

Privacy Policy

This policy is applicable to: **parents, staff, children and alumni**

Document control

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Introduction

This Privacy Policy statement details how Hensman Street Elementary protects your privacy and complies with the requirements of the *Privacy Act* and the 13 Australian Privacy Principles.

This policy also describes:

- who we collect information from;
- the types of personal information collected and held by us;
- how this information is collected and held;
- the purposes for which your personal information is collected, held, used and disclosed;
- how you can gain access to your personal information and seek its correction;
- how you may complain or inquire about our collection, handling, use or disclosure of your personal information and how that complaint or inquiry will be handled; and
- whether we are likely to disclose your personal information to any overseas recipients.

What kind of personal information does the School collect and how is it collected?

The type of information the School collects and holds includes (but is not limited to) personal information, including sensitive information from a child's parents/guardians, prospective parents, job applicants, staff members, Board members, volunteers, contractors, visitors and others who come into contact with the school.

What kind of personal information do we collect?

The kind of personal information we collect is largely dependent upon whose information we are collecting and why we are collecting it.

Personal information you provide

The School will generally collect personal information about a child by way of forms filled out by parents/guardians, face-to-face meetings and telephone calls.

Personal information includes names, addresses and other contact details; dates of birth; next of kin details; financial information; photographic images and attendance records.

Personal information provided by other people

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 or a reference from another school.

Exception in relation to employee records

Under the Privacy Act, the National Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the School's treatment of an employee record, whereby treatment is directly related to a current or former employment relationship between the School and an employee.

Sensitive information (particularly in relation to child and parent records)

This may include government identifiers, nationality, country of birth, racial or ethnic origins, political opinions, languages spoken at home, religion, professional or trade union memberships, sexual preferences, family court orders and criminal records. 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.

Health information (particularly in relation to child and parent records)

This may include medical records, disabilities, immunisation details, individual health care plans, counselling reports, nutrition, and dietary requirements.

How do we collect your personal information?

How the School collects personal information will largely be dependent upon whose information is being collected. If it is reasonable and practical to do so, we collect personal information directly from you.

Where possible, the School has attempted to standardise the collection of personal information by using specifically designed forms (e.g. Application Form, Enrolment Form or a Children's Health Information Disclosure Form). However, given the nature of our operations, we often receive personal information by way of email, letters, notes, over the telephone, in face-to-face meetings, through financial transactions etc.

The School may also collect personal information from other people (e.g. a personal reference) or independent source (e.g. a telephone directory), however we will only do so whereby it is not reasonable and practical to collect the information from you directly.

Sometimes we may be provided with your personal information without having sought it through our normal means of collection. We refer to this as 'unsolicited information'. Whereby we collect unsolicited information we will only hold, use and/or disclose that information if we could otherwise do so had we collected it by normal means. If that unsolicited information could not have been collected by normal means, then we will destroy, permanently delete or de-identify the information as appropriate.

How we use personal information

The School will only use personal information that is reasonably necessary for one or more of our functions or activities (the primary purpose) or for a related secondary purpose that would be reasonably expected by you, or to which you have consented.

In relation to personal information of children and parents, the School's primary purpose of collection is to enable the School to provide education for the child.

This includes satisfying the needs of the parents and the child throughout the period in which the child is enrolled at the School.

The purposes for which the School uses personal information of children and parents include, but is not limited to:

- providing education, pastoral care, extra-curricular and health services (looking after our children's educational, social and medical wellbeing);
- keeping parents/guardians informed about matters related to their child's schooling through correspondence, reports, newsletters, website, online portfolios ('e-portfolios') and other School publications;
- satisfying the School's legal obligations including our duty of care and child protection obligations;
- School day-to-day operations including training staff; administration systems development; developing new programs and services; undertaking planning, research and statistical analysis;
- School administration, including for insurance purposes;
- the employment of School staff;
- the engagement of volunteers;
- School marketing, promotional and fundraising activities;
- supporting the activities of School committees; and
- supporting community-based causes and activities, charities and other causes in connection with the School's functions or activities.

In some cases whereby the School requests personal information about a child or a parent/guardian, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the child.

