

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<b>REVIEW OF POLICY</b>	A review of this policy will be carried out annually, to assess effectiveness and applicability, taking account of changes in legislation, technology, and changes in the School's operations and practices.
<b>ACCOUNTABILITIES</b>	<b>The School:</b> <ul style="list-style-type: none"><li>• Ensure processes are in place to collect, store and use information that respect individual privacy and are consistent with the Australian Privacy Principles.</li></ul>
<b>CONTACT</b>	Director
<b>REFERENCES</b>	<ul style="list-style-type: none"><li>• Privacy Act 1988 (Cwth)</li><li>• Privacy Amendment (Enhancing Privacy Protection) Act 2012</li><li>• SVSS Child Protection Policy</li></ul>
<b>LINKED POLICIES OR DOCUMENTS</b>	Nil
<b>APPENDICES</b>	<ul style="list-style-type: none"><li>• Appendix 1: How the School uses Personal Information</li><li>• Appendix 2: Standard Collection Notice</li><li>• Appendix 3: Alumni Association Collection Notice</li><li>• Appendix 4: Employment Collection Notice</li><li>• Appendix 5: Contractor/ Volunteer Collection Notice</li></ul>
<b>QUESTIONS</b>	<p><b>What if I have a concern about how my information has been used?</b></p> <p>If you would like further information about the way the School manages the personal information it holds or wish to complain that you believe that the School has breached the Australian Privacy Principles please contact the School Director. The School 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.</p> <p><b>How do I access information about me held by the School?</b></p> <p>To make a request to access or update any personal information the School holds about you or your child, please contact the School Director 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. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.</p> <p><b>Why would access to information be denied?</b></p> <p>Access to information could 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 duty of care to the student.</p>

**As a student, do I need Parent consent to access or give information?**

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

## **APPENDIX 1**

### **Use of Personal Information**

#### **Students and Parents**

In relation to personal information of students and Parents, the School's primary purpose of collection is to enable the School to provide schooling for the student. This includes satisfying the needs of Parents, the needs of the student and the needs of the School throughout the whole period the student is enrolled at the School.

The purposes for which the School uses personal information of students and Parents include:

- To keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- Day-to-day administration of the School;
- Looking after students' 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 student or Parent, if the information requested is not provided, the School may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

On occasions information such as academic and sporting achievements, student activities and similar news is published in School newsletters and magazines, on our website and school social media; this may include photographs and videos of student activities such as sporting events, school camps and school excursions. The School will obtain permissions from the student's parent or guardian (and from the student if appropriate) upon enrolment.

#### **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;
- Seeking donations and marketing for the School; and
- To satisfy the School's legal obligations, for example, in relation to child protection legislation.

#### **Volunteers**

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

## APPENDIX 2

### Standard Collection Notice

1. The School collects personal information, including sensitive information about students and parents or guardians before and during the course of a student's enrolment at the School. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the School to provide schooling to the student and to enable them to take part in all the activities of the School.
2. Some of the information we collect is to satisfy the School's legal obligations, particularly to enable the School to discharge its duty of care.
3. Laws governing or relating to the operation of a school require certain information to be collected and disclosed. These include relevant Education Acts, and Public Health and Child Protection laws.
4. Health information about students is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. We may ask you to provide medical reports about students from time to time.
5. The School may disclose personal and sensitive information to others for administrative and educational purposes, including to facilitate the transfer of a student to another school. This includes to other schools, government departments, medical practitioners, and people providing services to the School, including specialist visiting teachers, [sports] coaches, volunteers and counsellors, assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority, people providing administrative and financial services to the School, anyone you authorise the School to disclose information to, anyone to whom the School is required or authorised to disclose the information to by law, including child protection laws.
6. Personal information collected from students is regularly disclosed to their parents or guardians.
7. The School may use online or 'cloud' service providers to store personal information and to provide services to the School that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may reside on a cloud service provider's server which may be situated outside Australia.
8. The School's Privacy Policy, accessible on the School's website, sets out how parents or students may seek access to personal information collected about them. However, there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the School's duty of care to the student, or where students have provided information in confidence.
9. The School Privacy Policy also sets out how you may complain about a breach of privacy and how the School will deal with such a complaint.
10. The School from time to time engages in fundraising activities. Information received from you may be used to make an appeal to you. It may also be disclosed to organisations that assist in the School's fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.
11. On occasions information such as academic and sporting achievements, student activities and similar news is published in School newsletters and magazines which is available on our website. Photographs of student activities such as sporting events, school camps and school excursions may be taken for publication in School newsletters and magazines and on our website. The School obtains permissions from the students' parent or guardian upon enrolment
12. We may include students' and students' parents' contact details in a School Community Address and Phone List.
13. If you provide the School with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose this information to third parties.

**APPENDIX 3****Employment Collection Notice**

1. In applying for this position, you will be providing SVSS with personal information. We can be contacted by phone on 3430 9600 or by email at [info@samfordstiener.qld.edu.au](mailto:info@samfordstiener.qld.edu.au) or by visiting the School administration office at 5 Narrawa Drive Wights Mountain.
2. If you provide us with personal information, for example, your name and address or information contained on your resume, we will collect the information in order to assess your application for employment. We may keep this information on file if your application is unsuccessful in case another position becomes available.
3. The School's Privacy Policy, accessible on the School's website, contains details of how you may complain about a breach of the APPs or how you may seek access to personal information collected about you. However, there may be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others.
4. We will not disclose this information to a third party without your consent.
5. The School may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
6. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties.

**APPENDIX 5****Contractor/ Volunteer Collection Notice**

1. In applying to provide services to the School, you will be providing SVSS with personal information. We can be contacted by phone on 3430 9600 or by email at [info@samfordstiener.qld.edu.au](mailto:info@samfordstiener.qld.edu.au) or by visiting the School administration office at 5 Narrawa Drive Wights Mountain.
2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information in order to assess your application. We may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information for 2 years.
4. The School's Privacy Policy, accessible on the school's website, sets out how you may seek access to your personal information and how you may complain about a breach of the APPs.
5. We will not disclose this information to a third party without your consent. .
6. The School may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties.