



St. Philip's Christian Education Foundation Ltd

Privacy Policy

1. SCOPE

This Privacy Policy applies to **St Philip's Christian Education Foundation Ltd (SPCEF Ltd, we, us, our)** and the schools and preschools which it operates. This Policy sets out how SPCEF Ltd and each of its schools manage personal information provided to or collected by it. It applies to all personal information provided to or collected by SPCEF Ltd.

SPCEF Ltd is bound by the Australian Privacy Principles contained in the Commonwealth *Privacy Act 1988*. In relation to health records SPCEF Ltd is also bound by the NSW Health Privacy Principles contained in the *Health Records and Information Privacy Act 2002*.

SPCEF Ltd 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.

2. DEFINITIONS

Cookies: are unique identifiers that we collect and use to obtain information about SPCEF Ltd websites including the number of visitors to the website, the date and time of those visits, the number of pages viewed and navigation patterns.

Personal Information: generally means information or an opinion about an individual whose identity is apparent or can be reasonably ascertained from the information or opinion.

Sensitive Information: generally speaking, is a special subset of personal 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.

Health Information: generally speaking, is a special subset of personal information about an individual's health or a disability, including information about an individual's wishes regarding the provision of health services, genetic or biometric information, wishes regarding organ donation or any personal information collected in the course of providing a health service.

3. WHAT KINDS OF PERSONAL INFORMATION DOES SPCEF Ltd COLLECT AND HOLD?

SPCEF Ltd does not collect personal information unless it is reasonably necessary for one or more of its activities and functions. In the case of sensitive information, we do not collect sensitive information unless it is reasonably necessary for one of our activities or functions *and* you consent to the collection (in some circumstances consent may be implied).

The type of information we collect and hold includes (but is not limited to) personal

information, including health and other sensitive information, about:

- (a) students and parents and/or guardians (**parents**) before, during and after the course of a pupil's enrolment with SPCEF Ltd;
- (b) job applicants, staff members, volunteers and contractors; and
- (c) other people who come into contact with SPCEF Ltd.

Personal Information, including sensitive and health information, collected by SPCEF Ltd may include, without limitation (but where relevant):

- (a) your name, address, phone number, email address, language spoken at home;
- (b) credit card information and other relevant information for payment of fees;
- (c) a student's name, address, phone number, email address;
- (d) enrolment information for the student;
- (e) academic progress information/educational assessments for the student;
- (f) photographic ID of the student or staff member;
- (g) fee allowance/Scholarship information for the student;
- (h) visa information of the student or staff member (where applicable);
- (i) medical history and health information regarding the student;
- (j) disability support services regarding the student;
- (k) details of any complaints made involving the student either by the parents or third parties;
- (l) photos and media recordings which may include images of the student or parents attending a school event;
- (m) details of who to call in the event of an incident/emergency including telephone numbers of such persons;
- (n) employment information including qualifications and previous experience;
- (o) WHS information such as pre-existing injuries which may be relevant to your employment at a school;
- (p) performance review documents for employees of a school;
- (q) misconduct and disciplinary information with respect to either employees or students at the school;
- (r) alumni information for students and teachers or other employees of the school;
- (s) staff and student emails; and
- (t) religious affiliation of parents, students and teachers.

Exception in relation to employee records: Under the Privacy Act and Health Records and Information Privacy Act, the Australian Privacy Principles and Health Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the School's collection, use, disclosure, or handling of an employee record, where the collection, use, disclosure or handling is directly related to a current or former employment relationship between the school and employee.

4. HOW DO WE COLLECT PERSONAL INFORMATION?

Personal Information you provide: SPCEF Ltd 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.

We will also collect your personal information through technology and in the online environment. Examples of such collection include: CCTV footage recorded by cameras on school sites; the use of Cookies on the school's website and school owned electronic devices; audits of and data monitoring software installed on school owned electronic devices; personal information submitted directly through the school's website or through social media accounts operated by the school.

It should be specifically noted that SPCEF Ltd monitors all emails sent and received through SPCEF Ltd email system. SPCEF Ltd also undertakes audits and data monitoring of software installed on school owned electronic devices such as computers. Personal information may be collected via this surveillance.