The School only collects sensitive information reasonably necessary for one or more of these functions or activities -

- if we have the consent of the individuals to whom the sensitive information relates, or if the collection is necessary to lessen or prevent a serious threat to life, health or safety;
- or another permitted general situation (such as locating a missing person);
- or permitted health situation (such as the collection of health information to provide a health service) exists.

If we do not have the relevant consent and a permitted health situation or permitted general situation does not exist, then we may still collect sensitive information provided it relates solely to individuals who have regular contact with the School in connection with our activities. These individuals may include children, parents, volunteers, former children and other individuals with whom the School has regular contact in relation to our activities.

The School will only use or disclose sensitive information for a secondary purpose if you would reasonably expect us to use or disclose the information and the secondary purpose is directly related to the primary purpose.

Job applicants, staff members and contractors

In relation to personal information of job applicants, staff members and contractors, the School's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor, as applicable.

The purposes for which the School uses personal information of applicants, staff members and contractors include:

- administering the individual's employment or contract;
- for insurance purposes;
- seeking funds and marketing for the School;
- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

Volunteers

The School also obtains personal information about volunteers who assist the School in its functions or associated activities, such as the Management Committee or fundraising committee to enable the School and the volunteers to work together.

The purposes for which the School uses personal information for volunteers is:

- for administration and insurance purposes;
- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

Marketing and fundraising

The School treats marketing and seeking donations for 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 our children and staff thrive (e.g. Annual fete and grants applications).

Parents/guardians, staff, contractors, and other members of the wider School community may from time to time receive fundraising information. School publications such as newsletters, which include personal information, may be used for marketing purposes and where this is the case, permission will be sought from individual parents.

Management and security of personal information

School staff members are required to respect the confidentiality of the child's and parents'/guardians' personal information and the privacy of all individuals. The School has in place steps to protect the personal information the School holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and passworded access rights to digital records.

Storage and security of personal information

We store personal information in a variety of formats including on databases, in hard copy files and on personal devices including laptop computers, mobile phones, cameras and other recording devices.

The security of your personal information is important to us, and we take all reasonable steps to protect the personal information we hold about you from misuse, loss, unauthorised access, modification, or disclosure.

These steps include:

- restricting access to information on the School databases on a need to know basis with different levels of security being allocated to staff based on their roles and responsibilities and security profile;
- ensuring all staff are aware that they are not to reveal or share personal passwords;
- ensuring whereby sensitive and health information is stored in hard copy files that these files are stored in lockable filing cabinets in lockable rooms. Access to these records is restricted to staff on a need to know basis;
- implementing ICT security systems, policies and procedures, designed to protect personal information storage on our computer networks;
- implementing human resources policies and procedures, such as email and Internet usage, confidentiality and document security policies, designed to ensure that staff follow correct protocols when handling personal information;
- undertaking due diligence with respect to third party service providers who may have access to personal information, including cloud service providers, to ensure as far as practicable that they are compliant with the Australian Privacy Principles or a similar privacy regime.

Personal information we hold that is no longer needed is destroyed in a secure manner, deleted or de-identified as appropriate.

The School website may contain links to other websites. We do not share your personal information with those websites and we are not responsible for their privacy practices. Please check their privacy policies.

When we disclose personal information

We only use personal information for the purposes for which it was given to us, or for purposes which are related (or directly related in the case of sensitive information) to one or more of our functions or activities. We may disclose your personal information to government agencies, other parents, other schools, recipients of School publications, visiting teachers, counsellors and coaches, our service providers, agents, contractors, business partners and other recipients from time to time, only if one or more of the following apply:

- you have consented;
- you would reasonably expect us to use or disclose your personal information in this way;
- we are authorised or required to do so by law;
- disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety;
- whereby another permitted general situation or permitted health situation exception applies;
- disclosure is reasonably necessary for a law enforcement related activity;

To whom might the School disclose personal information?

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

- another school;
- government departments;
- medical practitioners;

- people providing services to the School, including specialist visiting teachers, workplace trainers, work experience providers and sports coaches;
- recipients of School publications, such as newsletters and website news posts, the School annual report;
- parents/guardians;
- anyone you authorise the School to disclose information to.

