



CEOB Privacy Policy 2015

Reviewed by Leadership Team: April 2015
Next Review: 2016

RATIONALE:

Catholic Education Ballarat (CEOB) is committed to ensuring that appropriate policies, procedures and monitoring arrangements are in place to support effective management of personal or sensitive information and school data provided to or collected by it.

CEOB is bound by the Australian Privacy Principles contained in the *Commonwealth Privacy Act 1988*. In relation to health records, the CEOB is also bound by the *Health Records Act 2001* (Vic.).

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

DEFINITIONS:

Personal information: Personal information means information the CEOB holds about you from which your identity is either apparent or can be reasonably determined. Examples include names, addresses, telephone numbers, dates of birth. Personal information does not include health information.

Health information: Any information or opinion about the health or disability of an individual, an individual's expressed wishes about the future provision of health services to him or her or a health service provided, or to be provided to an individual. Examples include health records, certificates, details of medical background, health assessment results.

Australian Privacy Principles (APPs): Principles established under the *Privacy Act 1988 (Cth)* that set out minimum standards on how organisations deal with the collection, security, use and disclosure, correction and storage of personal information and access to that information.

Sensitive information: Information relating to a person's racial or ethnic origin, political opinions, religious beliefs or affiliations, 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.

Identifier: A number assigned to an individual to identify uniquely that individual for the purposes of an organisation's work, e.g. a Medicare number. Unique identifiers are used to facilitate data matching. As data matching can reduce privacy, under the APPs organisations are prohibited from adopting government or authority identifiers as their own identifiers.

School data: This specifically refers to school improvement, school culture, student achievement and school financial data that is either collected by CEOB or that is provided to CEOB as the coordinating system authority.

POLICY STATEMENT:

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

The CEOB collects information from individuals and from schools to assist it in its work of leading, advising and supporting the Catholic schools of the Diocese of Ballarat. In compliance with the relevant legislation, the CEOB only collects information that is necessary in order for it to perform one or more of its functions or activities.

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

- students and parents and/or guardians (hereafter, “parents”) before, during and after the course of a student’s enrolment in a Catholic school;
- job applicants, staff members, volunteers and contractors;
- other people who come into contact with the CEOB.

The CEOB will generally collect personal information held about an individual by way of forms filled out by the individual, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than the individual provide personal information. This is the case with some information held at system level.

The CEOB may also receive parent information and information about students and staff of diocesan Catholic schools from schools or by the Catholic Education Commission of Victoria.

In some circumstances the CEOB may be provided with personal information about an individual from a third party, for example a report provided by a school or by a medical professional or a reference from another employer.

Use of information collected via the CEOB website or intranet

The CEOB will not make an attempt to identify users by their browsing activities. However, in the unlikely event of an investigation, a law enforcement agency or other government agency may exercise its legal authority to inspect the CEOB’s internet service provider’s logs.

The CEOB will only record your email address if you send the CEOB a message. Your email address will only be used for the purpose for which you have provided it and it will not be added to a mailing list or used for any other purpose without your consent.

The CEOB’s website does not provide facilities for the secure transmission of information across the Internet. Users should be aware that there are inherent risks in transmitting information across the Internet.

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 CEOB’s treatment of an employee record unless required by law or organisational policy where the treatment is directly related to a current or former

employment relationship between the CEOB and the employee. The CEOB handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*.

How will the CEOB use the personal information you provide?

The CEOB 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.

Students and Parents:

The CEOB uses personal information on students and parents collected by the CEOB or provided by schools to:

- assist with students' learning and wellbeing
- satisfy the CEOB's accountability and legal obligations and allow the CEOB to discharge its duty of care.

Job applicants, staff members and contractors:

In relation to personal information of job applicants and contractors, the CEOB's primary purpose of collection is to assess and (if successful), engage the applicant or contractor.

In addition, the CEOB uses personal information of job applicants and contractors for the purpose of:

- administering the individual's employment or contract, as the case may be
- for insurance purposes
- to satisfy the CEOB's legal obligations, for example in relation to child protection legislation.

Volunteers:

The CEOB may also obtain personal information about volunteers to assist the CEOB in its functions or to conduct associated activities to enable the CEOB to conduct its functions.

Marketing:

The CEOB undertakes marketing activities to promote the future growth and development of diocesan Catholic schools. The CEOB may receive personal information held by a school for the CEOB's marketing purposes.

To whom might the CEOB disclose personal information and with whom might the CEOB store your information?

The CEOB may disclose personal information, including sensitive information, held about an individual to:

- another Catholic Education Office
- government departments
- people providing services to the CEOB, including specialist visiting teachers, counsellors
- recipients of CEOB print and online publications such as newsletters and magazines
- anyone you authorise the CEOB to disclose information to
- anyone to whom we are required to disclose the information by law.

Sending and storing information overseas:

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

- obtaining your consent (in some cases this consent will be implied)
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

How does the CEOB treat 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 unless the use or disclosure of the sensitive information is allowed by law.

Management and security of personal information

The CEOB and the CEOB's staff are required to respect the confidentiality of students', staffs' and parents' personal information and the privacy of individuals.

The CEOB has in place steps to protect the personal information the CEOB 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.

Access and correction of personal information

Under the *Commonwealth Privacy Act and the Health Records Act 2001 (Vic.)* an individual has the right to obtain access to any personal information which the CEOB holds about them and to advise the CEOB of any perceived inaccuracy. There are some exceptions to this right set out in the Act.

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 CEOB holds about you or your child, please refer to the contact details below.

The CEOB may require you to verify your identity and specify what information you require. The CEOB 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 CEOB will advise the likely cost in advance. If the CEOB cannot provide you with access to that information, you will be provided with a written notice explaining the reasons for refusal.

Consent and rights of access to the personal information of students

The CEOB respects every parent's right to make decisions concerning their child's education. Generally, the CEOB will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. The CEOB 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 CEOB about them or their child by contacting the CEOB Privacy Officer (see contact details below). 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 CEOB's duty of care to a school, staff member or student.

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

School data collected, held and used by CEOB

School data which is either collected by, held by or provided to CEOB because of its role in supporting school improvement or as the coordinating system authority (such as school improvement, school culture, student achievement or school financial data) is treated as **sensitive information**.

CEOB staff observe strict protocols with regards to access to, use of and confidentiality of school data. Access to school data by the appropriate CEOB staff enables the CEOB to fulfil its role in supporting school improvement, providing learning support services to students and schools and monitoring matters of compliance.

PRINCIPLES:

The Policy requires:

- clarity in communicating the reason for collecting information or data from individuals or schools.
- attention to the secure storage and security of personal and sensitive information.
- prompt, courteous and responsive service to enquiries.
- observance of confidentiality and appropriate professional standards in use of sensitive information.

In conjunction with this policy, note should be taken of relevant legislation, guidelines, policies and procedures where appropriate, including for instance:

- government and statutory laws and legislation
- CEOB and BDSAC policies and procedures

ENQUIRIES AND COMPLAINTS:

If you would like further information about the way the CEOB manages the personal or sensitive information it holds, or wish to complain that you believe that the CEOB has breached the Australian Privacy Principles, please contact the CEOB Privacy Officer, Mr Peter Kerwan.

5 Lyons St South, BALLARAT 3350; Phone 5337 7135; Email privacy@ceoballarat.catholic.edu.au

The CEOB 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.