SPCEF Ltd collects photographs of staff and students for use on ID cards for identification purposes. SPCEF Ltd may also collect media, images or recordings of staff, students or the broader community from time to time at school or community events.

SPCEF Ltd will take such steps as are reasonable in the circumstances to notify you when it is collecting your personal information and about your rights in respect of that personal information.

SPCEF Ltd may also generate personal information from other data which it holds – such as the creation of audit logs, incident reports, academic records for students and disciplinary proceedings for staff or students.

Personal Information provided by other people:

We may collect your personal information from third parties where you have agreed with them that your information may be disclosed or where it is unreasonable or impracticable to collect the information directly from you.

The following are some examples of personal information we may collect from third parties in the above circumstances:

- (a) a report provided by a medical professional;
- (b) a reference from another school; or
- (c) information from an authorised agent representing an international student.

From time to time SPCEF Ltd may collect media, images or recordings of students, parents or the public at school or community events which have initially been created or collected by students or other persons. SPCEF Ltd may also collect personal information from generally available publications – such as clippings of newspaper articles relevant to school functions and activities.

5. FOR WHAT PURPOSES WILL WE USE THE PERSONAL INFORMATION WE COLLECT?

SPCEF Ltd will only use or disclose your personal information 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 (in some circumstances consent may be implied).

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.

We collect, use and disclose your personal information for the following primary purposes:

Students and Parents:

- (a) to allow SPCEF Ltd to educate students in a Christian environment or, where relevant, provide early childhood care in a Christian environment. This requires us to know personal information, including sensitive information, about you and your child;
- (b) to communicate with parents about matters related to their child's schooling through correspondence, newsletters and magazines;
- (c) school administration including, without limitation, collection of school enrolment fees;
- (d) for pastoral care including, without limitation, caring for student's educational, social, spiritual and medical wellbeing;
- (e) discipline where we consider it necessary;
- (f) seeking donations;
- (g) marketing and promotion of the school and SPCEF Ltd;
- (h) insurance purposes;
- (i) to comply with our legal obligations;
- (j) research and development of programs and other school facilities; and
- (k) to allow the school to discharge its duty of care to students.

Laws governing or relating to the operation of a school require certain information to be collected and disclosed by SPCEF Ltd, such as the Education Act 1990 (NSW), the Public Health Act 2010 (NSW) and the various child protection laws.

In some cases, where SPCEF Ltd requests personal information about a student or parent, if the information requested is not obtained, the school may not be able to enroll or continue the enrolment of the student or permit the student to take part in a particular activity.

Job applicants, employees and contractors:

- (a) to administer the person's employment or contract, as the case may be including, without limitation, paying employees and contractors, managing employee entitlements and giving directions and supervision to employees and contractors;
- (b) to interview applicants for jobs or contractors for engagement;
- (c) for insurance purposes;
- (d) performance management of employees and contractors and disciplinary proceedings where relevant;
- (e) seeking donations;
- (f) marketing and promotion of the school and SPCEF Ltd;
- (g) to comply with the school's legal obligations, such as child protection laws;
- (h) research and development of programs and other school facilities; and
- (i) to allow the school to discharge its duty of care to students, employees, contractors or other third parties.

Volunteers:

SPCEF Ltd also obtains personal information about volunteers who assist the school in its functions or conduct associated activities, such as alumni associations. SPCEF Ltd collects this information for the following purposes:

- (a) to communicate with the volunteers about their functions or activities and allow the school and the volunteers to work together effectively;
- (b) for insurance purposes;

- (c) seeking donations;
- (d) to comply with the school's legal obligations, such as child protection laws;
- (e) to allow the school to discharge its duty of care to students, employees, contractors or other third parties;
- (f) training and education of volunteers to allow them to effectively undertake their tasks;
and
- (g) marketing and promotion of the school and SPCEF Ltd.

