

PRIVACY POLICY



Sydney Catholic Schools

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1. INTRODUCTION AND PURPOSE

The Privacy Policy sets out how Sydney Catholic Schools (SCS) manages personal information provided to or collected by it and its schools.

The purpose of the Policy is to inform:

- SCS staff about their obligations concerning personal information and the relevant supporting documents to assist them to meet these obligations; and
- members of the wider school community about how SCS manages their personal information and how they may request access to this information, including making a complaint about how SCS has managed their information.

2. SCOPE

This policy applies to SCS staff. In this policy, SCS staff means all employees, members of religious orders engaged in schools, volunteers, trainees, interns and labour hire employees.

This policy also applies to contractors, job applicants, parents/carers, students, and other members of the SCS school community.

3. WHAT KINDS OF PERSONAL INFORMATION DOES SCS COLLECT AND HOW DOES SCS COLLECT IT?

3.1 Personal information of students and parents/carers

SCS collects and holds personal information, including health and other sensitive information about students and parents/carers before, during and after the period of a student's enrolment at a school, including:

- name, contact details (including next of kin), such as a student or parents'/carers' mobile number and email address, date of birth, gender, language background, previous school and religion
- parents'/carers' education, occupation and language background
- medical information (e.g. details of a disability and/or allergies, absence notes, medical reports and names of health professionals)
- conduct and complaint records, or other behaviour notes and school reports
- information about referrals to government welfare agencies
- counselling reports
- health fund details
- any court orders such as parenting orders and Apprehended Domestic Violence Orders (ADVOs)
- volunteering information
- photos and videos at school events.

3.2 Personal information of job applicants, staff members, volunteers and contractors

SCS collects and holds personal information, including health and other sensitive information, about job applicants, staff members, volunteers and contractors, including:

- name, contact details (including next of kin), date of birth and religion
- information on job application
- professional development history
- salary and payment information, including superannuation details
- medical information (e.g. details of disability and/or allergies, medical reports and medical certificates)
- complaint records and investigation reports
- leave details
- photos and videos at school events
- technical or metadata fields (e.g. IP addresses, device identifiers for every device on the SCS ICT network) that can reasonably identify an individual
- emails sent or received using a SCS email account or SCS service, internet browsing history and all activity on SCS ICT resources
- workplace surveillance information collected in accordance with the [SCS Workplace Surveillance Policy](#).

3.3 Personal information of others who come into contact with SCS

SCS collects and holds personal information, including health and other sensitive information about other people who come into contact with SCS or a school, including name and contact details and any other information necessary for the particular contact with SCS.

SCS may collect personal information about an individual from publicly available sources such as the Internet and social and professional media platforms.

SCS may also collect personal information about an individual from third parties such as:

- SCS' related entities and service providers
- teachers, guardians, carers, parents and colleagues of the individual.

3.4 How personal information is collected by SCS

SCS will generally collect personal information held about an individual through paper or electronic forms filled out by parents/carers or students, face-to-face meetings and interviews, emails and telephone calls.

On applying to enroll a student, parents/carers provide permission for schools to obtain information from third parties including other schools. For example, SCS may obtain a report provided by a medical professional or a reference from another school. Detailed information about personal information SCS collects is set out in the [Standard Collection Notice](#) that is attached to the application to enroll.

3.5 Exception in relation to employee records

Under the *Privacy Act 1988* (Cth) (the Privacy Act) and *Health Records and Information Privacy Act 2002* (NSW) (the Health Records Act), the Australian Privacy Principles and Health Privacy Principles do not apply to an employee record. As a result, this Policy does not apply to SCS' treatment of an employee's record, where the treatment is directly related to a current or former employment relationship between SCS and the employee. However, as a matter of best practice, SCS respects the privacy of its employees and the importance of keeping their personal information confidential.

