



Orange Christian School

Privacy Policy

| | |
|-----------------------------|--|
| Prepared by | Elaine Cooper |
| Date prepared | February 2014 |
| Date approved by the Board: | 10 March 2014 |
| Monitored by | Principal |
| Review by | Principal |
| Date for review | 2015 |
| Status | Approved |
| Policy Pertains to: | All staff |
| File Details: | Policy Hard copy – Executive Assistant Policy Soft copy – 'O' Drive |

Version History

| Version | Date | Notes |
|---------|-------------|---|
| 1.0 | August 2013 | |
| 1.1 | Jan 2014 | Revised in accordance with Privacy Amendment (Enhancing Privacy Protection) Act 2012, effective 12 March 2014 |
| 1.2 | | |

Original document produced from content used under licence from Prolegis Pty Limited. (6 July 2010)

Orange Christian Schools Ltd

Vision

*To raise up effective leaders of godly character who will
blend academic achievement and biblical truth,
to influence society for the glory of God*

Mission

In partnership with parents, Orange Christian School
provides affordable education that brings
honour and glory to God.

OCS gives each child a Christ-centred education
as a complete person created by God in His image:

- Academically to see the world from God's view
- Spiritually to view themselves in relation to God
- Socially to see others as God sees them

Table of Contents

| | | |
|---|--|----|
| 1 | INTRODUCTION..... | 2 |
| 2 | CHRISTIAN RATIONALE | 2 |
| 3 | PURPOSE OF THIS DOCUMENT..... | 2 |
| 4 | WHO MUST COMPLY WITH THIS DOCUMENT | 2 |
| 5 | DEFINITIONS | 2 |
| 6 | POLICY | 4 |
| 7 | STANDARD COLLECTION NOTICE..... | 9 |
| 8 | COLLECTION NOTICE - CONTRACTORS; EMPLOYMENT..... | 10 |

Important related documents:

Orange Christian School Enrolment Policy

Orange Christian School Employment Policy

Orange Christian School Child Protection Policy

Orange Christian School Overseas Excursion Policy

Relevant Legislation:

The Privacy Act 1988

Privacy Amendment (Enhancing Privacy Protection) Act 2012

Health Records and Information Privacy Act 2002 (NSW)

1 INTRODUCTION

The School 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 New South Wales Privacy Principles which are contained in the Health Records and Information Privacy Act 2002 (Health Records Act).

The School reserves the right to review and update this Privacy Policy in accordance with new laws and technology, changes to the School's operations and practices, and to make sure it remains appropriate to the changing school environment.

2 CHRISTIAN RATIONALE

Orange Christian School acknowledges its responsibility toward God to care for and protect the children, families and others who trust the School to carry out those responsibilities with love and respect. *(Love) always protects, always trusts, always hopes, always perseveres.* (1 Corinthians 13:7)

The School respects the privacy of individuals and families: and therefore puts a high priority on integrity in its handling of information provided to the School for the care of students; and in protecting the rights of all people who provide information.

The School honours the Commonwealth and State laws which circumscribe the collection, storage and dissemination of information provided to it.

3 PURPOSE OF THIS DOCUMENT

This statement outlines the policy of Orange Christian School ('the School') in relation to how the School uses and manages personal information provided to, or collected by, it for the well-being of students in its care; and that provided by staff employed by the School.

4 WHO MUST COMPLY

This policy applies to members of School Staff, and the Board of Orange Christian School.

Evidence of Compliance

Principal

| | |
|---|-------------------------------------|
| Implement this policy within the school | Executive CPL Program & Calendar |
| All relevant people are aware of the policies which apply from time to time under this document | Calendar of Policy Review |
| Procedures are maintained for the proper collection, storage and dissemination of information | Privacy Compliance Manual (Summary) |

Business Manager/ IT Supervisor:

| | |
|--|---|
| Procedures for collection, storage, disclosure of Personal Information and Sensitive Information | Privacy Compliance Manual Executive CPL Program & Calendar |
| Authorisation of staff to access records | IT Access Records |

All staff

Compliance with policy and procedures for collection, storage, access and disclosure of Personal Information and Sensitive Information

Annual CPL Register

Each new staff member must, as part of their contract of employment, agree to the terms of this policy.

Staff Employment Files

5 DEFINITIONS

The following terms have the following meanings in this policy:

- **‘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’** – 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.

It excludes a generally available publication (e.g. a telephone directory); or anything kept in a library, art gallery or museum for the purposes of reference, study or exhibition.

- **‘The School’** – Orange Christian School

6 POLICY

6.1 Type of Personal Information Collected

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
- (a) Personal information provided by an individual: Generally collected by way of written forms, face-to-face meetings, interviews, emails and telephone calls.
- (b) Personal information provided by other people: In some circumstances the School may be provided with personal information about an individual from a third party, e.g. a report from a health care professional, or a reference from another school.
- (c) 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.

6.2 Need to Advise

Before information is collected, or as soon as practicable afterwards, the School will make the individual to whom the information relates aware of the following:

- The fact that information is being collected
- The purpose for which the information is being collected
- The intended recipients of the information
- Whether the supply of information by the individual is required by law, or is voluntary; and any consequences for the individual if the information is not provided, or part not provided
- The existence of any right of access to, and correction of, the information

This information is outlined in the 'Standard Collection Notice'; 'Contractor/ Volunteer Collection Notice' and 'Employment Collection Notice'. (Appendix)

6.3 Use of the Personal Information Provided to the School

The School will use personal information provided to it for the primary purpose of collection; and for related secondary purposes which may be reasonably expected, or to which you have consented.

