

Privacy Policy

This policy outlines how your personal information is collected, used, managed and disclosed. The School is bound by the National Privacy Principles contained in Commonwealth Privacy Act 1988 as amended 14 March 2014 and considers your privacy important. The School may, from time to time, review and update this Privacy Policy to take account of new laws and technology or to fit in with changes to the School's operations and practices so as to make sure it remains appropriate to the changing School environment.

We aim to collect, handle, use, store and disclose personal and health information in a manner compliant with the Health Records Act 2001, The Privacy Act 1988 & the Privacy Amendment (Enhancing Privacy Protection) Act 2012 and the Privacy Amendment (Notifiable Data Breaches) Act 2017.

Employee records

Employment records for past and present staff are exempt from the Privacy Act. However, where state or territory health privacy legislation applies, we are still required to protect the privacy of employee health information. This Privacy Policy will apply in those circumstances.

What is personal information?

Personal information is information or an opinion, whether true or not, whether recorded in a material form or not, about an individual who is identified or reasonably identifiable from the information.

Sensitive information

This is a subset of personal information that is generally given a higher level of privacy protection. Sensitive information is information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or a criminal record and health information. We only collect sensitive information where it is reasonably necessary for our functions or activities and either the individual has consented, or we are required or authorised by or under law to do so. For example, we collect health information for students in order to look after the student's emotional, social, medical and educational wellbeing.

Sensitive information will only be used or disclosed for the purpose for which it was provided or a directly related secondary purpose, unless you object, or unless the use or disclosure of the sensitive information is allowed by law.

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Unsolicited personal information

Unsolicited personal information is personal information we receive that we have taken no active steps to collect such as an employment application sent to us by an individual on their own initiative, rather than in response to a job advertisement.

We may keep records of unsolicited personal information if the Privacy Act permits it (for example, if the information is reasonably necessary for one or more of our functions or activities). If not, we will destroy or de-identify the information as soon as practicable, provided it is lawful and reasonable to do so.

What sort of personal information do we collect?

We will only collect personal information that is relevant to our relationship with the individual. The type of personal information we collect and hold includes sensitive information and unsolicited personal information about:

- students and parents or guardians before, during and after the course of the student's enrolment at the School
- job applicants, members, volunteers and contractors
- other people who come into contact with the School.

Why do we collect personal information?

The School uses the personal information provided to it for the primary purpose of education, and for such other secondary purposes as are related to education and reasonably expected, or to which you have consented. This includes satisfying both the needs of parents and the needs of the student throughout the whole period the student is enrolled at the School.

The primary purpose for which the School uses personal information includes but is not limited to:

- keeping parents informed about matters related to their child's schooling through correspondence, newsletters and magazines
- day-to-day administration
- looking after students' educational, social, emotional and medical wellbeing

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- satisfying the School's legal obligations and allowing the School to discharge its duty of care
- performing research and statistical analysis
- protecting the security of our offices, staff, students, visitors and the property held on our premises
- recruiting staff and contractors
- seeking donations or marketing the School including direct marketing, campaigns, events and competitions

We may also collect, hold, use and disclose personal information for other purposes, explained at the time of collection, which are required or authorised by or under law or for which permission has been provided.

Direct marketing and fundraising

We may use your personal information to let you know about our products and services. We may contact you for these purposes in a variety of ways, including by mail, email, SMS or telephone. Sensitive information will not be used for direct marketing or fundraising without your consent.

The School treats marketing and the seeking of 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, for example, any future School Foundation.

Where you have consented to receiving marketing communications from us, your consent will remain current until you advise us otherwise. However, you can opt out at any time, by:

- contacting us, either via the contact details provided on the communication received, or via the details at the end of this policy
- advising us if you receive a marketing call that you no longer wish to receive these calls
- using the unsubscribe facility that we include in our commercial electronic messages

To whom may we disclose your personal information

From time to time external organisations will have access to the School's data as part of the maintenance of the School's onsite information systems. These organisations can have incidental access to personal information, but they are contractually bound not to copy or disclose any information stored in our systems and these Australian organisations are also bound by the Privacy Act.

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We may share your personal information with third parties where appropriate for the purposes set out under why do we collect personal information including, but not limited to:

- students
- parents and guardians of students
- other educational institutions and statutory organisations
- health professionals
- third parties providing services to the School, including visiting teachers, sport and other co-curricular coaches and teachers
- financial institutions for payment processing
- recipients of our newsletters and magazines
- referees whose details are provided to us by job applicants
- our contracted service providers, including: delivery and shipping providers, providers of photographic services, information technology and data storage providers, function and event organisers, marketing and communication agencies that assist the School, market research and statistical analysis providers, external business advisers (such as recruitment advisors, auditors and lawyers).

Sending information overseas

We may disclose personal information to parties located overseas in the following situations:

- Parents and guardians of students who live overseas, including host families for students on exchange.
- Our weekly newsletter will continue to be provided to overseas students and families as will promotional material including, and not limited, to the Prospectus.
- Promotional material will be posted on the School's Facebook page. Otherwise, staff members are not permitted to copy any personal information about anyone in the School community to any social media sites.
- The School will use cloud-based services which require some personal information to be sent to data centres external to Australia. Only organisations that have similar regulatory requirements as that of the Privacy Act are used. One such example is an email service that sends bulk email to our parents. In this situation, only the parents' names and email addresses are uploaded. No information is provided that is irrelevant to the operation.

