

# Wellington Christian School Policy

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## PRIVACY

RANGS Reference	
Date of Last Review	February 2017
Board approval required	Yes
Owner	Principal

## INTRODUCTION

Wellington Christian School acknowledges it is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act (1988), and the Privacy Amendment (Enhancing Privacy Protection) Act 2012. In relation to health records, the school is also bound by the NSW Privacy Principles which are contained in the Health Records and Information Privacy Act 2002 (Health Records Act).

## RATIONALE

Wellington Christian School acknowledges its responsibility to God to care for and protect the children, families and others who place their trust in the school to carry out those responsibilities according to Biblical understanding and in love. "Love always protects, always trusts, always hopes, always perseveres" (1 Corinthians 13:7).

The School respects the privacy of individuals and families and places a high priority on the integrity of its handling of information provided for the school for the welfare and care of students. The school honours Commonwealth and State laws which circumscribe the collection, storage and dissemination of information provided to it.

## PURPOSE

To enable careful and reasonable handling of personal information to maintain privacy while effectively carrying out the school's functions and activities

## SCOPE

All personal information supplied to, stored and used by Wellington Christian School, whether of students, parents or guardians, applicants for enrolment, staff or other people.

## COLLECTING, STORING AND USING PERSONAL INFORMATION

### 1. What is personal information?

Privacy refers to the need to protect the personal information that the school collects, stores and uses relating to individual students, parents and guardians, applicants for enrolment, staff, job

applicants, volunteers, contractors and other people. It includes personal information on students, parents and guardians held after the period of a student's enrolment at the School. Personal information is information about an individual from which the individual can be identified (or could reasonably be identified). Personal information includes (but is not limited to):

- Sensitive information such as racial or ethnic origins, political opinions or affiliations, religious or philosophical opinions or affiliations, sexual preferences or practices, criminal records, scholarship results, exam marks or teachers' notes
- Health information such as physical or mental health or a disability.

Personal information includes opinions, and may be true or not. It may be recorded in some form or other, or not—that is, it could simply be held in someone's memory. If personal information is recorded, it may be in completed forms, correspondence, emails or other types of documents or records.

## **2. What kinds of personal information will the school collect and hold?**

The school will not collect personal information unless it is reasonably necessary for one or more functions or activities of the school.

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

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

2.1 Personal information provided by an individual: Generally collected by way of written forms, face-to-face meetings, interviews, emails and telephone calls.

2.2 Personal information provided by other people: In some circumstances the School may be provided with personal information about an individual from a third party, eg. A report from a health care professional, or a reference from another School.

2.3 Exception in relation to employee records: Under the Privacy Act the Australian Privacy Principles and Health 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.

## **3. 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, or to which you have consented.

### **3.1 Students and parents**

The school primarily collects personal information on students and parents to enable it to provide schooling for the student, including satisfying both the needs of parents and the needs of the student through the period of the student's enrolment. Purposes include:

- Keeping parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines
- Carrying out day-to-day administration
- Looking after students' educational, social and medical wellbeing

- Seeking donations and marketing for the school
- Satisfying the school's legal obligations and allowing the school to discharge its duty of care
- Complying with State and Federal reporting requirements
- Investigating incidents or defending any legal claims against the school, its services or staff
- Celebrating the efforts and achievements of students

In some cases, if we don't receive the personal information we ask for, the school may not be able to enrol or continue the enrolment of the student.

### 3.2 Job applicants, staff members and contractors

The school's primary purpose in collecting personal information of job applicants, staff members and contractors is to assess and, if successful, to engage the applicant, staff member or contractor. Purposes include:

- Assessing suitability for employment, to engage an employee or contractor
- Administering the individual's employment or contract
- Satisfying insurance requirements
- Seeking funds and marketing for the school
- Satisfying the school's legal obligations; for example, meeting child protection legislation.
- Investigating incidents or defending legal claims about the school, its services or staff.

This policy will be reviewed annually with staff. Each new staff member must, as part of their contract of employment, agree to its terms.

### 3.3 Volunteers

The school obtains personal information about volunteers who assist the school in its functions or conduct associated activities to enable the school and the volunteers to work together.

