St Francis Xavier College
Berwick, Officer and Beaconsfield

Diocese of Sale
Catholic Education Ltd

PRIVACY POLICY

1.0 INTRODUCTION

This Privacy Policy applies to all primary and secondary Catholic schools managed and operated by the Diocese of Sale Catholic Education Limited (**DOSCEL**) in the Diocese of Sale in the State of Victoria (**Schools**). This Policy also applies to the DOSCEL Secretariat.

DOSCEL is a not for profit organisation that carries on and promotes the charitable activities of the Diocese of Sale in connection with education, in particular to support and advance Catholic education through its operation of Schools.

2.0 PURPOSE

This Privacy Policy explains how DOSCEL and Schools collect and manage personal information.

2.1 Exception in relation to employee records

This Policy does not apply to DOSCEL's handling of an employee record, which are exempt under the Australian Privacy Principles (**APP's**), when handling is directly related to current or former employment relationship between DOSCEL and an employee. DOSCEL and Schools handle employee health records in accordance with the Health Privacy Principles in the *Health Records Act 2001* (Vic.).

3.0 PRINCIPLES

The DOSCEL Secretariat and Schools are bound by the *Privacy Act 1988* (Cth) and the APP's in that Act and, in relation to health records, the *Health Records Act 2001* (Vic) and the Health Privacy Principles in that Act.

The DOSCEL Secretariat and Schools must comply with the Child Information Sharing Scheme (**CISS**) and Family Violence Information Sharing Scheme (**FVISS**), and must act in accordance with the Family Violence Multi-Agency Risk Assessment and Management Framework (**MARAM**).

The CISS and FVISS are designed to complement related child safety obligations, such as those under the Reportable Conduct Scheme and Child Safe Standards. For more information, see: Information Sharing and Family Violence Reforms Contextualised Guidance, Child Information Sharing Scheme Ministerial Guidelines, Family Violence Information Sharing Guidelines, and Family Violence Multi-Agency Risk Assessment and Management Framework.

4.0 DEFINITIONS

Personal information is information or an opinion, whether true or not, about a person whose identity is apparent, or can reasonably be ascertained, from the information or opinion – that is recorded in any form. For example, a person's name, address, phone number and date of birth (age). De-identified information about students can also be personal information.

Health information is information or opinion about a person's physical, mental or psychological health or disability, that is also personal information – whether in writing or not. This includes information or opinion about a person's health status and medical history, immunisation status and allergies, as well as counselling records.

Sensitive information is information or opinion about a set of specific characteristics, including a person's racial or ethnic origin, political opinions or affiliations, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information and biometric information about an individual.

5.0 COLLECTION OF INFORMATION

5.1 Collection of personal information by DOSCEL

The DOSCEL Secretariat and Schools collects information about individuals to perform one or more of its functions or activities, in particular to service, support, resource, govern, operate, manage and lead Schools, including the employment of principals and School employees and ownership of School assets.

5.2 What kinds of personal information does DOSCEL and Schools collect?

The types of personal information the DOSCEL Secretariat and Schools collects depends on who you are and your relationship to the DOSCEL Secretariat and Schools. The DOSCEL Secretariat and Schools collect and hold personal information, including health and other sensitive information, about:

- Students and parents, guardians and/or carers before, during and after the course of a student's enrolment at school, including but not limited to:
  - name, contact details (including next of kin), date of birth, previous school and religion
  - Parent(s), guardian(s) and/or carer(s) 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, reports including counselling reports)
  - academic results of students and ongoing performance
  - conduct and complaint records, or other behaviour notes, school attendance and school reports
  - information about referrals to government welfare agencies

  - counselling reports
  - health fund details and Medicare number
  - any court orders, parenting orders and/or intervention orders
  - volunteering information (including Working with Children Checks)
  - relevant financial information
  - photos and videos at school events.

  The School will usually collect this information on behalf of the DOSCEL Secretariat.

