# Privacy Policy

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<td>Related Legislation</td>
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<td>□ Commonwealth Privacy laws as referred to in the Privacy Amendment (Enhancing Privacy Protection) Act</td>
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PREAMBLE

The policies of ‘St Joseph’s College, Hunters Hill, NSW’ hereinafter referred to as ‘The College’ are made from time to time pursuant to the requirements set out in section 47 of the Education Act and of the NSW Education Standards Authority (NESA) for registration of the College.

This Policy is a direction to you by the College as an employee or contractor of the College. You must comply with this Policy. If you do not comply with this Policy, the College may take disciplinary action, up to and including termination of your employment or engagement.

To uphold and comply with the Australian Privacy Principles that came into force through ‘Privacy Amendment (Enhancing Privacy Protection) Act 2012’ - hereinafter referred to as ‘The Amending Act’.

The Privacy Policy sets out how the College manages personal information provided to or collected by it. The Amending Act regulates the way private sector organisations collect, use, keep, secure and disclose personal information.

The College is bound by the Australian Privacy Principles (APPs). The College is committed to upholding these principles and complying with the Commonwealth privacy laws referred to in The Amending Act.

In relation to health records, the College is also bound by the New South Wales Health Privacy Principles which are contained in the Health Records and Information Privacy Act 2002 (Health Records Act).

The College may, from time to time, review and update this Privacy Policy to take account of changes in legislation, technology or the College’s operations and practices and to make sure it remains appropriate to the changing College environment.

The College’s Privacy Policy and Collection Notices can be viewed on the College’s website www.joeys.org.

Student Image Consent

If you do not want College staff to photograph or take videos of your son either at the College or at a College event, please advise the Privacy Officer in writing at sjc@joeys.org or on +61 2 9816 0900.
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1. **OVERVIEW**

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

The College is bound by the Australian Privacy Principles contained in the *Commonwealth Privacy Act*. In relation to health records, the College is also bound by the New South Wales Health Privacy Principles which are contained in the *Health Records and Information Privacy Act 2002 (Health Records Act)*.

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

2. **WHAT KINDS OF PERSONAL INFORMATION DOES THE COLLEGE COLLECT AND HOW DOES THE COLLEGE COLLECT IT**

The type of information the College collects and holds includes (but is not limited to) 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 College;
- job applicants, staff members, volunteers and contractors; and
- Other people who come into contact with the College.

2.1 **Personal Information you provide**

The College 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 provide personal information.

2.2 **Personal Information provided by other people**

In some circumstances the College 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.

2.3 **Exception in relation to employee records**

Under the Privacy Act and Health Records and Information Privacy Act 2002 (NSW), 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 College’s treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the College and employee.

2.4 **How will the College use the personal information you provide?**

The College 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.
2.5 Personal Information of those people who are directly involved at the College

2.5.1 Students and Parents:

In relation to personal information of students and parents, the College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying the needs of parents, the needs of the student and the needs of the College throughout the whole period the student is enrolled at the College.

The purpose for which the College uses personal information of students and parents includes:

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

In some cases where the College requests personal information about a student or parent, if the information requested is not provided the College may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

2.5.2 Job applicants, staff members and contractors

In relation to personal information of job applicants, staff members and contractors, the College'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 College uses personal information of job applicants, staff members and contractors include:

- in administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking donations and marketing for the College; and
- to satisfy the College's legal obligations, for example, in relation to Child Protection legislation.

2.5.3 Volunteers

The College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities, such as alumni associations, to enable the College and the volunteers to work together.

2.5.4 Marketing and fundraising

The College treats marketing and seeking donations for the future growth and Advancement of the College as an important part of ensuring that the College continues to provide a quality learning environment in which both students and staff thrive. Personal information held by the College may be disclosed to organisations that assist in the College's fundraising, for example, the College's Foundation or alumni organisation or, on occasions, external fundraising organisations.
Parents, staff, contractors and other members of the wider College community may from time to time receive fundraising information. College publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

3. **WHO MIGHT THE COLLEGE DISCLOSE PERSONAL INFORMATION TO AND STORE YOUR INFORMATION WITH**

3.1 **General Disclosure**

Personal information is used for the purposes for which it was given to the College, or for purposes which are directly related to one or more of our functions or activities. Personal information may be disclosed, if the individual:

- has given consent; or
- would reasonably expect the personal information to be disclosed in that manner.