Marketing and fundraising:

SPCEF Ltd treats marketing and seeking donations for the future growth and development of its schools and preschools as an important part of ensuring that it continues to provide a quality learning environment in which both students and staff thrive. Personal information held by SPCEF Ltd may be disclosed to an organisation that assists in fundraising on behalf of SPCEF Ltd, including for example, the schools' alumni organisation, PTF associations and S.P.C.C Ltd. On occasions, personal information may be disclosed to external fundraising organisations solely for the purpose of providing fundraising activities to SPCEF Ltd. SPCEF Ltd will not disclose your personal information to third parties for their own marketing purposes without your consent.

Parents, employees, contractors and other members of the wider school community may from time to time receive fundraising information. School publications, like newsletters and magazines, which include personal information, may be used for marketing purposes. You may at any time request not to receive marketing materials by contacting SPCEF Ltd at the details provided below.

Use of media, images and recordings

As mentioned above, the personal information collected by SPCEF Ltd may include media, images and recordings. SPCEF Ltd may from time to time use such images and recordings in school newsletters, magazines and on our intranet. The enrolment pack for new students and other collection notices applicable to employees, volunteers and contractors contains a consent form consenting to this use. You should contact the school if you have any concerns regarding this use. SPCEF Ltd will obtain separate permission from the individual (or parents in the case of students) if the school wants to use these images or recordings in promotional material or otherwise make it available to the public, such as on the internet.

Use of staff and student names for email

We use staff and student names as the basis for email addresses in our internally hosted email system. This system is predominantly used for communication within SPCEF Ltd, however staff email details are made available to third parties as necessary for staff to perform their employment functions. Student email addresses are not published by the school, however students may from time to time use their school email account to contact third parties which could result in disclosure of their name and enrolment with the school to third parties. If you have any concerns about your name or your child's name being used as an email address, please contact the school via the details provided below.

Sharing personal information between the different schools and preschools operated by SPCEF Ltd.

Generally speaking, personal information which is collected by a particular school or preschool operated by SPCEF Ltd will be predominately used by that school. However, SPCEF Ltd maintains central information databases which consolidate all information, including personal information, collected through the various schools and preschools which it operates. Where it is within the primary or secondary purposes of collection, personal information collected by one school or preschool may be used by another school or preschool. One of the main examples of when this will occur is when a student transfers from preschool to school, or from one school to another.

6. WHO MIGHT WE DISCLOSE YOUR PERSONAL INFORMATION TO?

SPCEF Ltd may disclose personal information, including sensitive information, held about an individual to:

- (a) another school (i.e. a school not operated by SPCEF Ltd);
- (b) government departments;
- (c) medical practitioners or other allied health professionals;
- (d) people providing services to the school, including specialist visiting teachers, counsellors and sports coaches;
- (e) recipients of school publications, such as newsletters and magazines;
- (f) parents;
- (g) anyone you authorise the school to disclose information to;
- (h) anyone to whom we are required or authorised to disclose the information by law;
- (i) law enforcement agencies such as the police; and
- (j) other businesses or service providers which SPCEF Ltd engages to provide services to the schools, for example, IT service providers, lawyers or debt recovery organisations.

We will only make the above disclosures to third parties for the primary purpose, or a permitted secondary purpose, of collection, as referred to in Section 5.

Sending information overseas

SPCEF Ltd may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with an IT service provider situated outside

Australia or to facilitate a school exchange. Some teachers use a program called “Edmodo” which allows a class room to connect and collaborate on an on-line environment. This program is available from a USA based service provider. Accordingly, student’s personal information may become available to this USA based service provider.

Please note, we will not send personal information about an individual outside Australia without any of the following applying:

- (a) taking reasonable steps to in the circumstances to ensure that the overseas recipient does not breach the Australian Privacy Principles; or
- (b) reasonably believing that the overseas recipient is subject to a law or binding scheme which provides substantially similar protection for personal information as the Australian Privacy Principles; or
- (c) obtaining the consent of the individual (in some cases this consent will be implied).

7. HOW DO WE HOLD AND STORE YOUR PERSONAL INFORMATION?

SPCEF Ltd and the schools' staff respect the confidentiality of students' and parents' personal information and the privacy of individuals. Accordingly, we comply with the following:

- 1. We take such steps as are reasonable in the circumstances to protect the information from misuse, interference and loss and from unauthorized access, modification and disclosure.
- 2. Where we no longer need the information for a purpose described in this policy and we are not required by law to hold the information we take such steps as are reasonable in the circumstances to destroy or de-identify the information.

