



**St Michael's**  
Lutheran Primary School

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# PRIVACY POLICY

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Responsibility	Principal	
Approved by	School Board	Date: 29 <sup>th</sup> October 2019

## Related School Policies, Procedures and Documents

<ul style="list-style-type: none"> <li>• Child Protection Policy</li> <li>• Mandatory Notification Procedure</li> <li>• Bullying and Harassment Policy</li> <li>• Recruitment Policy</li> <li>• New Staff and Volunteer Induction Procedure</li> <li>• Digital Technologies Policy</li> <li>• Social Media Policy</li> <li>• Volunteer policy</li> </ul>	<ul style="list-style-type: none"> <li>• Pastoral Care Program</li> <li>• Student Advocacy Policy</li> <li>• Excursion, Camps and Sporting Events Policy</li> <li>• Growing Deep</li> <li>• Valuing Safe Communities</li> <li>• Data Breach plan</li> <li>• WHS Procedures</li> </ul>
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### 1. Your Privacy Is Important

This statement outlines St Michael's Lutheran School Hahndorf Inc. policy on how the School uses and manages personal information provided to or collected by it.

The School is bound by the Australian Privacy Principles (APPs) contained in the Commonwealth Privacy Amendment (Enhancing Privacy Protection) Act 2012 (as amended)

The School may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to Schools' operations and practices and to make sure it remains appropriate to the changing school environment.

The School Privacy Officer is Principal, Terri Taylor (08) 8388 7228

### 2. What kind of personal information does the School collect and how does the School collect it?

The type of information the School collects and holds includes (but is not limited to) personal information, including sensitive information, about:

- ◆ pupils and parents and/or guardians (**'Parents'**) before, during and after the course of a pupil's enrolment at the School including;
  - 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, absence notes, medical reports and names of doctors);
  - Conduct and complaint records, or other behaviour notes, and school reports;

- Information about referrals to government or health welfare agencies;
  - Health fund details and Medicare number;
  - Court orders;
  - Volunteering information; and
  - Photos and videos at School events;
- ◆ job applicants, staff members, volunteers and contractors, including
    - name, contact details (including next of kin), date of birth and religion;
    - information on job applications;
    - salary and payment information, including superannuation details;
    - medical information (e.g. details of disability and/or allergies and medical certificates);
    - complaints record and investigation reports;
    - leave details;
    - photos and videos at School events;
    - workplace surveillance information;
    - work emails and private mail (when using work email address) and internet browsing history; and
  - ◆ other people who come into contact with the School, including name and contact details and any other information necessary for the particular contact with the school.

Certain laws governing or relating to the operation of schools require that certain information is collected. This can take the form of:

**1. Personal Information you provide:**

The School will generally collect personal information held about an individual by way of forms filled out by Parents or pupils, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than Parents and pupils provide personal information.

**2. 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.

**3. 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, where the treatment is directly related to a current or former employment relationship between the School and employee.

## 3. How will the School use the personal information you provide?

The School 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.

**1. Pupils and Parents:** In relation to personal information of pupils and Parents, the School's primary purpose of collection is to enable the School to provide schooling or educational services for the pupil,

exercise its duty of care, and perform necessary associated administrative activities. This includes satisfying both the needs of Parents and the needs of the pupil throughout the whole period the pupil is enrolled at the School.

The purposes for which the School uses personal information of pupils and Parents include:

- ◆ Pre-enrolment matters
- ◆ to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- ◆ day-to-day administration;
- ◆ looking after pupil's educational, social and medical wellbeing'
- ◆ seeking donations and marketing for the School;
- ◆ drawing upon the expertise of particular members of the School community to assist with operations and functions
- ◆ to satisfy the School's legal obligations and allow the School to discharge its duty of care.

In some cases, where the School requests personal information about a pupil or parent, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the pupil or permit them to take part in a particular activity.

2. **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 the case may be.

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

- ◆ in administering the individual's employment or contract, as the case may be;
- ◆ 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.

3. **Volunteers:** The School also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, to enable the School and the volunteers to work together.

4. **Marketing and fundraising:**

The school treats marketing and seeking 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 pupils and staff thrive. Personal information held by the School may be disclosed to an organisation that assists in the Schools fundraising, for example, the School's Parents and Friends Group.

Parents, staff, contractors and other members of the wider School community may from time to time receive fundraising information. School publications, including print media (eg newsletters and magazines) and electronic media (such as the School's website and social media) and public media

(such as radio or television), which include personal information, may be used for marketing purposes.