The College may disclose personal information without consent or in a manner which an individual would reasonably expect if:

- required to do so by law;
- the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety;
- another permitted general situation applies;
- disclosure is reasonably necessary for a law enforcement related activity;
- another permitted health situation exists.

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

- another school;
- government departments;
- medical practitioners;
- people providing services to the College, including specialist visiting teachers, counsellors and sports coaches;
- recipients of College publications, such as newsletters and magazines;
- Parents;
- anyone you authorise the College to disclose information to; and
- anyone to whom the College is required to disclose the information to by law.

3.2 **Sending and storing information overseas**

The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a College exchange. However, the College will not send personal information about an individual outside Australia:
without the individual’s consent (which may be implied); 

satisfying that the overseas recipient is compliant with the Australian Privacy Principles, or a similar privacy regime; 

formed an opinion that the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety; or 

taking appropriate action in relation to suspected unlawful activity or serious misconduct.

The College may also store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.

4. HOW DOES THE COLLEGE TREAT SENSITIVE AND UNSOLICITED INFORMATION

In referring to 'sensitive information', the College 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.

If unsolicited personal information received by the College could not have been collected, the College will destroy or de-identify the information as soon as practicable, provided it is lawful and reasonable to do so. Given that on many occasions it is likely that unsolicited personal information will be received orally, it is important for all staff to understand that this information will only be caught by the privacy laws in the event it is subsequently recorded.

It is the College's policy that staff do not record unsolicited personal information received during conversations, unless that information is relevant to the functions and activities of the College.

5. MANAGEMENT AND SECURITY OF PERSONAL INFORMATION

The College's staff are required to respect the confidentiality of students’ and parents’ personal information and the privacy of individuals. The College has in place steps to protect the personal information the College 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.

The College stores Personal Information in a variety of formats including, but not limited to:

- databases
- hard copy files
- personal devices, including laptop computers
- third party storage providers such as cloud storage facilities
- paper based files.

The College takes all reasonable steps to protect the personal information we hold from misuse, loss, unauthorised access, modification or disclosure.
These steps include, but are not limited to:

- Restricting access and user privilege of information by staff depending on their role and responsibilities.
- Ensuring staff do not share personal passwords.
- Ensuring hard copy files stored in lockable filing cabinets in lockable rooms. Staff access is subject to user privilege.
- Ensuring access to the College’s premises secured at all times.
- Ensuring IT and cyber security systems, policies and procedures implemented and up to date.
- Ensuring staff comply with internal policies and procedures when handling the information.
- Undertaking due diligence with respect to third party service providers who may have access to personal information, including customer identification providers and cloud service providers, to ensure as far as practicable that they are compliant with the Australian Privacy Principles or a similar privacy regime.
- The destruction, deletion or de-identification of personal information held that is no longer needed, or to be retained under any other laws.

The public website may contain links to other third-party websites outside of The College. The College is not responsible for the information stored, accessed, used or disclosed on such websites and cannot comment on their privacy policies.

6. **RESPONDING TO DATA BREACHES**

The College will take appropriate, prompt action if we have reasonable grounds to believe that a data breach may have, or is suspected to have occurred. Depending on the type of data breach, this may include a review of our internal security procedures, taking remedial internal action, notifying affected individuals and the Office of the Australian Information Commissioner (OAIC).

If we are unable to notify individuals, we will publish a statement on our website and take reasonable steps to publicise the contents of this statement.

7. **DATA BREACH RESPONSE PLAN**

The College has a Data Breach Response Team (DBRT) comprising of Director of Innovation, Communications and Technology, Director of Advancement, Director of Business Services and Finance Manager who follow the Data Breach Response Plan outlined by OAIC. The detailed plan is shown below:
Notifiable Data Breach Response Plan

A data breach can take many forms and have many causes. Depending on the circumstances, the extent of interference with personal information will vary, as will the harm suffered by the individuals affected by the interference. Our notification obligations can also vary.