### 3.4 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 students and staff thrive. Personal information held by the School may be disclosed to an organisation that assists in the School's fundraising.

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. A person may opt out of receiving marketing and fundraising material at any time by contacting the school office.

## 4. Collecting and using personal information

### 4.1 How we collect personal information

The school will usually collect personal information via forms filled out by parents or students, through face-to-face meetings and interviews, and via telephone calls. On occasions people other than parents and students provide personal information; for

example via a report provided by a medical professional or a reference from another school.

#### 4.2 Consent

We will only collect personal information where we have consent, except in cases where we consider collecting personal information is necessary to lessen or prevent a serious threat to life, health or safety, and it is impractical to get consent.

#### 4.3 Applications to enrol

At each stage of the enrolment application process, we will only request personal information necessary to complete that stage of the process, including assessing the suitability of any application against the selection criteria. We will advise parents how the information will be used.

Where applicants are unsuccessful, we will only retain the applicant's information on file if consent is given by the parent or guardian; otherwise, the information will be destroyed.

#### 4.4 Using photos

We will not use photos of students in newsletters, web sites or other publications if we have not been given permission.

#### 4.5 Unsolicited personal information

If we receive unsolicited personal information, we will destroy it unless we are permitted to hold the information and it is needed to carry out our functions or fulfil our duty of care to students or staff. If we retain the information, it will be stored in a similar way to all other personal information.

### 5. **Storing personal information**

We will store personal information securely so that it can only be readily accessed by a staff member with a legitimate reason for using it, and it is protected from interference, misuse, loss or unauthorized access.

- Personal information about students, parents or staff that we keep in databases will be protected from general access by effective security arrangements such as passwords so that only those with a legitimate reason can gain access to the information relevant to them. Workstations and software applications such as email will log off after a predetermined period of inactivity to prevent unauthorized access when they are unattended.
- Personal information on paper will be kept in locked storage and be protected by any other security measures appropriate to maintaining the required level of confidentiality and privacy. Documents with personal information must not be left visible and unattended in work areas.

### 6. **When personal information is no longer needed**

When personal information is no longer needed for the purpose for which it was collected, we will destroy it (or de-identify it).

## PRIVACY OFFICER

The school will appoint a Privacy Officer, who will:

- Maintain a register of the school's forms that hold personal information (see the Appendix)
- Arrange for regular training of relevant school staff in handling personal information so that privacy requirements are met
- Audit school administrative practices at least annually to ensure all types and locations of personal information have been identified and the privacy requirements of this policy are being met, and recommend to the Principal modifications or improvements to information handling processes or staff training.

## TRANSPARENCY AND ACCESS

### 1. Making our privacy policy available

We will provide a copy of this privacy policy to all people requesting enrolment information and whenever we invite registrations for enrolment. We will make the policy readily available by posting it on the school website.

### 2. Accessing personal information

Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to obtain access to any personal information which the School holds about them and to advise the School or 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.

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

2.2 The School endeavours to ensure that the personal information it holds is accurate, complete and up-to-date.

2.3 Personal information may be accessed or updated by contacting the School in writing. The School will require you to verify your identity and specify what information you require.

2.4 If the information sought is extensive, the School may require a fee to cover the cost of verifying your application and locating, retrieving, reviewing and copying any material requested.

2.5 The School will not store personal information longer than necessary.

2.6 If we cannot provide you with access to that information, we will provide you with a written notice explaining the reasons for refusal.

#### Denial of Access to Personal Information

Access to personal information will be denied in all cases such as where:

2.7 It would pose a serious or imminent threat to the life or health of an individual

2.8 Release may result in a breach of the School's duty of care to the student

2.9 It would have an unreasonable impact on the privacy of other individuals

2.10 It is likely to prejudice the prevention, detection, investigation, prosecution or punishment of an unlawful activity, the activities of a law enforcement agency, or legal proceedings

2.11 The request is frivolous or vexatious

2.12 The information relates to existing or anticipated legal proceedings between the parties, and the information would not be accessible through legal procedures

2.13 Providing access would be unlawful

2.14 Denying access is required or authorized by or under law.

## 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/guardians. The School will treat consent given by parents/guardians as consent given on behalf of the student, and notice to parents/guardians will act as notice given 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 or their parents/guardians. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

### **3. Who might the School disclose personal information to?**

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 and sports coaches
- Recipients of school publications, like newsletters and magazines
- Parents
- Anyone you authorise the School to disclose information to.

