



# Privacy Policy

Reviewed: May 2019

Ratified:

Next Review: 2023

## Rationale

Diocese of Ballarat Catholic Education Limited (DOBCEL) collects information from individuals necessary for it to perform one or more of its functions or activities related to its work of advising and supporting Catholic schools in the Diocese of Ballarat. DOBCEL collects and holds personal information, including health and other sensitive information, about:

- Students, parents and/or guardians before, during and after the course of a student's enrolment at the school
- job applicants, staff members, volunteers and contractors
- other people who come into contact with DOBCEL.

## Scope

This policy applies to all schools operating under the formal and/or delegated governance of Diocese of Ballarat Catholic Education Limited (DOBCEL).

## Principles

### 1 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 DOBCEL's treatment of an employee record unless required by law or organisational policy where the treatment is directly related to a current or former employment relationship between DOBCEL and the employee. DOBCEL handles staff health records in accordance with the Health Privacy Principles in the Health Records Act.

### 2 What kinds of personal information does DOBCEL collect and how does DOBCEL collect it?

In the case of student and parent information, the schools under the governance of DOBCEL will generally collect this information on behalf of DOBCEL. The type of information that is collected by DOBCEL may include:

- students and parents:
  - 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)
  - conduct and complaint records, or other behaviour notes, school attendance and school reports

- information about referrals to government welfare agencies
  - counselling and medical reports
  - any court orders
  - 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 application
    - professional development history
    - salary and payment information, including superannuation details
    - medical information, (eg. details of disability and/or allergies and medical certificates)
    - complaints 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.
  - Other people who come into contact with DOBCEL, including name and contact details and any other information necessary for the particular contact with DOBCEL.

### **3 Personal information you provide**

DOBCEL will generally collect personal information held about an individual from forms filled out by the individual, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than the individual provide DOBCEL with personal information. DOBCEL may receive information about students, parents and staff of Catholic schools in the Diocese of Ballarat from schools.

### **4 Personal information provided by other people**

In some circumstances DOBCEL may receive personal information about an individual from a third party, for example a report provided by a school or a medical professional or a reference from another employer.

### **5 Information collected by DOBCEL's website**

When you look at the website for the Catholic Education Office Ballarat or schools governed by DOBCEL, DOBCEL's Internet Service Provider 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 the documents you downloaded
- the previous site you have visited
- the type of browser you are using.

### **6 Access to information collected by DOBCEL's website**

DOBCEL will not attempt to identify 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 DOBCEL's Internet Service Provider's logs.

## **7 Use of information collected by DOBCEL's website**

DOBCEL will only record your email address if you send DOBCEL a message. Your email address will only be used for the purpose for which you have provided it and it will not be added to a mailing list or used for any other purpose without your consent.

DOBCEL's website does not provide facilities for the secure transmission of information across the Internet. Users should be aware that there are inherent risks in transmitting information across the Internet.

## **8 Cookies**

DOBCEL's website only uses **session cookies** and only during a search query of the website. On closing your browser the **session cookie** set by DOBCEL's website is destroyed and no personal information is retained which might identify you should you visit DOBCEL's website at a later date.

## **9 How will DOBCEL use the personal information you provide?**

DOBCEL 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, or to which you have consented.

## **10 Students and Parents**

DOBCEL uses personal information about students and parents collected by the DOBCEL or provided to DOBCEL to:

- Identify student need, implement reasonable adjustments to assist with students' learning and wellbeing
- satisfy DOBCEL's responsibilities, accountabilities, legal and professional obligations.

## **11 Job applicants and contractors**

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

In addition, DOBCEL uses the personal information of job applicants and contractors for the purpose of:

- administering the individual's employment or contract
- insurance purposes
- satisfying DOBCEL's legal obligations, for example in relation to child protection legislation.

## **12 Volunteers**

DOBCEL may also obtain personal information about volunteers who assist DOBCEL in its functions or to conduct associated activities to enable DOBCEL to conduct its functions and to confirm their suitability.