Suspected or known data breach

A data breach occurs when personal information held by the College is misused, interfered with, lost or subject to unauthorised access, modification or disclosure.

1. Contain

The first step is to contain a suspected or known breach, where possible. This means taking immediate steps to limit any further access or distribution of the affected personal information, or the possible compromise of other information.

2. Assess

After a thorough investigation, the College's DBRT considers whether the data breach is likely to result in serious harm to any of the individuals whose information was involved. If there are reasonable grounds to believe this is the case, then the College proceeds to notify.

If it only has grounds to suspect that this is the case, then assessment is carried out. As part of the assessment, the College considers whether remedial action is possible. This assessment has three stages:

1. Initiate: plan the assessment and form a DBRT
2. Investigate: gather relevant information about the incident to determine what has occurred
3. Evaluate: make an evidence-based decision about whether serious harm is likely. This decision should be documented.

The College conducts this assessment within 30 days of ascertaining that a breach has occurred.

Take remedial action

Where possible, the College takes steps to reduce any potential harm to individuals.

This might involve taking action to recover lost information before it is accessed, or changing access controls on compromised databases.

If remedial action is successful in making serious harm no longer likely, then notification is not required. Progress to Step 4: Review.

NO Is serious harm still likely? YES

3. Notify

Where serious harm is likely, the College prepares a statement for the OAIC to be submitted as soon as practicable that contains:

- the College’s identity and contact details
- a description of the breach
- the kind/s of information concerned
- recommended steps for individuals

The College also notifies affected individuals, and inform them of the contents of this statement.

The School considers three options for notifying:

1. Notify all individuals
2. Notify all individuals at risk of serious harm.

OR if 1 or 2 aren’t practicable:
3. Publish the statement on the College’s public website and publicise it.

The College may provide further information in its notification, such as an apology and an explanation of what they are doing about the breach.

4. Review

Review the incident and take action to prevent future breaches. This may include:

- fully investigating the cause of the breach
- developing a prevention plan
- conducting audits to ensure the plan is implemented
- updating security/response plans
- considering changes to School policies and procedures
- revising staff training practices
- consider a report to the College Board on outcomes and recommendations following the review

The College may also appropriately consider reporting the incident to other relevant bodies, such as:

- police or law enforcement
- ASIC
- professional bodies
- other entity/ies that may be involved in the breach
8. 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 that the College holds about them and to advise the College 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 College holds about you or your child, please contact the College Headmaster, Deputy Headmaster or Director of Business Services in writing. The College may require you to verify your identity and specify what information you require. The College 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 College will advise the likely cost in advance. If the College cannot provide you with access to that information, the College will provide you with written notice explaining the reasons for refusal.

9. CONSENT AND RIGHTS OF ACCESS TO THE PERSONAL INFORMATION OF STUDENTS

The College respects every parent's right to make decisions concerning their child's education.

Generally, the College will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. The College 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.

As mentioned above, parents may seek access to personal information held by the College about them or their child by contacting the Headmaster. 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 College's duty of care to the student.

The College may, at its discretion, on the request of a student grant that student access to information held by the College about him, or allow a student to give or withhold consent to the use of his personal information, independently of his parents. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

10. ENQUIRIES AND COMPLAINTS

Privacy complaints: If you wish to make a complaint about a breach by the College of the Australian Privacy Principles or the Health Privacy Principles you may do so by providing your written complaint by email, letter or facsimile or by personal delivery to any one of our contact details as noted below. You may also make a complaint verbally. The College will respond to your complaint within a reasonable time (usually no longer than 30 days) and the College may seek further information from you in order to provide a full and complete response. Your complaint may also be taken to OAIC.

You can contact the College about this Policy or about your personal information in the following ways:

- Email: sjc@joeys.org
- Call: 02 9816 0900
- Facsimile: 02 9879 6804
11. COLLECTION NOTICES

11.1 Standard Collection Notice

☐ The College collects personal information, including sensitive information about students and parents or guardians before and during the course of a student's enrolment at the College. This may be in writing or in the course of conversations. The primary purpose to collect this information is to enable the College to provide schooling to the student and to enable him to take part in all the College activities.

☐ Some of the information collected is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care.