We will not provide personal information to a third party unless we have consent from the parent or guardian, or we are legally required to do so. For example, we will not supply personal information on a student to a third party who is paying that student's school fees without the consent of the parents or guardians. Legal requirements to provide information may include child protection, law enforcement, court orders and public health or safety issues.

The School does not send personal information about an individual outside Australia, without;

- Obtaining consent of the individual (unless consent is already complied) or
- Otherwise complying with Australian Privacy Principles or other applicable privacy legislation.

## **CORRECTIONS AND COMPLAINTS**

### **Correcting information**

We will make reasonable efforts to keep personal information accurate, up-to-date and complete. Where advised by a student, parent or guardian that the personal information we are holding is incorrect or incomplete, we will correct our records. When a record has been corrected, the individual will be advised that the correction has been made.

An Annual Information Update will be completed each year, usually in Term 1.

## Complaints

Where the school holds personal information on an individual and that person (or their parent or guardian) has a complaint relating to the privacy of the information, the complaint should be made in writing to the Principal. If you make an initial verbal complaint, the school may request you to make the complaint in writing to the Principal so that the specific issues are clearly understood.

In some circumstances, someone making a complaint may wish to maintain anonymity (or pseudonymity). We will respect this desire in handling the complaint.

The Principal will handle all complaints of breaches of this privacy policy, reporting regularly to the Complainant on the progress and outcome of each complaint.

If the school does not respond to a complaint after 30 days, a complaint can be made to the Australian Information Commissioner at <http://www.oaic.gov.au/privacy/privacy-complaints>.

## 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, unauthorized access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerized records, and restricting access to relevant people in areas where personal information is stored.

## ACCOUNTABILITIES

<i>Role</i>	<i>Accountabilities</i>
Principal	Implement this policy within the School Maintain procedures for proper collection, storage and dissemination of information Provide resources so that systems and facilities for holding and using personal information maintain privacy. Monitor complaints about privacy to ensure satisfactory resolution.
Business Manager	Ensure processes are enacted to provide for secure handling of personal information, both in hard copy and computer databases, so privacy of the information is maintained. Provide for information to be kept up-to-date, corrected where necessary, and destroyed once it is no longer needed. Receive and respond to requests for access to personal information. Provide written reasons if access is to be refused. Receive and resolve any complaints about privacy.

<b>Role</b>	<b>Accountabilities</b>
Privacy Officer	<p>Maintain the register of the school's forms that hold personal information.</p> <p>Arrange for training of relevant school staff in handling personal information.</p> <p>Audit the school's administrative practices at least annually to ensure the privacy requirements are being met</p> <p>Recommend to the Principal modifications or improvements to information handling processes or staff training.</p>
Staff	<p>Never access and use personal information unless it is required to do your work.</p> <p>Maintain the privacy of personal information, including information you know even though it isn't written down.</p>

## DEFINITIONS

<b>Term</b>	<b>Definition</b>
Personal information	Information or an opinion, whether true or not, about an individual whose identity is apparent, or can reasonably be inferred from, the information or opinion, whether the information is recorded in a material form or not. It includes all personal information, regardless of its source. ,
Sensitive Information	Personal information that is given extra protection and must be treated with additional care. It includes any information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, membership of a professional or trade association, philosophical beliefs, membership of a trade union, sexual orientation or practices, or criminal record. It also includes health information.
Health Information	Information or an opinion about: the health or disability (at any time) of an individual; an individual's expressed wishes about the future provision of health services to him/her; a health service provided, or to be provided, to an individual.
Records	<p>The Privacy Act regulates personal information contained in a 'record'. It includes a 'document' or an 'electronic or other device'. It covers a wide variety of material. A 'document' includes anything on which there is any writing, anything from which sounds, images or writings can be reproduced, drawings or photographs.</p> <p>It excludes a generally available publication (eg. A telephone directory); or anything kept in a library, art gallery or museum for the purposes of reference, study or exhibition.</p>
The School	Wellington Christian School