- Job applicants, employees, volunteers and contractors, including:
  - name, contact details (including next of kin), date of birth and religion
  - information provided on a job application
  - professional development history
  - personal information collected via social media platforms, including but not limited to, Twitter, Facebook and LinkedIn
  - salary and payment information, including bank, salary and superannuation information
  - medical information (e.g. details of disability and/or allergies and information contained on medical certificates)
  - complaint records and investigation reports
  - leave details
  - photos and videos at school events
  - work emails and private emails (when using work email address) and Internet browsing history.
- Board directors and School Advisory Committee members.
- Other people who come into contact with the DOSCEL Secretariat and Schools, including name and contact details and any other information necessary for the particular contact with the DOSCEL Secretariat and/or Schools.

The DOSCEL Secretariat and Schools may collect personal information under the CISS and FVISS. This may include the collection of:

- information relating to child wellbeing or safety
- information that may help to assess or manage the risk of family violence.

5.3 Nationally Consistent Collection of Data (NCCD) on School Students with Disability

As an approved authority, DOSCEL is required to collect certain information on students with a disability from Schools to meet obligations under the Federal *Australian Education Regulation 2013* (**the Regulation**) and *Australian Education Act 2013* (Cth) (**AE Act**).

DOSCEL is required to provide the Department of Education and Training (**the Department**) the following information about students with a disability without explicitly identifying the student:

- their level of education (i.e. primary or secondary)
- their category of disability (i.e. physical, cognitive, sensory or social/emotional)
- their level of adjustment (i.e. support provided within quality differentiated teaching, practice, supplementary, substantial or extensive adjustment)
- Ministerial Council disability guidelines for the year.

DOSCEL must undertake financial modelling about funding for particular students with disability, including ongoing evaluation of the adequacy of the funding for individual students under the NCCD. DOSCEL must also quality assure Schools' NCCD data before submitting it to the Department.

The kind of information collected and used by the DOSCEL Secretariat and its Schools for quality assurance purposes may be information which identifies a student, including but not limited to:

- specialist diagnoses reports
- individualised/personalised learning planning
- records of assessments.

In addition, DOSCEL will collect and hold documented written evidence of adjustments undertaken pursuant to the NCCD, as required by the Regulation.

5.4 How is personal information collected?

Personal information held about an individual is generally collected by the DOSCEL Secretariat and Schools directly through forms you complete (e.g. at an event or online), from face-to-face meetings and interviews, in emails and from telephone calls or from a School who provides it to the DOSCEL Secretariat.

Personal information about students is also collected from other sources like health care providers or from another school or other education body that provides references. This may include academic records and/or achievement levels and/or information that may help the new School meet the needs of the student including any adjustments.

Personal information may also be collected by the DOSCEL Secretariat and Schools under CISS and FVISS. Information may be collected following a request for information from another prescribed Information Sharing Entity (**ISE**) or following receipt of information that has been voluntarily shared with them by another ISE. Other ISEs include Victoria Police and family violence specialist services. Information sharing may be authorised or required under CISS or FVISS where this may promote child wellbeing or safety and/or to help assess or manage the risks of family violence.

5.5 Anonymous interactions

The DOSCEL Secretariat and Schools need to be able to identify individuals with whom they interact and to collect identifiable information about them to facilitate the delivery of schooling to its students and its educational and support services, conduct the job application process and fulfil other obligations and processes. However, in some limited circumstances some activities and interactions with the DOSCEL Secretariat and Schools may be done anonymously or using a pseudonym where practicable, which may include making an inquiry, complaint or providing feedback.

5.6 DOSCEL and School websites

When you look at the DOSCEL website (at www.doscel.catholic.edu.au) or a School website, the Internet Service Provider (ISP) makes a record of your visit and logs the following information for statistical purposes:

- your server address
- your top-level domain name (for example .com, .gov, .au, .uk, etc.)
- the date and time of your visit to the site
- the pages you accessed and documents downloaded
- the previous site you have visited
- the type of browser you are using.