SPCEF Ltd stores information via a number of different methods, including paper records, shared electronic files and web-based systems. We maintain a central student records database in electronic form, which is maintained at a secure off-site location and accessed by a private network. Other personal information from our internal systems (including financial information) is linked directly to our student record system. Personal information is also stored in our internally hosted email system and library systems.

Each 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. Generally, access is only authorised to the extent necessary to allow it to be used for the primary or secondary purposes of its collection

Personal information of particular students is also held by relevant teaching staff to the extent necessary for staff to properly fulfil their functions. Schools’ provides training and support to its staff on maintaining the security of personal information whilst in their possession.

8. HOW YOU CAN ACCESS AND CORRECT YOUR PERSONAL INFORMATION

Under the *Privacy Act* and *Health Records and Information Privacy Act 2002*, an individual has the right to obtain access to any personal information which SPCEF Ltd or a school holds about them and to advise SPCEF Ltd or the school of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Students will generally be able to access and update their personal information through their parents, but older students we consider have sufficient maturity may seek access and correction themselves.

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

To make a request to access or update any personal information SPCEF Ltd or a school holds about you or your child, please contact SPCEF Ltd or the school via the details provided below.

The school may require you to put your request in writing, 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 will provide you with written notice explaining the reasons for refusal.

Consent and rights of access to the personal information of students

SPCEF Ltd respects every parent's right to make decisions concerning their child's education.

Generally, a school will refer any requests for consent and notices in relation to the personal information of a student to the student's parent. A school will treat consent given by parents as consent given on behalf of the student, and notice to parents will be treated as notice given to the student.

As mentioned above, parents may seek access to personal information held by a school or SPCEF Ltd about them or their child by contacting the school or SPCEF Ltd. However, there will be occasions when access is denied. Such occasions may include, amongst others:

- (a) where the student has specifically requested that the information not be disclosed;
- (b) where SPCEF Ltd is concerned that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or safety;
- (c) where release of the information would have an unreasonable impact on the privacy of others;
- (d) where the release may result in a breach of law or the school's duty of care to a student; and
- (e) where giving access may prejudice enforcement related activities conducted by an enforcement body.

A 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. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted (as determined by SPCEF Ltd).

9. HOW TO MAKE AN ENQUIRY OR COMPLAINT

If you would like further information about the way SPCEF Ltd or a school manages the personal information it holds, or wish to make a complaint that SPCEF Ltd or a school has breached the Australian Privacy Principles, please contact SPCEF Ltd or the relevant school on the details provided below. SPCEF Ltd or the school will investigate any complaint and will notify you of a decision in relation to your complaint as soon as is practicable after it has been made.

If you are dissatisfied with the outcome, or remain concerned, you may contact the Information Commissioner via the details at <http://www.oaic.gov.au/privacy/privacy-complaints>

10. CONTACT DETAILS:

Any questions regarding this policy or the privacy practices of SPCEF Ltd should be directed

to:

1. firstly, the Principal of the relevant school;
2. secondly, the Executive Principal of SPCEF Ltd.

School Principal contact details:

Cessnock
The Principal
St. Philip's Christian College, Cessnock
10 Lomas Lane,
NULKABA NSW 2325

Gosford
The Principal
St. Philip's Christian College, Gosford
PO Box 640
GOSFORD NSW 2250

Newcastle
The Principal
St. Philip's Christian College, Newcastle
PO Box 87
WARATAH NSW 2289

Port Stephens
The Principal
St. Philip's Christian College, Port Stephens
PO Box 8342
SALAMANDER BAY NSW 2317

D.A.L.E.
The Principal
D.A.L.E.
PO Box 173
WARATAH NSW 2298

SPCEF Ltd contact details:
Privacy Officer
c/o Executive Principal
St. Philip's Christian Education Foundation Ltd
PO Box 87
WARATAH NSW 2289

Policy effective from 12th March 2014 (last updated: 20th March 2014)