- (a) Students and Parents/ Guardians

The School's primary purpose of collection of personal information is to enable the School to provide schooling for the student. This includes satisfying both the needs

of parents/ guardians, 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 this personal information include:

- To keep parents informed about matters relating to the child's schooling, through correspondence, reports, newsletters and magazines
- Day-to-day administration
- The student's educational, social and medical well-being
- Seeking donations and marketing for the School
- To satisfy the School's legal obligations and allow the School to discharge its duty of care
- Complying with Federal and State reporting requirements
- Investigating incidents or defending any legal claims against the School, its services or staff
- Celebrating the efforts and achievements of students

Where the School requests personal information about a pupil or parent/ guardian, which 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 specific activity.

(b) Job applicants, staff members and contractors

The School requests personal information for:

- Assessing suitability for employment, to engage an employee or contractor
- Administration of the individual's contract or employment
- Insurance purposes, such as public liability or Work Cover
- Satisfying the School's legal obligations, e.g. in relation to child protection legislation
- Investigating incidents, or defending legal claims about the School, its services or staff
- Seeking donations, and marketing of the School

(c) 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.

(d) Marketing and Fund-raising

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 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

6.4 Disclosure of Personal Information

- (a) The School may disclose personal information, including sensitive information, held about an individual to:
- Another school
 - Government departments
 - Medical practitioners
 - Service providers to the School, e.g. visiting specialist teachers, music tutors
 - Recipients of School publications, such as newsletters and magazines
 - Parents
 - Anyone personally authorised by the parents/ guardians of the student
 - Anyone to whom the School is required to disclose information to by law
- (b) The School will not send personal information about an individual outside Australia without:
- Obtaining the consent of the individual (unless this consent is already implied)
 - Otherwise complying with the Australian Privacy Principles, or other applicable privacy legislation

6.5 Handling of 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 agreed otherwise, or the use or disclosure of the sensitive information is allowed by law.

6.6 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, and restricting access to relevant people in areas where personal information is stored.

6.7 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 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.
- The School endeavours to ensure that the personal information it holds is accurate, complete and up-to-date.
- 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.
- 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.
- The School will not store personal information longer than necessary.
- If we cannot provide you with access to that information, we will provide you with a written notice explaining the reasons for refusal.

6.8 Denial of Access to Personal Information

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

- It would pose a serious or imminent threat to the life or health of an individual
- Release may result in a breach of the School's duty of care to the student
- It would have an unreasonable impact on the privacy of other individuals
- 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
- The request is frivolous or vexatious
- The information relates to existing or anticipated legal proceedings between the parties, and the information would not be accessible through legal procedures
- Providing access would be unlawful
- Denying access is required or authorized by or under law

6.9 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 of their parents/ guardians. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

6.10 Employment Records

Employee records and acts done by the School as the employer of staff, if directly related to a current or former employment relationship are exempt from the application of the Privacy Act 1988.

Examples of this type of information include the terms and conditions of employment, personal contact details, performance and conduct and salary details.

Accordingly, the School may access and use personal information about employees when appropriate.

6.11 Complaints

Any concerns about the way the School has handled personal information should be made in writing and directed to the Principal.

The School will investigate the complaint and will notify you of the making of a decision in relation to your complaint as soon as practicable after it has been made.

6.12 Enquiries

For further information about the way the School manages the personal information it holds, please contact the School.

Reference: 'Privacy Compliance Manual', Independent Schools Council of Australia and National Catholic Education Commission, September 2013, used by permission

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, Work Health and Safety (including Health Acts), 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 ask you to provide medical details about students for duty of care and relevant risk assessment.
5. The School from time to time discloses 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 additional services to the School, such as specialist visiting teachers, tutors and volunteers.
6. Personal information collected from students is regularly disclosed to their parents or guardians.
7. The School does not currently store personal information in the 'cloud' (i.e. residing on servers which are situated outside Australia).
8. The School's Privacy Policy 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's 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. As you may know, the School from time to time engages 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.
11. On occasions information such as academic and sporting achievements, student activities and similar news is published in School newsletters, magazines and on our website. Photographs of student activities such as sporting events, school camps and excursions may be taken for publication in School newsletters, magazines and on our website. There is provision to opt-out of this use of such material.
12. Students' and parents' contact details may be issued in a class list and School directory.
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 the information if they wish and that the School does not usually disclose this information to third parties.

CONTRACTOR/ VOLUNTEER COLLECTION NOTICE

1. In applying to provide services to the School, you will be providing Orange Christian School with personal information.
We can be contacted at: 500 Cecil Road, Orange; or by phone: 6362 7258
2. If you provide us with personal information, e.g. 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 the length of the job in hand, or keep it on file for future reference.
4. The School's Privacy Policy sets out how you may seek access to your personal information and how you may complain about a breach of the Australian Privacy Principles.
5. We will not disclose this information to a third party without your consent.
6. We may require a Working With Children Check from you under Child Protection Law.
7. The School does not currently store personal information in the 'cloud', i.e. on servers situated outside Australia.
8. If you provide us with the personal information of others, e.g. medical practitioners, next of kin, we encourage you to inform them that you are disclosing that information to the School, and why, that they can access the information if they wish, and that the School does not usually disclose the information to third parties.

EMPLOYMENT COLLECTION NOTICE

1. In applying for this position you will be providing Orange Christian School with personal information. We can be contacted at 500 Cecil Road Orange, or by phone: 6362 7258.
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 contains details of how you may complain about a breach of the Australian Privacy Principles, 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. We are required to collect Working With Children Check information under Child Protection laws.
6. If you provide us with the personal information of others, e.g. medical practitioner or next of kin, 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.