3.6 Issue of Collection Notices

SCS will issue the applicable information collection notices in the following circumstances:

- [Standard Collection Notice](#) - issued to parents/carers and students upon enrolment
- [Alumni Collection Notice](#) - issued to former students and their parents/carers
- [Employee Collection Notice](#) - issued to employees or prospective employees applying for employment with SCS Schools
- [Vocational Education and Training Privacy Notice and Student Declaration](#) - issued to parents/carers and secondary students undertaking Vocational Education and Training (VET) courses
- [Contractor/Volunteer Collection Notice](#) - issued to contractors/volunteers when offering, applying or agreeing to provide services to SCS Schools

4. HOW WILL SCS USE PERSONAL INFORMATION?

SCS will use personal information it collects 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 the individual, or to which they have consented.

4.1 Use of personal information – students and parents/carers

SCS' primary purpose of collection of personal information of students and parents/carer is to enable SCS and the school to provide education to students enrolled at the school, exercise its duty of care and perform necessary associated administrative activities which will enable students to take part in all the activities of the school. This includes satisfying the needs of parents/carers, students, SCS and the school throughout the whole period of enrollment.

Purposes for which SCS and a school use personal information of students and parents/carers include:

- to keep parents/carers informed about matters related to their child's schooling and spiritual and social wellbeing through correspondence, newsletters and magazines
- day-to-day administration of SCS and the school
- looking after students' educational, social, spiritual and medical wellbeing
- to satisfy the legal obligations of SCS and the school including obligations under child

protection and other legislation, court orders and to meet our duty of care.

In some cases, where SCS or a school requests personal information about a student or parents/carers and the information requested is not provided, the school may not be able to enroll or continue the enrollment of the student, or permit the student to take part in a particular activity.

4.2 Use of personal information – job applicants and contractors

SCS or a school's primary purpose of collection of personal information of job applicants and contractors is to assess and (if successful) engage the applicant or contractor.

Purposes for which SCS or a school uses the personal information of job applicants and contractors include:

- administering the individual's employment or contract
- insurance
- satisfying the legal obligations of SCS and the school, e.g. in relation to child protection.

4.3 Use of personal information – volunteers

SCS and our schools also obtain personal information about volunteers who assist a school in its functions or conduct associated activities, such as alumni associations, to enable the school and the volunteers to work together.

4.4 Use of personal information – marketing and fundraising

SCS and our schools regard marketing and seeking donations for future development to be an important part of ensuring that SCS schools continue to provide a high-quality learning environment in which students and staff thrive. Personal information held by SCS or a school may be disclosed, with consent, to organisations that assist in a school's fundraising, for example, SCS' Catholic Education Foundation or alumni organisation and/or, on occasions, external fundraising organisations.

Parents/carers, SCS staff, contractors and other members of the wider school community may from time to time receive fundraising information or school publications such as newsletters and magazines.

4.5 Use of personal information – sharing between SCS schools

The Privacy Act does not prevent each school from sharing personal (including sensitive) information with the other schools operated by SCS provided appropriate consents are sought from parents and carers. Parents and carers are made aware on enrolment that personal information may be shared between SCS schools. Other schools may then only use this shared personal information for the purpose for which it was originally collected by SCS as set out in the Collection Notices.

This allows schools to transfer information between them; for example, when a student transfers from one SCS school to another. Sharing sensitive information, such as medical information, requires direct consent from parents and carers which is sought on the student's enrolment and throughout the student's schooling. Sensitive information is stored securely on Compass and access is restricted to staff on a strictly "need to know" basis.

5. DISCLOSURE OF INFORMATION?

5.1 Who might SCS disclose personal information to?

SCS or a school may disclose personal information, including sensitive information, held about an individual for educational, spiritual, social, administrative and support purposes, to:

