



POLICY Privacy

August 2018

(rebranded CES Limited January 2021)

1. Vision

The vision for Catholic Education Sandhurst Limited (CES Limited) is to provide, in partnership with our families, stimulating, enriching, liberating and nurturing learning environments in each of the Catholic school communities within the Diocese. At the heart of this vision is our commitment to the ongoing duty of care that we have for the safety, wellbeing, and inclusion of all children and young people.

We believe:

- that the values of the Gospel are central to who we are, what we do, and how we act
- in leadership encompassing vision, innovation and empowerment.

2. Introduction

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

CES Limited is bound by the Australian Privacy Principles (APPs) contained in the Commonwealth *Privacy Act 1988*. In relation to health records, CES Limited is also bound by the *Health Records Act 2001* (Vic.) and the Health Privacy Principles in that Act.

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

3. What kinds of personal information does CES Limited collect and how does CES Limited collect it?

CES Limited collects and holds 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 a school of the Diocese, which may include:

- name, contact details (including next of kin), date of birth, gender, language background, previous school and religion
 - Parents' education, occupation and language background
 - medical information (e.g. details of disability and/or allergies, and details of any assistance the student receives in relation to those disabilities, medical reports, names of doctors)
 - information about referrals to government welfare agencies
 - counselling reports
 - health fund details and Medicare number
 - any court orders
 - volunteering information (including Working With Children Checks)
 - photos and videos at CES Limited events.
- 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 and medical certificates)
 - complaint records and investigation reports
 - leave details
 - photos and videos at CES Limited events
 - work emails and private emails (when using work email address) and internet browsing history
 - other people who come into contact with CES Limited, including name and contact details and any other information necessary for the particular contact with CES Limited.

3.1 Personal Information you provide

CES Limited 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 (such as job applicants and contractors) provide personal information to CES Limited.

3.2 Personal Information provided by other people

In some circumstances CES Limited may be provided with personal information about an individual from a third party, for example a report provided by a medical professional or a report from a school. The type of information CES Limited may collect from a school may include:

- academic records and/or achievement levels
- information that may be relevant to assisting a school meet the needs of the student including any adjustments

3.3 Exception in relation to employee records

Under the *Privacy Act*, the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to CES Limited's treatment of an employee record where the treatment is directly related to a current or former employment relationship between CES Limited and employee. CES Limited handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*.

3.4 Anonymity

CES Limited needs to be able to identify individuals with whom it interacts and to collect identifiable information about them to facilitate the delivery of services to schools, conduct the job application process and fulfil other obligations and processes. However, in some limited circumstances some activities and interactions with CES Limited may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

4. How will CES Limited use the personal information you provide?

CES Limited 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.

4.1 Students and Parents

In relation to personal information of students and Parents, CES Limited's primary purpose of collection is to enable CES Limited to provide services to schools in supporting students enrolled at schools in the diocese (including educational and support services for the student), exercise its duty of care and perform necessary associated administrative activities which will enable students to take part in all school activities. This includes satisfying the needs of parents, the needs of the student and the needs of the schools throughout the whole period the student is enrolled.

4.2 Job applicants and contractors

In relation to personal information of job applicants and contractors, CES Limited's primary purpose of collection is to assess and (if successful) to engage the applicant, or contractor, as the case may be.

The purposes for which CES Limited uses personal information of job applicants and contractors include:

- administering the individual's employment or contract, as the case may be
- for insurance purposes
- seeking donations and marketing for CES Limited
- satisfying CES Limited's legal obligations, for example, in relation to child protection legislation.

3.3 Volunteers

CES Limited also obtains personal information about volunteers who assist CES Limited in its functions or conduct associated activities, such as to enable CES Limited and the volunteers to work together, to confirm their suitability and to manage their visits.

3.4 Counsellors

CES Limited contracts with external providers to provide counselling services for some students. The principal may require the Counsellor to inform him or her or other teachers of any issues the principal and the Counsellor believe may be necessary for CES Limited to know for the well-being or development of the student who is counselled or other students at CES Limited.