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- Individual staff will also use cloud-based services as part of the day-to-day management or assessment of the students in their care. Examples of such services include Office 365, DropBox and Google platforms.
- As part of the day-to-day management or assessment of the students, individual staff will use School-owned Apple devices that synchronise and backup to Apple's iCloud.

How do we collect personal information?

When we collect personal information about you, we will take reasonable steps to outline why we are collecting the information, whether it will be shared and if it is shared, with whom.

We collect personal information in a number of ways, including but not limited to:

- in person, for example at Open Days or through the School administration
- from the St. John's Lutheran Primary School website and app
- over the telephone
- face-to-face meetings
- through hard copy and electronic correspondence, such as letters, faxes and emails
- on forms, both hard copy and electronic, for example enrolment application forms
- from third parties, including doctors and other health professionals.

In some circumstances the School may be provided with personal information about an individual from a third party, for example a report provided by a medical professional, a reference from another school or a photograph from the School-appointed photographer. When provided with unsolicited personal information this information will be either kept, destroyed or de-identified as described under unsolicited personal information.

Collecting information through our website and app

When you visit the St. John's Lutheran Primary School website and app, some information may be collected that identifies when you visited the website/app, for what length of time, what pages or resources you accessed and the type of device you were using. None of this is personal information that can identify you. We analyse this data to improve the usability of our website/app. However, if you log in to the School app, we can identify you.

While we have security appliances and practices in place to protect the users of our website/app, we cannot guarantee the security of any information you may disclose online and you provide this information at your own

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risk. If you prefer not to use the School website/app to provide information to the School, you may use an alternative method such as speaking directly with the appropriate St. John's Lutheran Primary School staff member.

What if you don't provide us with your personal information?

We will provide individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us, if it is lawful and practicable to do so.

In some cases, however, if you don't provide us with your personal information when requested, we may not be able to provide you with the product or service that you are seeking. If the School requests personal information about a student or parent, which parents are unwilling to provide, the School may not be able to enrol or continue the enrolment of a student.

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 request for consent and notices in relation to the personal information of a student to the student's parents or guardians. The School will treat consent given by parents or guardians as consent given on behalf of the student, and notice to parents or guardians will serve as notice given to the student.

Individuals may seek access to personal information held by the School about them or their child by contacting the office staff. However, there will be occasions when access is denied, for example when release of the information would have an unreasonable impact on the privacy of others or when the release may result in a breach of the School's duty of care to the student.

Before releasing information, the School may require you to verify your identity and specify the information you require. The School 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 School will advise the likely cost in advance.

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 or guardians. This would normally be done only when the student involved has reached 18 years of age, but the School could do so in other circumstances when the maturity of the student and/or the student's personal circumstances so warranted.

Use of government related identifiers

We will not:

- use a government-related identifier of an individual (such as a Medicare number or driver licence number) as our own identifier of individuals

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- otherwise use or disclose such a government-related identifier, unless this is permitted by the Privacy Act (for example, use of an identifier to verify an individual's identity, or uses or disclosures required or authorised by or under an Australian law).

How do we manage and make secure personal information?

The School staff is required to respect the confidentiality of students' and parents' personal information and the privacy of individuals.

We hold personal information in a number of ways, including in hard copy documents, electronic databases, email contact lists and in paper files. We take reasonable steps to:

- make sure that the personal information that we collect, use and disclose is accurate, up-to-date and complete and (in the case of use and disclosure) relevant
- protect the personal information that we hold from misuse, interference and loss and from unauthorised access, modification or disclosure
- destroy or permanently de-identify personal information that is no longer needed for any purpose that is permitted by the Australian Privacy Principles.

You can help us keep your information up-to-date, by letting us know about any changes to your details, such as your name, address, postal address, email address or telephone number. The Australian Privacy Principles require the School not to store personal information longer than is necessary.

Please contact our office staff if you would like to access or correct the personal information that we currently hold about you. We may ask you to verify your identity before processing any access or correction requests, to make sure that the personal information we hold is properly protected.

Complaints

If you have a complaint about how we have collected or handled your personal information, please contact our office staff. Our office staff will endeavour in the first instance to deal with your complaint and take any steps necessary to resolve the matter in a timely manner. If you are unhappy with our response, you can refer your complaint to the Office of the Australian Information Commissioner or, in some instances, other regulatory bodies, such as the Australian Communications and Media Authority.