- other schools operated by SCS and teachers at those schools
- Catholic Schools NSW (CSNSW)
- Catholic schools in the dioceses of NSW and the ACT for which CSNSW is the approved system authority in respect of the Nationally Consistent Collection of Data (NCCD) on school students with disability
- government departments (including for policy and funding purposes)
- the school's local parish, the Archdiocese of Sydney, or other related church agencies/entities
- medical practitioners
- people providing educational, support and health services to a school, including specialist visiting teachers, counsellors and sports coaches and other school coaches and tutors
- online or cloud service providers that provide services to SCS or a school
- providers of specialist advisory services and assistance, including in the areas of human resources, child protection and children with additional needs;
- providers of learning and assessment tools
- assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA) and NAPLAN (National Assessment Platform Literacy and Numeracy) Test Administration Authorities, who will disclose it to the managers of NAPLAN's online platform
- for students enrolled in Vocational Education and Training (VET) courses, and/or participating in a school-based apprenticeship or traineeship: the National Centre for Vocational Education Research Ltd (NCVER), a student's employer, relevant government departments and authorised agencies, organisations conducting student surveys and research, and 'cloud' service providers that provide services to SCS or a school
- people and organisations providing administrative and financial services to the school
- recipients of school publications such as newsletters and magazines
- students' parents/carers
- anyone an individual authorises SCS or the school to disclose their information to
- anyone to whom SCS or the school are required or authorised by law to disclose the information, including by child protection laws.

5.2 Sending information overseas and storing information

SCS may disclose personal information about an individual to overseas recipients outside Australia, for example, to facilitate an overseas student exchange. However, SCS will not send

personal information outside Australia without:

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

SCS may use online or 'cloud' service providers to store personal information and to provide services to SCS that involve the use of personal information, such as services relating to email, instant messaging, online learning resources and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may be stored on a cloud service provider's server which may be situated outside Australia, for example Google.

6. HOW DOES SCS TREAT SENSITIVE INFORMATION?

In referring to 'sensitive information', SCS means:

- a. information about an individual relating to their 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; and
- b. 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 the individual agrees otherwise, or the use or disclosure of the sensitive information is allowed by law.

7. MANAGEMENT AND SECURITY OF PERSONAL INFORMATION

SCS staff are required to respect the confidentiality of students' and parents/carers' personal information and the privacy of individuals.

SCS and each school has steps in place to protect the personal information held from misuse, interference, loss, unauthorised access, modification or disclosure. These include secure storage of paper records and password protected access to computerised records.

8. ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

Under the Privacy Act and Health Records Act, an individual has the right to access any personal information which SCS or a school holds about them and to advise SCS and/or the school of any perceived inaccuracy.

A request to access or update any personal information SCS or a school holds about an individual, may be made in writing as follows:

- by a student or parent/carer, to the school Principal; and
- by any other individual, to SCS, via the SCS Privacy Officer at legal@syd.catholic.edu.au,

SCS will respond to a request within a reasonable period, usually within 30 days after SCS receives the request, and that it occasionally may take SCS longer if the request is particularly complex or there are several requests. SCS will let you know and keep you reasonably updated if SCS cannot respond within 30 days.

A fee may be charged to cover the cost of verifying an application and locating, retrieving, reviewing and copying the material requested. If the information sought is extensive, SCS or the school will advise the likely cost in advance. If SCS or the school cannot provide access to the requested information, a written notice will be provided explaining the reasons.

9. CONSENT AND RIGHT OF ACCESS TO PERSONAL INFORMATION OF STUDENTS

SCS respects parents/carers' right to make decisions concerning their child's education. Generally, SCS or the school will refer any requests for consent and notices in relation to a student's personal information to their parents/carers. SCS and the school will treat consent given by parents/carers as consent given on behalf of the student.

A notice to parents/carers will act as notice given to the parent/carer. Parents/carers may seek access to personal information held by the school about them or their child by contacting the school Principal. However, there will be occasions when access is denied, such as where release of information would have an unreasonable impact on the privacy of others, is prevented by a court order or where the release may result in a breach of a school's duty of care to the student.

Students will generally be able to access and update their personal information through their parents/carers, but older students may seek access and correction themselves. There are some exceptions to these rights set out in the applicable legislation.

A school may, at its discretion, on the request of a student, grant that student access to information held by the school about them, or allow a student to give or withhold consent to the use of their personal information, independently of their parents. This would normally be done only when the capacity and maturity of the student and/or the student's personal circumstances warrant. As a general rule, SCS may assume a student over the age of 15 has capacity to consent. However, it may be appropriate in individual cases for parents/carers to consent on a student's behalf.