## 4. Who might the School disclose personal information to?

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

- ◆ another school;
- ◆ government departments;
- ◆ medical practitioners;
- ◆ people providing educational support and health services to the School, including specialist visiting teachers and sports coaches, volunteers and counsellors;
- ◆ providers of specialist advisory services and assistance to the School, including in the area of Human Resources, child protection and students with additional needs;
- ◆ providers of learning and assessment tools;
- ◆ assessment and educational authorities, including the Australian Curriculum Assessment and Reporting Authority (ACARA) and NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN);
- ◆ people providing administrative and financial services to the School;
- ◆ recipients of School publications, like newsletters and magazines;
- ◆ Parents; and
- ◆ anyone you authorise the School to disclose information to
- ◆ anyone to whom we are required to disclose the information by law.

### **Sending Information Overseas:**

The School may disclose information about an individual to overseas recipients eg when storing personal information with 'cloud' service providers situated outside of Australia. 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 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 educational 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 in the 'cloud' which means that it may reside on a cloud service providers server which may be situated outside of Australia.

## 5. How does the School treat sensitive information?

In referring to 'sensitive information', the School means: 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 criminal record, that is also personal information; and health 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.

## 6. Management and security of personal information

The School's staff are required to respect the confidentiality of pupils' and parents' personal information and the privacy of 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 pass worded access rights to computerised records.

## 7. Updating personal information

The School endeavours to ensure that the 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 Secretary of the School at any time.

The Australian Privacy Principles require the School not to store personal information longer than necessary.

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

Under the Commonwealth 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. Pupils will generally have access to their personal information through their parents, but older pupils may seek access themselves.

There are some exceptions to these rights set out in the applicable legislation.

To make a request to access any information the School holds about you or your child, please contact the School Principal by telephone or in writing.

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. If the information sought is extensive, the School will advise the likely cost in advance. If we cannot provide you with access to that information, we shall provide you with written notice explaining the reason(s) for refusal.

## 9. Consent and rights of access to the personal information of pupils

The School respects every parent'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 pupil to the pupil's parents. The School will treat consent given by parents as consent given on behalf of the pupil, and notice to parents will act as notice given to the pupil.

Parents 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 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 the School's duty of care to the pupil.

The School may, at its discretion, on the request of a pupil grant that pupil access to information held by the School about them, or allow a pupil 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 pupil and/or the pupil's personal circumstances so warranted.

## 10. Enquiries and Complaints

If you would like further information about the way the School manages the personal information it holds, or wish to make any inquiry related to the School's compliance with the Australian Privacy Principles, please contact the School Principal, Terri Taylor on (08) 8388 7228. The School will investigate any complaint and will notify you of the making of a decision in relation to your complaint as soon as practicable after it has been lodged.

# 11. Related Documents

- A. Standard Collection Notice
- B. Employee Collection Notice
- C. Contractor / Volunteer Collection Notice
- D. Website Collection Notice



## COLLECTION OF INFORMATION FROM FAMILIES (STANDARD COLLECTION NOTICE)

1. The School collects personal information, including sensitive information about pupils and parents or guardians before and during the course of a pupil's enrolment at the School. The primary purpose of collecting this information is to enable the School to provide schooling for your son/daughter.
2. Some of the information we collect is to satisfy the School's legal obligations, particularly to enable the School to discharge its duty of care.
3. Certain laws governing or relating to the operation of schools require that certain information is collected. These include Public Health and Child Protection Laws.
4. Health information about pupils is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. We ask you to provide medical reports about pupils from time to time.
5. The School, as required, either by law or as appropriate for proper discharge of our duties, will disclose personal and sensitive information to others for administrative and educational purposes. This includes to other schools, government departments, Lutheran Education – State and National, medical practitioners, and people providing services to the School, including specialist visiting teachers, sports coaches and volunteers.
6. Personal information collected from students is regularly disclosed to their parents or guardians. On occasions, information regarding academic and sporting achievements, student activities and similar news is published in School newsletters, magazines and on our website. Photographs of student activities such as sporting events, school camps and school excursions may be taken for publication in School newsletters and magazines and on our website. The School will obtain separate permissions from the student's parent or guardian prior to publication of photographs.
7. The School may store personal information in 'the cloud' which may mean that it resides on servers which are situated outside off Australia.



8. Parents may seek access to personal information collected about them and their son/daughter by contacting the School. Pupils may also seek access to personal information about them. However, there will be occasions when access is denied. Such occasions would include 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 pupil, or where pupils have provided information in confidence.
9. We may include your contact details in a class list and School directory. Permission will be sought for publication of these details.
10. The School Privacy Policy also sets out how you may register a complaint about a breach of privacy and how the School will deal with such a complaint.
11. The School also, from time to time, engages in fundraising activities. Information received from you may be used to make an appeal to you. It may also be disclosed to organizations that assist in the School's fundraising activities solely for that purpose. We shall not disclose your personal information to third parties for their own marketing purposes without your consent.
12. If you provide the School with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties.



