



PRIVACY POLICY

This policy has been prepared with consideration to legal advice

All Trinity College Colac Policies will be read and developed with reference to the Core Values, Vision and Mission of the College as well as any other relevant College policies

This Privacy Policy sets out how the School manages personal information provided to or collected by it.

The School is bound by the Australian Privacy Principles (APPs) contained in the Commonwealth *Privacy Act 1988*. In relation to health records, the School is also bound by the *Health Records Act 2001 (Vic.)* and the Health Policy Principles in that Act.

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

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

The School collects and holds 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:
 - name, contact details (including next of kin), date of birth, previous school and religion
 - medical information (eg details of disability and/or allergies and details of any assistance the student receives in relation to those disabilities)
 - 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
 - any court orders
 - volunteering information (including Working With Children Checks)
 - photos and videos at school events.
- 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 superannuation details
- medical information (eg details of disability and/or allergies and medical certificates)
- complaint records and investigation reports
- leave details
- photos and videos at school events
- work emails and private emails (when using work email address) and internet browsing history
- other people who come into contact with the School, including name and contact details and any other information necessary for the particular contact with the School.

Personal Information you provide: 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 (such as job applicants and contractors) provide personal information to the School.

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. The type of information the School 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*, the Australian 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 the School and employee. The School handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*

Anonymity: The school needs to collect identifiable information to facilitate the delivery of educational and support services, the job application process and fulfil other obligations and processes. However, some activities and interactions with the school may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

How will the School use the personal information you provide?

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.

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 to students enrolled at the School (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 School. This includes satisfying the needs of Parents, the needs of the pupil and the needs of the School throughout the whole period the pupil is 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 of the School;
- looking after pupils' 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
- to satisfy the School service providers' legal obligations, including the Catholic Education Commission of Victoria Ltd (CECV) and the Catholic Education Offices.
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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.

Job applicants and contractors: In relation to personal information of job applicants and contractors, the School'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 School uses personal information of job applicants and contractors include:

- administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking donations and marketing for the School; and
- satisfying 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 (Old Collegians), to enable the School and the volunteers to work together, to confirm their suitability and to manage their visits.

Counsellors: The School contracts with external providers to provide counselling services for some students. The principal may require the Counsellor to inform him or her or other teachers of any issues the principal and the Counsellor believe may be necessary for the School to know for the well-being or development of the student who is counselled or other students at the School.

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

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 (Old Collegians) or, on occasions, the Parents and Friends Association of the College.

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 and sometimes people's images may be used for marketing purposes.

Who might the School disclose personal information to and store your information with?

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

- School service providers which provide educational, support and health services to the School, (either at the School or off campus) including the Catholic Education Commission of Victoria Ltd (CECV), Catholic Education Offices, specialist visiting teachers, volunteers, counsellors, sports coaches and providers of learning and assessment tools
- third party service providers that provide online educational and assessment support services, document and data management services, or applications to schools and school systems including the Integrated Catholic Online Network (ICON) and Office 365, including email and, where necessary, to support the training of selected staff in the use of these services

- other third parties which the school uses to support or enhance the educational or pastoral care services for its students or to facilitate communications with Parents
- another school including to its teachers to facilitate the transfer of a student
- State and Federal government departments and agencies
- health service providers
- recipients of School publications, such as newsletters and magazines
- student's parents or guardians and their emergency contacts
- assessment and educational authorities including the Australian Curriculum, Assessment and Reporting Authority
- anyone you authorise the School to disclose information to
- anyone who we are required or authorised to disclose the information to by law, including child protection laws.

Nationally Consistent Collection of Data (NCCD) on School Students with Disability

The School is required by the Federal *Australian Education Regulation 2013 (the Regulation)* to provide certain information under the NCCD on students with a disability. The school provides the required information to the CECV, as an approved authority, to provide on the school's behalf. Under the NCCD, the following information is required for each student with a disability:

- their level of education (i.e. primary or secondary)
- their category of disability (i.e. physical, cognitive, sensory or social/emotional)
- their level of adjustment (i.e. support provided within quality differentiated teaching practice, supplementary, substantial or extensive adjustment).