### **13 Marketing**

DOBCEL undertakes marketing activities to promote the future growth and development of Catholic schools in the Archdiocese of Ballarat. DOBCEL may receive personal information held by schools for DOBCEL's marketing purposes.

### **14 Who might DOBCEL disclose personal information to and store your information with?**

DOBCEL may disclose personal information, held about an individual to:

- the Catholic Education Commission of Victoria Ltd, (CECV), Victorian Catholic Education Offices, and specialist visiting teachers;
- third party service providers that provide educational support or pastoral care services to schools and school systems including the Integrated Catholic Online Network system (ICON) and the Enterprise Content Management system
- another school to facilitate the transfer of a student;
- recipients of DOBCEL and/or school publications, such as newsletters and magazines; and/or
- anyone who we are required or authorised to disclose the information to by law.

DOBCEL 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. These online service providers may be located in or outside Australia.

DOBCEL makes reasonable efforts to be satisfied about the protection and security of any personal information processed and stored in the cloud. DOBCEL will endeavour to ensure they will be located in countries which have substantially similar protections as the APPs.

### **15 Sending and storing information overseas**

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

- your consent (in some cases this consent will be implied)
- otherwise complying with the **Australian Privacy Principles** or other applicable privacy legislation.

### **16 How does DOBCEL treat sensitive information?**

Sensitive information relating to a person's racial or ethnic origin, political opinion, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or criminal record 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.

### **17 Management and security of personal information**

DOBCEL's staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals.

DOBCEL has various methods in place 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 protocols, password protected computer records, high level security measures and encryption. Schools are also expected to put measures in place to protect personal information they hold at the local level, in accordance with all principles set out in this policy.

DOBCEL will also respond to any incidents which may affect the security of the personal information it holds. If the DOBCEL assesses 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. 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 DOBCEL know immediately.

## **18 Access and correction of personal information**

Under the Commonwealth Privacy Act and the Health Records Act an individual has the right to obtain access to any personal information which DOBCEL holds about them and may request correction of the information. There are some exceptions to the access right set out in the applicable legislation. Students will generally be able to access and update their personal information through their parents, but older students may seek access and correction themselves.

## **19 The exceptions to these rights set out in the applicable legislation.**

To make a request to access or update any personal information DOBCEL holds about you or your child, please refer to the contact details below.

DOBCEL may require you to verify your identity and specify what information you are seeking. DOBCEL 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, DOBCEL will advise the likely cost in advance. If DOBCEL cannot provide you with access to that information, you will be provided with a written notice explaining the reasons for refusal.

## **20 Consent and rights of access to the personal information of students**

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

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

While Parents may seek access to personal information held by DOBCEL about them or their child by contacting the DOBCEL's nominated Privacy Officer (see contact details below), 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 DOBCEL's duty of care to a staff member or student.

DOBCEL may, at its discretion, on the request of a student, grant that student access to information held by DOBCEL about them, or allow a student to give or withhold consent to the use of their personal information, independently of their parents. Normally, this would only be done when the maturity of the student and/or the student's personal circumstances warrant it.

## **21 Enquiries and complaints**

If you would like further information about the way DOBCEL manages the personal information it holds about you, or wish to complain that you believe that DOBCEL has breached its privacy obligations, please contact the DOBCEL Privacy Officer.

## Policy

This policy sets out how DOBCEL manages the personal and sensitive information it collects and holds. In dealing with personal and sensitive information about individuals, DOBCEL is bound by the *Australian Privacy Principles* contained in the *Privacy Act 1988* (Cth). In relation to health records, DOBCEL is also bound by the *Health Records Act 2001* (Vic) and the *Health Privacy Principles* in that Act.

DOBCEL will review and update this policy to take account of new laws and technology and changes to DOBCEL's operations and practices and to ensure the policy remains current in a changing environment.

DOBCEL will investigate any complaint and notify you of a decision in relation to your complaint as soon as practicable after the decision has been made.

## Relevant Legislation

Privacy Act 1988 (Cth)

Health Records Act 2001 (Vic)