5.7 Access to information collected by DOSCEL and School websites

The DOSCEL Secretariat and Schools will not attempt to identify its website users by their browsing activities. However, in the unlikely event of an investigation, a law enforcement agency or other government agency may exercise its legal authority to inspect the ISP logs of the websites.

5.8 Use of information collected by DOSCEL and School websites

Any information collected via the DOSCEL or Schools websites will only be used for the purpose for which you have provided it and it will not be used for any other purpose without your consent.

The DOSCEL Secretariat or Schools may disclose information to other ISEs without the knowledge or consent of any parent, guardian, carer or student, where this is required or authorised by law (including for the purposes of information sharing under the CISS or FVISS). Where this occurs, the DOSCEL Secretariat and Schools will seek the views and wishes of any relevant child and/or family members before sharing their information, where it is safe, reasonable and appropriate to do so.

DOSCEL and Schools websites do not provide facilities for the secure transmission of information across the Internet. Users should be aware that there are inherent risks transmitting information across the Internet.

5.9 Cookies

DOSCEL and Schools websites only use session cookies and only during a search query of the website.

On closing your browser, the session cookie set by DOSCEL and Schools websites is destroyed and no personal information is retained which might identify you should you visit DOSCEL and Schools websites at a later date.

6.0 HOW INFORMATION COLLECTED WILL BE USED AND DISCLOSED

6.1 How will the DOSCEL Secretariat and Schools use personal information collected?

The DOSCEL Secretariat and Schools will use and disclose personal information it collects from you to carry out relevant functions and activities, in particular educational, administrative and support purposes and for related purposes, which include:

- so that the DOSCEL Secretariat can support Schools to meet their educational, administrative and duty of care responsibilities to students and assist with their learning and wellbeing and pastoral care
- to assist with the enrolment of a student from one DOSCEL School to another to satisfy DOSCEL and the School's accountability and legal obligations, for example, in relation to child protection legislation (including, but not limited to, mandatory reporting)
- to confirm the suitability of volunteers, job applicants and contractors and administer their work
- to undertake fundraising appeals and marketing activities and communicate with students, parents, guardians and carers to promote the future growth and development of DOSCEL and Schools
- to communicate to the broader community about DOSCEL and School activities and events and student academic achievements and government reporting
- to help facilitate religious and sacramental programs and school exchanges including overseas
- insurance purposes.

In addition to the purposes outlined above, the DOSCEL Secretariat and Schools may use any personal information they collect for the purposes of sharing information with other ISEs where this is required or authorised under the CISS or FVISS.

6.2 Who is personal information disclosed to and stored with?

The DOSCEL Secretariat and Schools may disclose personal information, including sensitive information, held about an individual to carry out relevant functions and activities, in particular educational, administrative and support purposes and for related purposes, which include:

- School service providers (entities and individuals) that provide administrative and financial services, educational, support and health services to DOSCEL and Schools (either at a School or off campus), including other DOSCEL schools, Catholic Education Commission of Victoria Ltd (**CECV**), other Catholic Education Offices, specialists and/or visiting teachers, school governing bodies, religious service providers, volunteers, counsellors and sports coaches and providers of learning assessment tools
- Third party service providers that provide the DOSCEL Secretariat and Schools educational support services, online tools, applications (apps) such as Operoo, Simon and NForma, school systems including the Integrated Catholic Online Network (ICON) and G Suite for Education, including Gmail or Microsoft 365 and other cloud services. Limited personal information may be collected and processed or stored by these providers in connection with these services
- Third party providers that provide document and data management services
- Other parties engaged by the DOSCEL Secretariat and Schools that support or enhance the educational or pastoral care services for students
- Assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority
- Federal and State government departments and agencies
- Another school to facilitate the enrolment of a student
- Medical practitioners and other health service providers
- Recipients of publications, such as newsletters, magazines or publications on the Diocese of Sale, DOSCEL or School websites
- Student's parent(s), guardian(s) and/or carer(s) and their emergency contacts (about students in their care)
- Anyone you authorise the DOSCEL Secretariat and Schools to disclose information to
- Anyone to whom the DOSCEL Secretariat and Schools are otherwise required or authorised to disclose the information to by law, including under child protection laws. For example, to other ISEs under the CISS or FVISS.