Student information provided for the purpose of the NCCD does not explicitly identify any student. However, the School will disclose students' names to the CECV, to enable CECV to undertake financial modelling about funding for particular students, including ongoing evaluation of the adequacy of the funding for individual students under the NCCD. The CECV will not disclose a student's identity for the NCCD.

Sending and storing information overseas: The School may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, 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 Australian Privacy Principles or other applicable privacy legislation.

The School may also store personal information [including sensitive information] in the 'cloud'. This means that the information is held on the servers of third party cloud service providers engaged by the School. The servers may be situated in or outside Australia.

The School 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 Microsoft's Office 365 suite, including email) which may be accessible by you. 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.

School personnel and the school'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.

As not all countries are bound by laws which provide the same level of protection for personal information provided by the APPs, the School makes reasonable efforts to be satisfied about the security of any personal information collected, processed and stored outside Australia, including that of cloud and third party service providers.

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

- [United States](#)
- [Netherlands](#)
- [Ireland](#)
- [Singapore](#)
- [Hong Kong, China](#)

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.

This includes the Integrated Catholic Online Network (ICON) system.

How does the School treat 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, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information and biometric 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.

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 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. It is recommended that parents and the school community adopt secure practices to protect themselves. You should ensure that all passwords you use are strong and regularly updated and that your log in details are kept secure. Do not share your personal information with anyone without first verifying their identity and organisation. If you believe any of your personal information has been compromised, please let the School know immediately.

Access and correction of personal information

Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to obtain access to any personal information and health records respectively 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 update any personal information the School holds about you or your child, please contact the Trinity College Colac Principal by telephone or 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.

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 Trinity College Colac Principal 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 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.

Notifiable Data Breach Scheme

Changes to the Privacy Act 1988 (Cth) make it compulsory for schools and other organisations to notify specific types of data breaches to individuals affected by the breach, and to the Office of the Australian Information Commissioner (OAIC). A data breach occurs when personal information is lost or subject to unauthorised access, modification, disclosure, or other misuse or interference.

Where a data breach has occurred that is likely to result in serious harm to any of the individuals to whom the information relates, it is considered 'eligible' and must be reported to the OAIC. Serious harm could include serious physical, physiological, emotional, economic and financial harm, as well as reputation.

The school follows procedures according to the Trinity College Colac Data Breach Response Plan. This requires that any breaches are reported to the principal and a risk assessment is conducted. If a serious breach is identified, then the principal completes *Data Breach Statement: What must be included*

Notification to the OAIC is only required if the consequences of a data breach are likely to cause serious harm. Examples of data breaches that may likely to cause serious harm and include:

- loss or theft of a laptop or other device containing the personal information of students or staff
- hacking of a database containing personal information
- mistaken provision of personal information to the wrong person.

Enquiries and complaints

If you would like further information about the way the School manages the personal information it holds about you, or wish to complain that you believe that the School has breached its privacy obligations, please contact the Trinity College Colac Principal by writing or telephone at 119 Hart Street, Colac. Vic. 3250 or by telephone (03) 5233 9200. The School 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.

If you are not satisfied with the School's decision you 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

REFLECTIVE MATERIALS

CECV Template - Updated Privacy Collection Notices

Ratified	20 th March 2018
Board Chairman	Anne Ditty
Date of next review	As required