## REFERENCES

### Legislative and other external references

*Privacy Act 1988 (Cth)*

*Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)* (includes *Australian Privacy Principles* in Schedule 1)

<b>Related Policies &amp; Procedures</b>	<b>Person Responsible</b>
Enrolment Policy	Head of School
Child Protection Policy	Head of School
Recruitment Policy	Head of School
Privacy Procedure	Head of School
Annual Information Update	Head of School

## APPENDIX: REGISTER OF FORMS HOLDING PERSONAL INFORMATION

The forms listed below hold personal information. Any completed copies of these forms must be held in locked storage or, if the information is stored electronically, must be secured from unauthorized access.

### *Title*

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Application to Register

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Application to Enrol

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Medical and Emergency Information

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Annual Information Update

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Application for Access to Information

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Student Medication Request

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**ANNUAL INFORMATION UPDATE**

Use this form to indicate any changes or updates to your personal information held by the school. Complete the form by ticking choices or printing in the appropriate response boxes where information has changed. Please use BLOCK LETTERS.

**STUDENT DETAILS**

Name	<<School completes before issuing form>>	Date of birth	<<School completes>>
Current class:	<<School completes >>	Current year:	<<School completes>>

**CONTACT AND MEDICAL DETAILS**

	Mother	Father
Name	<<School completes before issuing form>>	<<School completes before issuing form>>
Mobile		
Email		
Email for school correspondence		

**Emergency Contact**

Please provide one emergency contact for times when a parent can't be contacted.

Name		Home phone	
Relationship to student		Mobile	

**Doctor**

Name		Phone	
Address			

**Student Medical Notes**

Please make changes to medical notes listed here (if any) to reflect current medical status.

For any moderate to severe current medical conditions, please attach the current action plan.

**Parent or Custodial Consent**

I authorise the administration of first aid by a qualified first aider. In case of an emergency I authorise the school to call an ambulance if necessary. I accept responsibility for any costs involved.  Yes  No

If my child has a moderate or severe medical condition, I give permission for his or her medical information to be displayed in the school office, staffrooms, first aid room and student medical folders.  Yes  No

I authorise the administration of over-the-counter paracetamol pain relief to my child if judged to be appropriate by a qualified first aider.  Yes  No

I give permission for my child's photo to be published for promotional and school community information purposes.  Yes  No

I give permission for my child's photo to be used for the purpose of school social media outlets; for example, Facebook (no names will be shown).  Yes  No

I agree that the above details are correct.

Parent name: ..... Signed: ..... Date: .....

**APPLICATION FOR ACCESS TO INFORMATION**

- Use this form to request access to private information, either to view or to obtain copies.
- You will be charged a processing fee of \$33.00 for access, which includes up to one hour’s processing time. Additional processing time will be charged at \$10.00 per quarter hour. We will advise you before supplying materials of any additional charge.
- You must provide proof of identity with this form.

**PART A: APPLICANT DETAILS**

Surname	<input type="text"/>	Phone (Home)	<input type="text"/>
First name	<input type="text"/>	Phone (Work)	<input type="text"/>
Street address	<input type="text"/>	Phone (Mobile)	<input type="text"/>
Suburb	<input type="text"/>		
State	<input type="text"/>	Postcode	<input type="text"/>
Email	<input type="text"/>		

**PART B: DOCUMENTS REQUESTED**

Please list the specific documents you wish to access:

- Supply adequate details to enable documents to be identified
- Indicate with a tick next to each document if you wish to view it or obtain a copy. (Documents will be provided as printed copies unless you request otherwise.)

Document description	View only	Receive a copy
.....	<input type="checkbox"/>	<input type="checkbox"/>
.....	<input type="checkbox"/>	<input type="checkbox"/>
.....	<input type="checkbox"/>	<input type="checkbox"/>
.....	<input type="checkbox"/>	<input type="checkbox"/>
.....	<input type="checkbox"/>	<input type="checkbox"/>

Enclosed is \$\_\_\_\_\_ to cover the application fee and one hour’s processing, which I understand is non-refundable.

Applicant’s signature: .....

Date: .....

(Remember to provide proof of identity with the completed form.)