5. Who might CES Limited disclose personal information to and store your information with?

CES Limited may disclose personal information, including sensitive information, held about an individual for **educational, administrative and support purposes**. This may include to:

- CES Limited service providers which provide educational, support and health services to the schools or CES Limited, (either at CES Limited Offices or off site) including the Catholic Education Commission of Victoria Ltd (CECV), specialist visiting teachers, volunteers, counsellors, and providers of learning and assessment tools
- third party service providers that provide online educational and assessment support services, document and data management services, or applications to schools and school systems including the Integrated Catholic Online Network (ICON) and Google's G

Suite, including Gmail and, where necessary, to support the training of selected staff in the use of these services

- CECV 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.
- Federal and State government departments and agencies
- health service providers
- recipients of CEO publications, such as newsletters and magazines
- student's parents or guardians and their emergency contacts
- assessment and educational authorities including the Australian Curriculum, Assessment and Reporting Authority
- anyone you authorise CES Limited to disclose information to
- anyone who we are required or authorised to disclose the information to by law, including child protection laws.

4.1 Sending and storing information overseas

CES Limited may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school visit or student exchange. However, CES Limited will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual; or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

CES Limited may from time to time use the services of third party online service providers (including for the delivery of services and third party online applications, or Apps relating to email, instant messaging and education and assessment, such as Google's G Suite, including Gmail) which may be accessible by you. Some personal information [including sensitive information] may be collected and processed or stored by these providers in connection with these services. These online service providers may be located in or outside Australia.

CEO personnel and CES Limited's service providers, and the CECV and its 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 services ensuring their proper use.

CES Limited makes reasonable efforts to be satisfied about the security 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 the cloud is located in countries with substantially similar protections as the APPs.

Where personal and sensitive information is retained by a cloud service provider on behalf of CECV to facilitate Human Resources and staff administrative support, this information may be stored on servers located in or outside Australia.

6. How does CES Limited treat sensitive information?

In referring to 'sensitive information', CES Limited 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.

7. Management and security of personal information

CES Limited's staff are required to respect the confidentiality of individuals' personal information and the privacy of individuals.

CES Limited has in place steps to protect the personal information CES Limited 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. This includes responding to any incidents which may affect the security of the personal information it holds. If we assess that anyone whose information is affected by such a breach is likely to suffer serious harm as a result, we will notify them and the Office of the Australian Information Commissioner of the breach.

It is recommended that all persons adopt secure practices to protect themselves. You should ensure that all passwords you use are strong and regularly updated and that your log in details are kept secure. Do not share your personal information with anyone without first verifying their identity and organisation. If you believe any of your personal information has been compromised, please let the School know immediately.

8. Access and correction of personal information

Under the Privacy Act and the Health Records Act, an individual has the right to seek and obtain access to any personal information and health records respectively which CES Limited holds about them and to advise CES Limited 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 the access rights set out in the applicable legislation.

To make a request to access or to update any personal information CES Limited holds about you or your child, please contact CES Limited's Privacy Officer by telephone or in writing. CES Limited may require you to verify your identity and specify what information you require. CES Limited 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, CES Limited will advise the likely cost in advance. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

9. Consent and rights of access to the personal information of students

CES Limited respects every Parent's right to make decisions concerning their child's education.

Generally, CES Limited will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. CES Limited 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.

Parents may seek access to personal information held by CES Limited about them or their child by contacting CES Limited's Privacy Officer by telephone or in writing. However, there may 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 CES Limited's duty of care to the student.

CES Limited may, at its discretion, on the request of a student grant that student access to information held by CES Limited 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 maturity of the student and/or the student's personal circumstances warrant it.

10. Enquiries and complaints and contact details

If you would like further information about the way CES Limited manages the personal information it holds about you, or wish to complain that you believe that CES Limited has breached its privacy obligations, please contact CES Limited's Privacy Officer by writing or telephone at 03 5443 2377. CES Limited will investigate your complaint and will notify you of the making of a decision in relation to your complaint as soon as is practicable after it has been made.

If you are not satisfied with CES Limited's decision you may make a complaint to the Office of the Australian Information Commissioner (OAIC) whose contact details are:

GPO Box 5218, Sydney, NSW 2001

Telephone: 1300 363 992

www.oaic.gov.au

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