Initial Policy Date: August 2019

Review Date: November 2019, November 2024

Next Review Date: November 2029

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APPENDIX A

PRIVACY – COLLECTION NOTICE

1. The School collects personal information, including sensitive information about students and parents or guardians and family members before and during the course of a student's enrolment at the School. This may be in writing, through technology systems or in the course of conversations and may be direct from the individual or from another source. The primary purpose of collecting this information is to enable the School, Lutheran Education Australia (LEA) and Lutheran Education Victoria, New South Wales and Tasmania (LEVNT) to meet its educational, administrative and duty of care responsibilities to the student to enable them to take part in all the activities of the School.
2. 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.
3. Laws governing or relating to the operation of a school require certain information to be collected and disclosed. These include relevant Education Acts and Public Health and Child Protection laws.
4. Health information about students (which includes information about any disability as defined by the *Disability Discrimination Act 1992*) is sensitive information within the terms of the Australian Privacy Principles (APPs) under the *Privacy Act 1988*. The School may require medical reports about students from time to time and may otherwise collect sensitive information about students and their families.
5. If any personal information requested by the School is not provided, this may affect the School's ability to enrol a student, respond to enquiries, provide the student with educational and support services or allow a person to visit the School.
6. The School may disclose personal and sensitive information for administrative, educational and support purposes (or may permit the information to be directly collected by third parties). This may include to:
 - School service providers such as the LEA, LEVNT, school governing bodies;
 - third party service providers that provide online educational and assessment support services or applications (apps) SIMON PAM, which may include email and instant messaging;
 - School systems, SIMON. Limited personal information may be collected and processed or stored by these providers in connection with these service;
 - LEVNT to discharge its responsibilities under the *Australian Education Regulation 2013* (Regulation) and the *Australian Education Act 2013* (Cth) (AE Act) relating to students with a disability, including ongoing evaluation of funding adequacy for individual students;
 - another school to facilitate the transfer of a student;
 - Federal and State government departments and agencies acting on behalf of the government e.g. for audit purposes;
 - Health service providers, and people providing educational support and health services to the School,

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including specialist visiting teachers, sports coaches, volunteers, counsellors and providers of learning and assessment tools;

- Assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority;
 - People providing administrative and financial services to the School;
 - Anyone you authorise the School to disclose information to; and
 - Anyone to whom the School is required or authorised to disclose the information to by law, including under child protection laws.
7. The school is required by the *Federal Australian Education Regulation (2013)* and *Australian Education Act 2013* (Cth) (AE Act) to collect and disclose certain information under the *Nationally Consistent Collection of Data* (NCCD) on students with a disability. The school provides the required information to LEVNT, as an approved authority. Approved authorities must comply with reporting, record keeping and data quality assurance obligations under the NCCD. Student information provided to the federal government for the purpose of the NCCD does not explicitly identify any student.
 8. Personal information collected from students is regularly disclosed to their parents or guardians.
 9. If you make an enrolment application to another School, personal information including health information provided during the application stage may be collected from, or shared with, the other school.
 10. 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 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 reside on a cloud service provider's servers which may be situated outside Australia. Further information about the School's use of an online or 'cloud' service providers is contained in the School's Privacy Policy.
 11. The School's Privacy Policy, accessible on the School's website, sets out how parents or students may seek access to and correction of their personal information which the School has collected and holds. However, access may be refused in certain circumstances such as 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, where students have provided information in confidence or where the School is otherwise required or authorised by law to refuse access. Any refusal will be notified in writing with reasons (unless, given the grounds for refusal, it would be unreasonable to provide reasons).
 12. The School makes reasonable efforts to be satisfied about the protection of any personal information that may be collected, processed and stored outside Australia in connection with any cloud and third party services and will endeavour to ensure it will be located in countries with substantially similar protections as the APPs.

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13. Where personal, including sensitive information is held by a cloud computing service provider on behalf of LEVNT for educational and administrative purposes, it may be stored on servers located within or outside Australia.
14. School personnel and the school's service providers may have the ability to access, monitor, use or disclose emails, communications (e.g. instant messaging), documents and associated administrative data for the purposes of administering the system and ensuring its proper use.
15. The School's Privacy Policy is accessible via the school website, handbook, or from the School office. The policy sets out how parents, guardians or students may seek access to, and correction of their personal information which the School has collected and holds. However, access may be refused in certain circumstances such as where access 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, or where students have provided information in confidence. Any refusal will be notified in writing with reasons if appropriate.
16. The School's Privacy Policy also sets out how parents and students can make a complaint if they believe there has been a breach of the APPs and how the complaint will be handled.
17. The School may engage in fundraising activities. Information received from you may be used to make an appeal to you. [It may also be disclosed to organisations that assist in the School's fundraising activities solely for that purpose.] We will not disclose your personal information to third parties for their own marketing purposes without your consent.
18. On occasions information such as academic and sporting achievements, student activities and similar news is published in School newsletters and magazines, and on our website. This may include photographs and videos of student activities such as sporting events, school camps and school excursions. The School will obtain permissions from the student's parent or guardian (and from the student if appropriate) prior to publication to enable the school to include such photographs or videos [or other identifying material] in our promotional material or otherwise make this material available to the public such as on the internet. The school may obtain permissions annually, or as part of the enrolment process. Permissions obtained at enrolment may apply for the duration of the student's enrolment at the school unless the school is notified otherwise. Annually, the school will remind parents and guardians to notify the school if they wish to vary the permissions previously provided.
19. If you provide the School with the personal information of others, such as other family members, doctors or emergency contacts, we encourage you to inform them you are disclosing that information to the School and why.

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