6.3 Overseas disclosures

The DOSCEL Secretariat and Schools may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, the DOSCEL Secretariat and Schools 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 APPS or other applicable privacy legislation.

The DOSCEL Secretariat and Schools may also store personal information in the 'cloud' which may mean that it resides on servers of third party cloud service providers situated outside Australia.

The DOSCEL Secretariat and Schools may also use the services of third party online service providers (including for the delivery of third party online applications or Apps, through *G Suite for Education* or other platforms) to support its delivery of education and pastoral care services, which may be accessible by you.

Only limited personal information will be disclosed. The DOSCEL Secretariat, School employees and the authorised service provider(s) 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.

The DOSCEL Secretariat and Schools make reasonable efforts to be satisfied about the security of any personal information processed and stored outside Australia as not all countries are bound by laws which provide the same level of protection for personal information provided by the APPs.

The countries in which servers and third party online service providers are located may include, but are not limited to, Singapore, Thailand, Japan and the USA.

Where personal and sensitive information is retained by a cloud service provider on behalf of the DOSCEL Secretariat and Schools to facilitate educational and administrative support, information may be stored on servers located in or outside of Australia. This includes the ICON system.

7.0 MANAGEMENT, SECURITY AND ACCESS TO INFORMATION COLLECTED

7.1 Management and security of personal information

The DOSCEL Secretariat and Schools are required to respect the confidentiality of students' and parent(s), guardian(s) and/or carer(s) personal information and the privacy of individuals.

The DOSCEL Secretariat and Schools implement various measures and procedures to protect the personal information it holds from misuse, interference, loss, unauthorised access, modification or disclosure. These include, but are not limited to, locked storage of paper records, access protocol, password protected computerised records, high level security measures and encryption.

The DOSCEL Secretariat and Schools will respond to any incidents which may affect the security of the personal information it holds in accordance with the *Privacy Act 1988* (Cth). If the DOSCEL Secretariat and Schools assesses that anyone whose information is affected by such a breach is likely to suffer serious harm as a result, the DOSCEL Secretariat and School will notify the affected individual(s) and the Office of the Australian Information Commissioner (**OAIC**) of the breach.

If you are concerned that the security of your personal information may have been compromised, please notify the DOSCEL Secretariat or the School immediately so appropriate action can be taken.

7.2 Access and correction of personal information

Under the *Privacy Act 1988* (Cth) and the *Health Records Act 2001* (Vic.), an individual has the right to access personal information which the DOSCEL Secretariat and Schools hold about them (subject to certain exceptions) and advise the DOSCEL Secretariat and Schools of any perceived inaccuracy.

Students will generally be able to access and update their personal information through their parent(s), guardian(s) and/or carer(s), but older (mature) students may seek access and correction themselves.

If a student or parent, guardian and/or carer makes a request to access, correct or update any of their or their child's personal information which the DOSCEL Secretariat and Schools holds, the request should be directed to the relevant School in the first instance.

When making a request you may be required to verify your identity and specify what information you are seeking and you may be charged a fee to cover the cost of verifying the application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, you will be advised of the likely cost in advance. If the DOSCEL Secretariat and Schools cannot provide you with access to that information or does not consider it needs correction, you will be given a written notice explaining the reasons for the refusal of your request.

7.3 Consent and rights of access to the personal information of students

The DOSCEL Secretariat and Schools respect every parent(s), guardian (s) and/or carer(s) right to make decisions concerning their child's education.