### EMPLOYMENT COLLECTION NOTICE

1. In applying for this position, you will be providing St. Michael's Lutheran School Hahndorf Inc. with personal information. We can be contacted at 6 Balhannah Road, Hahndorf 5245, and Email: [stmichs@stmichaels.sa.edu.au](mailto:stmichs@stmichaels.sa.edu.au) Phone: 8388 7228.
2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information in order to assess your application. We may keep this information on file if your application is unsuccessful in case another position becomes available.
3. You agree that we may store this information for **6 months**.
4. You may seek access to your personal information that we hold about you if you are unsuccessful for the position. However, there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others.
5. We will not disclose this information to a third party without your consent.
6. The School's Privacy Policy contains details of how you may complain about a breach of the APPs or how you may seek access to personal information collected about you. However, there may be

occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others.

7. We are required to conduct a criminal record check, collect information [regarding whether you are or have been the subject of an AVO (Apprehended Violence Order) and certain criminal offences] under Child Protection Law. We may also collect personal information about you in accordance with these laws.\*
8. The School may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
9. If you provide us with the personal information of other i.e. referees, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish, that the School does not usually disclose the information to third parties and that we may store their information for 6 months.



#### **Contractor / Volunteer Collection Notice**

1. In applying to provide services to the School, you will be providing St Michael's Lutheran Primary School with personal information. We can be contacted at 6 Balhannah Road, Hahndorf, [stmichs@stmichaels.sa.edu.au](mailto:stmichs@stmichaels.sa.edu.au), (08) 83887228
2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information in order to assess your application. We may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information for 6 months
4. The School's Privacy Policy sets out how you may seek access to your personal information and how you may complain about a breach of the APPs.
5. We will not disclose this information to a third party without your consent. OR We usually disclose this kind of information to the following types of organisations [insert list].
6. [We are required to [conduct a criminal record check] collect information [regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences] under Child Protection law.\*] [We may also collect personal information about you in accordance with these laws.\*]
7. The School may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.\*
8. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why, that they can access that information if they wish and that the School does not usually disclose the information to third parties.

\* If applicable



## Website Collection Notice

This statement sets out St Michael's Lutheran School policy relating to the privacy of your personal information.

St Michael's Lutheran School collects personal information, including sensitive information, about students, school employees, school governors and others who interact with the Organisations.

The primary purpose of collecting this information is to enable St Michael's Lutheran School to provide services to schools, students, or others. Some of the information collected is to satisfy the School's legal obligations. St Michael's Lutheran School's Privacy Policy is available at [www.stmichaels.sa.edu.au](http://www.stmichaels.sa.edu.au)

St Michael's Lutheran School website collects the information that is voluntarily supplied, by yourself or your delegate. The information supplied includes personal information to register for an school event, contact details to receive further information about the school, project/s the school is undertaking with you and any other information you may specify from time to time

The St Michael's Lutheran School's website collects the following information from users:

1. A record of your visit and logs the following information for statistical purposes - the user's IP address, the date and time of the visit to the site, the pages accessed and documents downloaded, the previous site visited and the type of browser used. No attempt will be made to identify individual users or their browsing activities except, in the unlikely event of an investigation, where a law enforcement agency may exercise a warrant to inspect our web server logs. This information may be analyzed periodically to determine the site's usage statistics.
2. St Michael's retains the e-mail address of people who send E-mails through any online forms or via any email addresses published on the site, for the purpose of sending a response. They are stored securely on our web server and will not be used for any other purpose nor disclosed to a third party without your consent.

St Michael's Lutheran School may, from time to time, disclose personal information to others for administrative, child protection, legal or educational purposes. Such disclosures will only be in relation to the primary purpose of collection, or for secondary purpose, related to the primary purpose, and which the individual would reasonably expect. If St Michael's Lutheran School does not receive the information referred to above, it may not be able to provide the relevant service to the school, student, school employee or others.

St Michael's Lutheran School occasionally uses contractors to assist in its functions and discloses relevant personal information to these contractors to enable them to meet their obligations.

St Michael's Lutheran School may store personal information in the 'cloud' which may mean that it resides on servers which are situated outside of the School.

St Michael's Lutheran School's Privacy Policy sets out how a person may seek access to personal information collected about them. However, there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, or where access may result in a breach of confidence.

St Michael's Lutheran School's Privacy Policy also sets out how you may register a complaint about a breach of privacy and how the School will deal with such a complaint.

Any questions in relation to the collection, use and disclosure and retention of personal information collected by the School may be directed to the Principal