10. ENQUIRIES AND COMPLAINTS

For further information about the way SCS or a school manages the personal information it holds, or to complain about an alleged breach of the Australian Privacy Principles, please contact:

- the school Principal; or
- the SCS Privacy Officer on 02 9569 8416 or by email to: legal@syd.catholic.edu.au.

The school or SCS will investigate any complaint and will notify the individual making the complaint of the decision as soon as is practicable.

If the individual is not satisfied with SCS' response to a request or a complaint, or how SCS has handled their personal information, the individual may lodge a complaint with the Office of the Australian Information Commissioner [here](#):

11. FURTHER INFORMATION

If you have any questions about this Policy or would like further information, please contact the Legal Team in Governance & Legal directorate on (02) 9568 8416 or legal@syd.catholic.edu.au.

12. CLASSIFICATION

- Policy Number: SCS2024019
- Document Rescinds/Replaces: SCS2022022
- Policy Released: 7 June 2024
- Review Date: 7 June 2029
- Policy Type: Operational
- Audience: Public
- Approved: Executive Director
- Document Owner: Director, Governance & Legal

STANDARD COLLECTION NOTICE

This Standard Collection Notice is provided to you by the School and Sydney Catholic Schools Limited (ACN 619 137 343) as trustee for the Sydney Catholic Schools Trust (ABN 26 158 447 082) (SCS). This Standard Collection Notice sets out the reasons for collecting information about students and their parents/carers, and the way in which information will be used by the School. SCS' Privacy Policy also applies, and this Standard Collection Notice should be read in conjunction with SCS' Privacy Policy, which is available for you to read on the SCS website at <https://sydcatholicschools.nsw.edu.au/2016/03/06/privacy-policy/>.

1. The School collects personal information, including health and other sensitive information about students and their parents/carers before and during the course of a student's enrolment at the School. This information may be provided both verbally and in writing.
2. The primary purpose of collecting this information is to enable the School to provide education to the student and other students enrolled at the School. This includes keeping parents/carers informed about matters related to the student's education, day-to-day administration of the School, looking after the student's educational, social, spiritual and medical wellbeing, seeking donations and marketing for the School, and to satisfy the legal obligations of the School and to allow the School to fulfil its duty of care.
3. We are required by legislation and regulation to collect and/or disclose certain personal information. This includes, but is not limited to requirements under the *Education Act 1990 (NSW)*, *Public Health Act 2010 (NSW)*, *Children and Young Persons (Care and Protection) Act 1998 (NSW)* and the Nationally Consistent Collection of Data (NCCD) on school students with disability under the *Australian Education Act 2013 (Cth)* and the *Australian Education Regulation 2013 (Cth)*.
4. We may ask parents/carers to provide medical reports and other health information about students from time to time. Health information about students is sensitive information for the purposes of the Australian Privacy Principles (APPs), as set out in Schedule 1 of the *Privacy Act 1988 (Cth)*.
5. The School may use online or cloud service providers to store personal information and to provide services to the School that involve the use of personal information, such as services relating to email, instant messaging, online learning resources and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may be stored on a cloud service provider's servers which may be located outside Australia.
6. The School may disclose personal information, including sensitive information held about an individual for educational, spiritual, social, administrative and support purposes. This may include disclosure to:
 - SCS