Personal information of the child

The Privacy Act does not differentiate between adults and children and does not specify an age after which individuals can make their own decisions with respect to their personal information.

The School respects every parent's/guardian's right to make decisions concerning their child's education. Generally, the School will refer any requests for consent and notices in relation to the personal information of a child to his/her parents/guardians.

The School takes a common sense approach to dealing with a child's personal information and generally will refer any requests for personal information to a child's parents/carers. The School treats notices provided to parents/carers as notices provided to the child and consents provided by parents/carers as consents provided by the child.

Updating personal information

The School strives to ensure that personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by the school by contacting the School's Registrar (enrol@hensmanstreet.wa.edu.au).

The National Privacy Principles require the School to store personal information no longer than necessary.

Disclosure of personal information to overseas recipients

The School will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (in some cases this consent will be implied); or
- otherwise complying with the National Privacy Principles.

The School will, however, take all reasonable steps not to disclose an individual's personal information to overseas recipients unless:

- we have the individual's consent (which may be implied); or
- we have satisfied ourselves that the overseas recipient is compliant with the Australian Privacy Principles, or a similar privacy regime; or
- we form the 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
- we are taking appropriate action in relation to suspected unlawful activity or serious misconduct.

How we ensure the quality of your personal information

We take all reasonable steps to ensure the personal information we hold, use and disclose is accurate, complete and up-to-date. These steps include ensuring the personal information is accurate, complete and up-to-date at the time of collection and when using or disclosing the personal information. On an ongoing basis we maintain and update personal information when we are advised by individuals or when we are made aware through other means that their personal information has changed.

Please contact us if any of the details you have provided change. You should also contact us if you believe the information we have about you is not accurate, complete or up-to-date.

You have the right to check what personal information the School holds about you

Under the Privacy Act, an individual has the right to obtain access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy.

There are some exceptions to this right set out in the Act. Children will generally have access to their personal information through their parents/ guardians.

To make a request to access any personal information the School holds about you, or request that we change the personal information, please contact the School's Registrar. Such information may not be available immediately upon request and parents/guardians are advised to inform the School of their intentions when first making contact.

The School may require you to verify your identity and specify what 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, depending on the circumstances. If the information sought is extensive, the School will advise the likely cost in advance.

If we do not agree to provide you with access, or to amend your personal information as requested, you will be notified accordingly. Where appropriate, we will provide you with the reason/s for our decision. If the rejection relates to a request to change your personal information, you may make a statement about the requested change, and we will attach this to your record.

Privacy complaints

If you wish to make a complaint about a privacy breach by the School you may do so by providing a written complaint via email, letter, facsimile or by personal delivery to the Privacy Officer. You may also make a complaint verbally.

We will respond to your complaint within a reasonable time (usually no longer than 14 days), and we may seek further information from you to provide a full and complete response.

Your complaint may also be taken to the Office of the Australian Information Commissioner.

Reporting Requirements

The Privacy Act requires that schools who suffer an 'Eligible Data Breach' (EDB) must notify the affected individuals and the Office of the Australian Information Commissioner (OAIC). The School's Privacy Officer is responsible for managing an appropriate response to a data breach.

How to contact us

You can contact us about this Privacy Policy or about your personal information by:

Emailing: office@hensmanstreet.edu.au

Calling: 9474 9066

Writing to our Privacy Officer

Mrs Tanya Steers

Principal

Hensman Street Elementary

46 Hensman Street

South Perth WA 6151

If practical, you can contact us anonymously (i.e. without identifying yourself) or by using a pseudonym. However, if you choose not to identify yourself, we may not be able to give you the information or provide the assistance you might otherwise receive if it is not practical to do so.

Changes to our privacy and information handling practices

The School may, from time to time, review and update this Privacy Policy to adhere to changing laws and technology, changes to the School's operations and practices and to ensure it remains appropriate to the changing education environment. The School will advise key stakeholders of any updates to the Policy.

Further information

Further information on the Australian Privacy Principles is available from

<http://www.oaic.gov.au/privacy/privacy-resources/privacy-fact-sheets/other/privacy-fact-sheet-17-australian-privacy-principles>