

## Privacy Statement

### **Purpose:**

This statement outlines the policy of Fintona Girls School on how the School uses and manages personal information provided or collected. The School is bound by the National Privacy Principles contained in the Commonwealth Privacy Act 1988 and the Health Privacy Principles contained in the Health Records Act 2002. The School may, from time to time, review and update its Privacy Policy to take new laws and technology into account and to make sure it remains appropriate to the changing School management and environment.

### **Policy:**

#### **Types of personal information kept by the School and how it is collected**

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 student's enrolment at the School
- job applicants, staff members, volunteers and contractors and
- other people who come into contact with the School.

#### Personal Information personally provided

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

#### 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.

#### Exception in relation to employee records

Under the Privacy Act, the National Privacy Principles do not apply to employee records. 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.

### **How the School uses personal information provided**

#### Students and Parents

In relation to personal information about students and parents, the School's primary purpose is to enable it to provide schooling for the student. This includes satisfying both the needs of parents and the needs of the student throughout the whole period they are enrolled at the School.

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

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

Where the School requests personal information about a student or parent, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the pupil.

#### 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:

- to administer the individual's employment or contract, as the case may be,
- for insurance purposes
- to seek funds and marketing for the School
- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

#### Volunteers

The School also obtains personal information about volunteers or those 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.

#### 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 be a quality learning environment in which both pupils 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's Foundation or alumni organisation.

Parents, staff, contractors and other members of the wider School community may, from time to time, receive fundraising information. School publications which include personal information may be used for marketing purposes.

#### **Disclosure of personal information by the School**

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, sports coaches and camp facilities
- recipients of School publications, like newsletters and magazines;
- parents and

- anyone who individuals have authorised the School to disclose information to.

#### Sending information overseas

The School 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 National Privacy Principles.

#### **How the School treats 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 for a directly related secondary purpose, unless otherwise agreed, 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, 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.

#### **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 Student Services or the Reception of the School at any time. The National Privacy Principles require the School to store personal information no longer than necessary.

#### **You have the right to check what personal information the School holds about you**

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, but older students may seek access themselves. To make a request to access any information the School holds about parents or students, contact the Business Manager in writing. The School will require parents to verify their identity and specify what information they require. The School may charge a fee to cover the cost of verifying an 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.

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

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 Business Manager in writing. 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 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 warrant.

### **Enquiries**

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

### **Legislation:**

Commonwealth Privacy Act 1988  
Health Records Act 2002.

### **Responsibilities and Reviews**

Responsibility of this Policy:	Principal
Implementation Date:	January 2014
Policy Review:	Annually or as circumstances dictate
Review Year:	2017
Last Reviewed:	August 2016

## Privacy Complaints

### Procedure

Fintona Girls' School's policies and guidelines are intended to be up to date and be consistent with all relevant laws.

Employees and Contractors are expected to comply with all applicable policies and guidelines.

Various parts of the policies and guidelines require managers and staff to exercise discretion and the policies and guidelines are not intended to be applied in a legalistic or prescriptive manner.

These policies and guidelines may be varied by Fintona Girls' School from time to time, at its absolute discretion.

The policies and guidelines do not form part of an employee's contract of employment.

### Purpose and Scope

Fintona Girls' School is subject to the Australian Privacy Legislation which contains Privacy Principals that the School must abide by when it collects, stores, uses and discloses personal information.

This purpose of this document is to provide a consistent and fair approach for handling complaints with respect to privacy of personal information. The procedure will apply if an individual considers that the School has acted in a manner that breached a Privacy Principal in respect of that individual.

### Procedure Steps and Actions

1. A written complaint must be forwarded to the Business Manager within 6 months of the time the complainant first became aware of the alleged breach. The complaint must specify the details of the alleged breach.
2. The complaint may be made anonymously or using a pseudonym.
3. The Business Manager must make a determination on the complaint within 30 days of receipt of the complaint, and advise the complainant in writing.
4. If the Business Manager determines that there has been a breach of the Privacy Principals, he or she will, upon notification of the determination to the complainant, advise either the Principal or the Heads of School as applicable, of any action required to remedy the breach.
5. If the breach is capable of being rectified and is not rectified within 30 days of advice from the Business Manager, the Business Manager must inform the Principal.
6. The Business Manager will keep a record of all complaints. This will comprise a register and file records that will be securely stored in accordance with the current legislation.

### Consequences if the Privacy Policy is deliberately breached

Disciplinary action, in accordance with the School's Performance and Conduct Management Policy, may be taken against any person who deliberately breaches the School's Privacy Policy.

Where the privacy breach has occurred due to a systemic failure, a review will be undertaken to ensure that the no further breaches will occur.