Generally, any requests for consent and notices in relation to the personal information of a student will be referred to their parent(s), guardian(s) and/or carer(s) and consent given by parent(s), guardian(s) and/or carer(s) will be treated as consent given on behalf of the student, and notice to parent(s), guardian(s) and/or carer(s) will act as notice given to the student.

On occasion access may be denied, for example if the release of the information would have an unreasonable impact on the privacy of others, or it may result in a breach of the DOSCEL Secretariat and/or Schools duty of care or other legal obligations to an employee or student.

At the discretion of the DOSCEL Secretariat and the School, on the request of a student, that student may be given access to their information or may be allowed to give or withhold consent to the use of their personal information, independently of their parent(s), guardian(s) and/or carer(s). Normally this would be done only if the maturity of the student and/or their personal circumstances warrant it.

The DOSCEL Secretariat or Schools may be required or authorised under the CISS or FVISS to share information with other ISEs without the knowledge or consent of the relevant student or their parent(s), guardian(s) and/or carer(s). In these circumstances, the DOSCEL Secretariat and Schools will seek the views and wishes of any relevant student and/or family members before sharing their information, where it is safe, reasonable and appropriate to do so.

8.0 ENQUIRY AND COMPLAINT PROCEDURES

8.1 Enquiries, complaints and contact details

If you would like further information about the way the DOSCEL Secretariat and Schools manage the personal information held about you, or wish to make complaint in relation to the handling of your personal information, please contact the DOSCEL Secretariat using the details below. If you are a parent, guardian, carer or student, the School Principal should be contacted in the first instance to resolve the complaint.

8.2 Complaint process

If you are making a privacy complaint, please detail your complaint in writing. Receipt of your complaint will be confirmed and your identity may need to be verified. You may also need to provide further information so your complaint can be considered. A response to your privacy complaint and a proposed resolution will usually be provided within 21 days.

DOSCEL and Schools must ensure they comply with record-keeping obligations in relation to complaints under the CISS, FVISS and MARAM.

Contact:
Chief Executive Officer
Diocese of Sale Catholic Education Limited
6 Witton Street (PO Box 322)
Warragul 3820
Phone: (03) 5622 6600
Email: director@ceosale.catholic.edu.au

If you are not satisfied with the response or the decision, you may make a complaint to the Office of the Australian Information Commissioner whose contact details are:

GPO Box 5218
Sydney NSW 2001
Telephone: 1300 363 992
www.oaic.gov.au

9.0 EXPECTED OUTCOMES

The DOSCEL Secretariat and Schools are expected to collect, use and manage personal, sensitive and health information in accordance with procedures in this Policy and relevant legislation, ensuring quality and security of the information collected is maintained.

10.0 REFERENCES

- *Privacy Act 1988* (Cth)
- *Health Records Act 2001* (Vic)
- *Australian Education Regulation 2013*
- *Australian Education Act 2013* (Cth)
- *Child Wellbeing and Safety Act 2005* (Vic.)
- *Child Wellbeing and Safety (Information Sharing) Regulations 2018*
- *Family Violence Protection Act 2008* (Vic.)
- *Family Violence Protection (Information Sharing) Regulations 2018*
- Child Information Sharing Scheme Ministerial Guidelines
- Family Violence Information Sharing Guidelines
- Family Violence Multi-Agency Risk Assessment and Management Framework
- Information Sharing and Family Violence Reforms Contextualised Guidance

11.0 REVIEW

The DOSCEL Secretariat may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to its operations and practices and to make this Policy current and applicable in the changing education environment. The DOSCEL Secretariat encourages regular checks of the Privacy Policy as changes to this Policy will apply from the time it is posted on the DOSCEL website at www.doscel.catholic.edu.au and relevant School website.

Implementation Date: **April 2021**

Updated: **August 2024**

Review Date: **August 2025**