☐ Laws governing or relating to the operation of a College require certain information to be collected and disclosed. These laws include relevant Education Acts, and Public Health and Child Protection.

☐ Health information about students is sensitive information within the terms of the Australian Privacy Principles. The College may ask you to provide medical reports about students from time to time.

☐ The College regularly discloses personal and sensitive information to others for administrative and educational purposes, including facilitating the transfer of a student to another College. This includes to other schools, government departments, Catholic Education Office, Catholic Education Commission, the local diocese and the parish, schools within other dioceses, medical practitioners, and people providing services to the College, including specialist visiting teachers, sports coaches, volunteers and counsellors.

☐ Personal information collected from students is regularly disclosed to their parents or guardians.

☐ The College may store personal information in the 'cloud' which may mean that it resides on servers situated outside Australia.

☐ The 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 and would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the College's duty of care to the student, or where students have provided information in confidence.

☐ The College's Privacy Policy also sets out how you may complain about a breach of privacy and how the College will deal with such a complaint.

☐ As you may know, the College engages in fundraising activities from time to time. Information received from you may be used to make an appeal to you. It may also be disclosed to organisations that assist in the College's fundraising activities solely for that purpose. The
College will not disclose your personal information to third parties for their own marketing purposes without your consent.

- On occasions information such as academic and sporting achievements, student activities and similar news is published in College newsletters and magazines, on the College website and on the College’s social media accounts. Photographs of student activities such as sporting events, College camps and College excursions may be taken for and published in College newsletters and magazines, its website, its social media accounts, on intranet and in promotional material.

- If you provide the College with the personal information of others, such as doctors or emergency contacts, the College encourages you to inform them that you are disclosing that information to the College and why and that they can access that information if they wish, but be advised that the College does not usually disclose this information to third parties.

### 11.2 Volunteer Collection Notice

- In offering to provide voluntary services to the College, you will be providing the College with personal information. The College is located at Mark Street, Hunters Hill NSW 2110 and can be contacted on 02 9816 0900 or by email at sjc@joeys.org

- If you provide the College with personal information, for example your name and address or information contained on the student enrolment application or other documents, the College will collect that information.

- You agree that the College may store this information for a period of at least 7 years and is destroyed thereafter.

- The 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.

- The College will not disclose this information to a third party without your consent.

- As part of the engagement process the College conducts a criminal record check and a Working with Children Check regarding whether you are or have been the subject of an Apprehended Violence Order or certain criminal offences under Child Protection Legislation respectively. The College may also collect personal information about you in accordance with these checks.

- The College may store personal information in the ‘cloud’, which may mean that it resides on servers, which are situated outside Australia.

- If you provide the College with the personal information of others, the College encourage you to inform them that you are disclosing that information to the College and why and that they can access that information if they wish, but be advised that the College does not usually disclose the information to third parties.

### 11.3 SJC Advancement Office Collection Notice

- SJC Advancement Office may collect personal information from Old Boys and past parents and other affiliates from time to time. The primary purpose of collecting this information is to enable the College to inform you about our activities and the activities of SJC and to keep alumni members and other SJC affiliates informed about other members and affiliates.

- The College must have the information referred to above to enable the College to continue your membership in the Old Boys’ Union, 1881 Past Parents Association and other affiliate groups.
• From time to time the College engages in fundraising activities. The information received from you may be used to make an appeal to you. It may also be used by SJC Foundation Ltd to assist in its fundraising activities. If you do not agree to this, please contact the Director of Advancement at foundation@joeys.org

☐ SJC Advancement Office may publish details about you or photographs of you in the College’s alumni publication Cerise & Blue, Joeys Jottings, College News, College Magazine, on the College website or on the College’s social media accounts. For any disagreement, please contact Advancement Office.

☐ The College’s Privacy Policy (please refer page 1) contains details of how you may seek access to personal information collected about you or how you may complain about a breach of the Australian Privacy Principles.

☐ The College may store personal information in the ‘cloud’, which may mean that it resides on servers which are situated outside Australia.

☐ If you provide personal information to the College about other people, the College encourages you to inform them of the above matters.