- other schools operated by SCS and teachers at those schools
 - in respect of NCCD, Catholic schools in the dioceses of NSW and the ACT for which Catholic Schools NSW is the approved system authority
 - government departments and agencies
 - Catholic Schools NSW
 - the School's local parish
 - the Archdiocese of Sydney
 - other related church agencies/entities
 - medical practitioners
 - people providing educational, support and health services to the School, including specialist visiting teachers, sports coaches, counsellors and other school coaches and tutors
 - providers or specialist advisory services and assistance, including in the areas of human resources, child protection and children with additional needs
 - providers of learning and assessment tools
 - assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA) and the National Assessment Platform and Reporting Authority (NAPLAN) Test Administration Authorities, who will disclose it to the managers of NAPLAN's online platform)
 - for students enrolled in Vocational Education and Training (VET) courses, and/or participating in a school-based apprenticeship or traineeship: the National Centre for Vocational Education Research Ltd (NCVER), a student's employer, relevant government departments and authorised agencies, organisations conducting student surveys and research, and 'cloud' service providers that provide services to SCS or a school
 - people and organisations providing administrative and financial services to the School
 - anyone you authorise the School to disclose information to
 - anyone to whom the School is required or authorised by Australian law to disclose the information to, including child protection authorities.
7. Where the disclosure concerns the disclosure of an individual's sensitive information (including health information), the School and SCS will only disclose the information to third parties (including but not limited to government and external agencies, courts, organisations, third party providers) with your consent or where required or authorised by Australian law.
8. We may disclose information collected from students to their parents/carers.
9. The School may engage in fundraising and marketing activities. From time to time we may contact you about fundraising and marketing activities. We may disclose personal information to organisations that assist in the School's fundraising and marketing activities for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.
10. From time to time we may publish information such as academic and sporting achievements, student activities and similar news in School and Archdiocesan newsletters, magazines, websites, social media channels, and other publications and promotional material. Where consent has been provided by a parent/carer, this may include identifying material such as photographs video footage of student activities (for example sporting events, school camps and

school excursions). Where consent has been provided, we may include the contact details of students and parents/carers in a class list and School directory.

11. If you provide the School with the contact details of third parties, such as doctors or emergency contacts, we encourage you to advise those third parties that you have disclosed that information to the School.
12. Students and parents/carers may seek access to and correction of personal information which the School has collected and holds about them. However, there may be occasions when access is denied. This may occur where release of the personal information would have an unreasonable impact on the privacy of others, or may result in a breach of the School's duty of care to the student. If access cannot be granted, the School will provide a written notice to explain the reason(s) for denying access. SCS' Privacy Policy contains more information about how you can access your data. This Standard Collection Notice may be updated from time to time to ensure compliance with legislative and regulatory requirements, and to incorporate changes to SCS' policies.
13. SCS' Privacy Policy is accessible on the SCS website at <https://sydcatholicschools.nsw.edu.au/2016/03/06/privacy-policy>.
14. SCS' Privacy Policy explains how students and parents/carers can make a complaint about the way the School manages personal information or an alleged breach of the APPs.

Dear parents, guardians and carers

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

Every year, all schools in Australia participate in the Nationally Consistent Collection of Data on School Students with Disability (NCCD). The NCCD process requires schools to identify information already available in the school about supports provided to students with disability. These relate to legislative requirements under the *Disability Discrimination Act 1992* and the *Disability Standards for Education 2005*, in line with the *NCCD guidelines (2019)*.

Information provided about students to the Australian Government for the NCCD includes:

- year of schooling
- category of disability: physical, cognitive, sensory or social/emotional
- level of adjustment provided: support provided within quality differentiated teaching practice, supplementary, substantial or extensive.

This information assists schools to:

- formally recognise the supports and adjustments provided to students with disability in schools
- consider how they can strengthen the support of students with disability in schools
- develop shared practices so that they can review their learning programs in order to improve educational outcomes for students with disability.

The NCCD provides state and federal governments with the information they need to plan more broadly for the support of students with disability.

The NCCD will have no direct impact on your child and your child will not be involved in any testing process. The school will provide data to the Australian Government in such a way that no individual student will be able to be identified – the privacy and confidentiality of all students is ensured. All information is protected by privacy laws that regulate the collection, storage and disclosure of personal information. To find out more about these matters, please refer to the [Australian Government's Privacy Policy](https://www.education.gov.au/privacy-policy) (<https://www.education.gov.au/privacy-policy>).

Further information about the NCCD can be found on the [NCCD Portal](https://www.nccd.edu.au) (<https://www.nccd.edu.au>).

If you have any questions about the NCCD, please contact the school.