

Privacy Policy 2017

Aims

- A. To protect the privacy of all members of the school community.
- B. To comply with the requirements of the Privacy Act 1988.

Scope and Application

To guide processes to ensure the protection of confidentiality. This Privacy Policy sets out how the School manages personal information provided to or collected by Kerry Street Community School Inc. This policy applies to all members of the Association.

Definitions

- A. **Parental Responsibility** - In relation to a child, means all the duties, powers, responsibilities and authority which, by law, parents have in relation to children.
- B. **Personal Information** - As defined by the Privacy Act as information or an opinion (including that stored in a database) whether true or not and whether recorded in a material form or not about an individual whose identity is apparent, or can reasonably be ascertained from the information or opinion. This includes:
 - 1. both written records, visual and/or audio recording
 - 2. person's name, address, date of birth, financial information, marital status, photos and video
 - 3. photographs of a person, video or CCTV footage.
- C. **Sensitive Information** - as defined by the Privacy Act, is a subset of personal information, and includes
 - 1. Racial or ethnic group
 - 2. Political origins
 - 3. Membership of a political association
 - 4. Religious beliefs or affiliations
 - 5. Philosophical beliefs
 - 6. Membership of a professional or trade association or trade union
 - 7. Sexual preferences or practices

8. Criminal record.

Principles

School principles

- A.** Personal information will not be collected unless the information is reasonably necessary for, or directly related to, one or more of Kerry Street Community School functions or activities, or in the case of sensitive information, is required by law.
- B.** Some of the information the School collects is to satisfy the School's legal obligations, particularly to enable the School to discharge its duty of care. Certain laws governing or relating to the operation of schools require that certain information is collected. These include Public Health [and Child Protection] laws. Health information about pupils is sensitive information within the terms of the National Privacy Principles under the Privacy Act.
- C.** Information will be collected only by lawful and fair means and only from the individual or with the individual's permission.
- D.** Personal and 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 required by law. Information will not be disclosed for the purpose of direct marketing.
- E.** The school will notify the individual if the collection of the personal information is required or authorised by or under an Australian law or a court/tribunal order (including the name of the Australian law, or details of the court/tribunal order, that requires or authorises the collection).
- F.** A record will be kept of instances where information has been disclosed to other entities.
- G.** Kerry Street Community School has a contractual obligation to supply information to only those persons named on the enrolment contract or who have parental responsibility as defined by the Family Law Act 1975.
- H.** 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.
- I.** Under the Commonwealth Privacy Act, an individual has the right to request access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy.
- J.** The School has the right to charge the individual for expenses incurred whilst providing the requested information.

- K.** Documentation referred to the School Council, by Management, that contains identifying information will not be attached to the minutes of any meeting.
- L.** Parents consent to the method by which they wish to receive communication from the school.
- M.** Parents consent to information they wish to be released to the school community.
- N.** Personal information may be made public through the school, including:
 - 1.** Medical information about students, e.g., with asthma or a severe allergy, will be advertised within the school community
 - 2.** The school publishes a list of contact names, addresses, telephone numbers and email addresses, which is kept at school and distributed to all members of the school community. Inclusion on this list is optional and parents will state on the student's enrolment form if any details are to be withheld.

Governance/Association principles

- A.** Individuals have the option of supplying an email or postal address instead of a residential address for entry into the Association Register.
- B.** Association members may request to inspect without charge the books, documents, records and securities of the Association.
- C.** Information on the Association Register will not be disclosed unless the purpose is directly related to the affairs of the association. Information cannot be used to send material for political, religious, charitable or commercial purposes.

Responsibilities

A. Council

- 1.** Overseeing implementation of this policy
- 2.** Review procedures

B. Coordinator

- 1.** To inform individuals of the purpose of the collection of any information held by the school
- 2.** Ensure secure storage of personal and sensitive information and the dissemination of this information
- 3.** Securely store and maintain a register of complaints and concerns that are kept confidential and only shared with relevant parties
- 4.** Management of requests for information in line with Privacy Act 1988 and this policy
- 5.** Inform staff of their responsibilities and obligations to collect and store personal and sensitive information securely



C. Administration Staff

1. Develop and maintain systems for the secure collection of information and the storage of sensitive records (both electronic and paper records)
2. Maintain current permission lists for information and record release preferences

D. Staff

1. Store students' sensitive information securely
2. Inform Coordinator if they have any information that they wish to keep confidential

E. Parents

1. Parents are responsible for making clear to the school if personal information is to be withheld or made public within the school community, if their wishes are different to usual school procedure

Requests for Information

Individuals may make a request to access or update any personal information the School holds about them or their child. Requests should be submitted to the School Coordinator in writing. The School may request verification of identity and specification of information required. The School may charge a fee to cover the cost of verifying applications and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the School will advise the likely cost in advance. If access cannot be provided to the information requested, the School will provide a written notice explaining the reasons for refusal.

Related Legislation

- A. Privacy Act 1988
- B. Associations Act 2015
- C. School Education Act 1999
- D. Family Law Act 1975

Related Kerry Street Documentation

- A. Privacy Procedures
- B. Staff Code of Conduct
- C. Enrolment Contract
- D. Student Handover Files
- E. Staff employment records

- F. Student academic and health records
- G. Confidential declarations for volunteers
- H. Family court orders
- I. Incidents file
- J. Policies including:
 - 1. Records Policy
 - 2. Information and Communication Policy
 - 3. Email and Internet Policy
 - 4. Asthma Care
 - 5. Severe Allergies
 - 6. Complaints Policy/Register

References/Further Reading

- A. [Privacy Fact Sheet 17 - Australian Privacy Principles](#)
- B. Independent School Council of Australia and National Catholic Education Commission Privacy Compliance Manual Aug 2016.
- C. AISWA Policy and Procedure Guidelines for Schools – Privacy Policy Guidelines (Sept 2013).

Contact Person

Enquiries relating to this policy should be directed to the School Coordinator or Council President

Breaches of this Policy

Any breach of this policy may result in disciplinary action up to and including termination.

Authorisation and Review

- A. This policy was authorised by the Kerry Street Council on 14/3/05.
- B. Reviewed on 13/1/06 by meeting of staff and council.
- C. This policy was reviewed September 2012.
- D. This policy was reviewed and accepted July 2016.
- E. Policy reviewed and accepted June 2017.
- F. To be reviewed February 2021.



COMMUNITY SCHOOL

Friendly Education for Families

Revision History

Date	Revision	Detail
22/04/2017	V1.1	Additions of missing Text, formatting, branding and revision history
18/06/2017	V1.2	Edits as per Council comments/queries. Addition of draft procedures.
28/06/2017	V1.3	Policy approved by Council subject to edits. Procedures to be removed as an attachment and created as a standalone document.