11.4 Contractor Collection Notice

• In offering to provide contractual services to the College, you will be providing the College with personal information. The College is located at Mark Street, Hunters Hill NSW 2110 and can be contacted by telephone on 02 9816 0900 or by email at sjc@joeys.org

☐ If you provide the College with personal information on yourself or members of your organisation, for example your name and address or information contained on your tender or offer, the College will collect the information in order to assess your application. The College may also make notes and prepare a confidential report in respect of your application.

☐ You agree that the College may store this information for a period of at least seven (7) years and after that period, the College will destroy it.

☐ The College’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.

☐ The College will not disclose this information to a third party without your consent.

☐ As part of the engagement process the College will conduct a criminal record check and a Working with Children Check regarding whether you or members of your organisation are or have been the subject of an Apprehended Violence Order or certain criminal offences under Child Protection Legislation respectively. The College may also collect personal information about you or members of your organisation in accordance with these checks.

☐ The College may store personal information in the ‘cloud’, which may mean that it resides on servers which are situated outside Australia.

☐ If you provide the College with the personal information of others, the College encourage you to inform them that you are disclosing that information to the College and why and that they can access that information if they wish, but be advised that the College does not usually disclose the information to third parties.

☐ The College reserves the right to use the photo identification provided by the contractor as part of its internal process to produce a photo ID card that will allow that contractor to work
on the College premises. The College will delete any photographs taken electronically on a
mobile or other device after the ID card is produced.

11.5 Employment Collection Notice

- In accepting employment at the College, you will be providing SJC with personal information. The College is located at Mark Street, Hunters Hill NSW 2110 and can be contacted by telephone on 02 9816 0900 or by email at sjc@joeys.org

- If you provide the College with personal information, for example, your name and address or information contained on your resume, the College will collect the information in order to assess your application for employment. If your application is unsuccessful, the College will destroy your resume. If you specifically ask the College to retain your resume, it may be held for a reasonable amount of time and then destroyed.

- The College’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.

- The College will not disclose this information to a third party without your consent.

- As part of the employment process, the College will conduct a criminal record check and a Working with Children Check regarding whether you are or have been the subject of an Apprehended Violence Order or certain criminal offences under Child Protection Legislation respectively. The College may also collect personal information about you in accordance with these checks.

- The College may store personal information in the ‘cloud’, which may mean that it resides on servers which are situated outside Australia.

- If you provide the College with the personal information of others, the College encourages you to inform them that you are disclosing that information to the College and why and that they can access that information if they wish, but be advised that the College does not usually disclose the information to third parties.

11.6 Counselling at SJC - Things You Should Know

- The College provides counselling services for its students as part of its pastoral care program. These are provided through counsellors employed by the College.

- Students are encouraged to make use of these services if they need assistance. There are, however, a number of things that students and parents should know before using this service.

- Records will be made of counselling sessions and because the counsellor is a College employee, those records belong to the students but are held at the College, not by the counsellor.

- The College is very conscious of the need for confidentiality between counsellor and student. However, at times it may be necessary for the Counsellor to divulge the contents of discussions or records to the Headmaster or the Deputy Headmaster if the Headmaster or the Deputy Headmaster or the Counsellor considers it necessary for the student’s welfare to discharge the College’s duty of care to the student.

- It is also possible that the Headmaster or the Deputy Headmaster may need to disclose aspects of discussions with counsellors to others in order to assist the student.
Where a disclosure is made it would be limited to those who need to know, unless the student consents to some wider disclosure.

The College does not need the consent of the student before providing a report to the parents, provided that it could be established that the report was a related secondary purpose (or directly related, if health information) to providing schooling to the student and disclosure would be reasonably expected. This expectation would be dealt with through the ‘collection notice’. Even if this were not the case, disclosure to the parent may be necessary for the College to fulfil its duty of care, as discussed below.

However, it is important that all students using the College’s counselling service are aware that there will be occasions when the contents of discussions may be disclosed to the Headmaster or the Deputy Headmaster and such other key personnel who may access Counsellor’s records.

If the student is thought to be of an age or maturity that they would not understand that they are consenting to this disclosure, should it be necessary, then the College will notify the parents or guardian of the student. In determining whether this is necessary the College gives regard to Section 18 ‘Consent and Young People’ of the Amending Act. If such a requirement is felt inappropriate, then the matter is referred for discussion with the Headmaster and/or the Deputy Headmaster.