STANDARD COLLECTION NOTICE

1. The School collects personal information, including sensitive information about students and parents or guardians and family members before and during the course of a student's enrolment at the School. This may be in writing or in the course of conversations and may be direct from the individual or from another source. The primary purpose of collecting this information is to enable the School, Catholic Education Offices and the Catholic Education Commission of Victoria Ltd (CECV) to meet its educational, administrative and duty of care responsibilities to the student to enable them to take part in all the activities of the School.
2. Some of the information the School collects 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 (which includes information about any disability) is sensitive information within the terms of the Australian Privacy Principles (APPs) under the *Privacy Act 1988*. The School may request medical reports about students from time to time and may otherwise collect sensitive information about students and their families.
5. If any personal information requested by the School is not provided, this may affect the School's ability to enrol a student, respond to enquiries, provide the student with educational and support services or allow a person to visit the School.
6. The School may disclose personal and sensitive information **for administrative, educational and support purposes** (or may permit the information to be directly collected by third parties). This may include to:
 - School service providers such as the CECV, Catholic Education Offices, school governing bodies and other dioceses
 - third party service providers that provide online educational and assessment support services or applications (apps), which may include email and instant messaging
 - School systems, including the Integrated Catholic Online Network (ICON) and Office 365 including email. Limited personal information such as student /individual learning plans may be collected and processed or stored by these providers in connection with these services
 - CECV to undertake financial modelling for students with a disability, including ongoing evaluation of funding adequacy for individual students
 - CECV to support the training of selected staff in the use of schools' systems, such as ICON
 - another school to facilitate the transfer of a student
 - Federal and State government departments and agencies
 - health service providers, and 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
 - people providing administrative and financial services to the School
 - anyone you authorise the School to disclose information to; and
 - anyone to whom the School is required or authorised to disclose the information to by law, including under child protection laws.
7. Personal information collected from students is regularly disclosed to their parents or guardians.
8. The School may also use cloud computing service providers to store personal information (which may include sensitive information) on their servers in the 'cloud'. These servers may be located in or

outside Australia. This may mean that personal information may be stored or processed outside Australia.

9. As not all countries are bound by laws which provide the same level of protection for personal information as the APPs, the School makes reasonable efforts to be satisfied about the protection of any personal information that may be collected, processed and stored outside Australia in connection with any cloud and third party services.
10. When the School uses Office 365 including email, some personal information (usually limited to name and email address) of students, parents or guardians may be transferred, stored and processed by Microsoft in the United States, or in any other country through which Microsoft provides these services or where it processes and stores information. This personal information will be stored and processed by Microsoft in accordance with Microsoft terms and conditions stated in the Microsoft Office 365 A1 for Education Agreement which the school entered into with Microsoft.
11. The countries in which the servers of cloud service providers and other third party service providers may be located are:
 - United States
 - Netherlands
 - Ireland
 - Singapore
 - Hong Kong, China
12. Where personal, including sensitive information is held by a cloud computing service provider on behalf of CECV for educational and administrative purposes, it may be stored on servers located within or outside Australia. This includes the ICON system.
13. School personnel and the school'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 ICON system and ensuring its proper use.
14. The School may disclose limited personal information to the school parish to facilitate religious and sacramental programs, and other activities such as fundraising.
15. The School's privacy policy is accessible via the school website, newsletter or from Reception. The policy sets out how parents, guardians or students may seek access to, and correction of their personal information which the School has collected and holds. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others, or may result in a breach of the School's duty of care to the student, or where students have provided information in confidence. Any refusal will be notified in writing with reasons if appropriate.
16. The School's Privacy Policy also sets out how parents, guardians, students and their family can make a complaint if they believe the School has interfered with their privacy and how the complaint will be handled.
17. The School may engage in fundraising activities. Information received from you may be used to make an appeal to you. We will not disclose your personal information to third parties for their own marketing purposes without your consent.
18. On occasions information such as academic and sporting achievements, student activities and similar news is published in School newsletters and magazines, on our intranet and on our website. 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) prior to publication to enable the school to include such photographs or videos [or other identifying material] in our promotional material or otherwise make this material available to the public such as on the internet. The school may obtain permissions annually, or as part of the enrolment process. Permissions obtained at enrolment may apply for the duration of the student's

enrolment at the school unless the school is notified otherwise. Annually, the school will remind parents and guardians to notify the school if they wish to vary the permissions previously provided.

19. If you provide the School with the personal information of others, such as other family members, doctors or emergency contacts, we encourage you to inform them you are disclosing that information to the School and why, that they can request access to and correction of that information if they wish and to also refer them to the School's Privacy Policy for further details about such requests and how the school otherwise handles personal information it collects and complaints it receives.