The College emphasises that disclosures (if any) would be very limited. However, if a student is not prepared to use the counselling services on the basis set out above the student will need to obtain counselling services from outside the College.

12. COLLECTION OF SCHOOL INFORMATION BY THE AUSTRALIAN GOVERNMENT (‘THE GOVERNMENT’) UNDER THE AUSTRALIAN EDUCATION ACT 2013 (‘EDUCATION ACT’)

12.1 Collection of information about schools

The Government provides funding to Australian schools under the Education Act. That Act and the associated Australian Education Regulation 2013 require that your child’s school provide the Government with certain information about the school, its financial arrangements, and its student body, in order that the funding is properly calculated and accounted for.

12.2 What information is collected by the Government?

The authority that operates your child’s school, such as NESA, a state or territory education department, a Catholic Education Office (CEC), or an independent school authority, will provide basic information about the College to the Government, such as its name, address, contact details, years of schooling, and number and makeup of its staff.

The authority must provide the Government with information about the school’s finances, including annual audited financial statements and certification that Government funding has been used for proper purposes relating to education.

In addition, the authority will provide certain performance information at an aggregate level, including student attendance rates, student results in the National Assessment Program, and for secondary schools, post-school student destinations; such as going into the workforce, vocational education and training, or higher education.

- The authority is required to publish much of this information, and it is also published by the Australian Curriculum Assessment and Reporting Authority (ACARA) on the My School website at www.myschool.edu.au.
The school authority must also provide information to the Government about the makeup of the school’s student body during an annual school census. This is because Government funding varies according to whether students are primary, secondary, receiving distance education, or are overseas students; and is calculated to provide additional funding, called ‘loadings’, for students at educational disadvantage.

The authority must provide information about the number of students attending the school, including the number of:

- primary and secondary students
- full-time and part-time students
- Aboriginal and Torres Strait Islander students
- students with disability
- students with low English proficiency
- students receiving distance education
- boarding students and overseas students

13. WHO RECEIVES THIS INFORMATION

Most of the information is provided by school authorities to the Australian Government Department of Education (AGDET). Some of it is provided directly to ACARA.

AGDET may in turn pass the information on to ACARA, state and territory education departments and authorities, the Australian Bureau of Statistics (ABS), and the Productivity Commission. AGDET may also provide the information to other agencies if required or authorised by law to do so.

14. WHY IS THIS INFORMATION COLLECTED

AGDET collects information about schools under the Education Act for:

- calculation of Government funding
- oversight of funding conditions and requirements
- monitoring of financial performance and educational outcomes of schools
- publishing and providing information about schools to the public.

The department also uses the information for research, statistical analysis, and policy Advancement on school education for the Government.

Information passed to ACARA, state and territory education authorities, the ABS, and the Productivity Commission is used by those organisations for their public purposes. For example, the information collected from school authorities under the Education Act forms part of the national statistical collection maintained by the ABS.

15. IS MY CHILD IDENTIFIED IN THE INFORMATION COLLECTED BY THE AUSTRALIAN GOVERNMENT

Where school authorities are required to provide the Government with information about students, that information is aggregated statistical data that does not identify individual students. The information is not matched with any other information held by the Government that can be used to identify individual students.
However, from time to time the DET engages contractors to audit or verify school records, to ensure the information a school provides to the department is accurate. The information previously collected by the department may also be passed onto these contractors for this purpose.

When carrying out an audit, the contractors may need to access information about individual students from the school’s records. This information may be ‘personal information’ within the meaning given in the Privacy Act 1988. The contractors may pass this information onto officers within DET if there is a discrepancy in the data provided by the school or its records and further investigation is required.

There may be other circumstances in which a school authority will voluntarily provide information about individual students to the department, when seeking additional funding for those students. Most commonly, these are where a student has not been in attendance at a school during the annual school census but the authority wishes to receive funding for him or her, and where the authority believes that the demographics of the students at the school are not representative of the households in the ABS statistical areas serviced by the school.

Other than in exceptional circumstances (for example, investigation of fraud relating to overseas students), the department does not disclose personal information to any overseas recipients.