



## POLICY TITLE **Privacy Policy**

### RATIONALE

Under the Australian Privacy Principles, this Privacy Policy is required to inform individuals about how personal information, provided to or collected by, Siena College is used and managed. It also serves as a guide to the College's staff, students, parents, volunteers and contractors of the standards to be observed when handling personal information in order to ensure consistency in the College's approach to privacy.

### DEFINITIONS

**Personal information:** Information or an opinion (whether true or not and whether recorded in a material form or not) about an identified individual or an individual who is reasonably identifiable. Examples include name, address, telephone number, date of birth, commentary or opinion about a person.

**Health information:** Any information or opinion about the health or disability of an individual, an individual's expressed wishes about the future provision of health services to him or her, or a health service provided, or to be provided to an individual. Examples include health records, certificates, details of medical background, health assessment results and appointment details.

**Australian Privacy Principles:** Principles enshrined in the Privacy Act 1988 (as amended) (Cth) that set out minimum standards, rights and obligations in relation to how organisations deal with the collection, use and disclosure, handling and storage, access and correction of personal information.

**Sensitive information:** Information related to an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs or affiliations, membership of a trade union, political association or professional or trade association, sexual preferences or practices, or criminal record; health information and biometric information about an individual.

### PRINCIPLES / GUIDING PRINCIPLES

Siena College respects the right of an individual to have their personal and health information protected. The College is committed to manage personal information in an open and transparent way.

The College is bound by the thirteen Australian Privacy Principles from Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012. In relation to health records, the College is also bound by the Health Privacy Principles contained in the Health Records Act 2001 (Vic).

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

### PROCEDURES

#### **What kinds of personal information does the College collect and how does the College collect it?**

The type of information that Siena College collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about:

- Students and parents and/or guardians ('parents') before, during and after the period of a student's enrolment at the College
- 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)
- Academic records and/or achievement levels
- Information that may be relevant to assisting the College to meet the needs of the student including any adjustments made at a previous school
- Job applicants, staff members, volunteers and contractors
- Other people who come into contact with the College



**Personal Information you provide:** The College will generally collect personal information 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 provide personal information.

**Personal Information provided by other people:** In some circumstances the College 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.

**Exception in relation to employee records:** Under the Privacy Act and Health Records Act 2001 (Vic), 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 College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the College and the employee.

### How does the College use the personal information you provide?

Siena College will use personal information it collects about you for the primary purpose of collection, and for such secondary purposes that are related to the primary purpose of collection and reasonably expected by you, or to which you have consented.

**Student and parents:** In relation to personal information of students and parents, the College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying the needs of parents, the needs of the students and the needs of the College throughout the whole period that the student is enrolled at the College.

The purposes for which the College uses personal information of students and parents include:

- Keeping parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines
- Day-to-day administration of the College
- Looking after students' educational, social, spiritual and medical wellbeing
- Meeting the needs of the student including any adjustments made for the student
- Maintaining relationships with students and parents, including through the Siena Parents' Association during the period of a student's enrolment and after the period of a student's enrolment through the Siena College Alumnae Association
- Seeking donations and marketing for the College
- Satisfying the College's legal obligations and allowing the College to discharge its duty of care

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

**Job applicants, staff members and Contractors:** In relation to personal information of job applicants, staff members and contractors, the College'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 purposes for which the College uses personal information of job applicants, staff members and contractors include:

- Administering the individual's employment or contract, as the case may be
- For insurance purposes
- Seeking donations and marketing for the College
- Satisfying the College's legal obligations, for example, in relation to child protection legislation

**Volunteers:** The College also obtains personal information about volunteers who assist the school in its functions or conduct associated activities, such as Siena Parents Association and Siena College Alumnae Association, to enable the College and the volunteers to work together.



**Marketing and fundraising:** The College treats marketing and seeking donations for the future growth and development of the College 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 the College may be disclosed to organisations that assist in the College's fundraising, for example, the Siena College Philanthropic Society, Siena Parents' Association and Siena College Alumnae Association.

Parents, staff, contractors and other members of the College's wider community may from time to time receive fundraising information. College publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

### Who might the College disclose personal information to and store information with?

Siena College may disclose personal information, including sensitive information, held about an individual to:

- Another school
- Government departments
- Medical practitioners
- People providing services to the College, including specialist visiting teachers, counsellors and sports coaches
- Recipients of College publications, such as newsletters and magazines
- Parents
- Anyone you authorize the College to disclose information to
- Anyone to whom the College is required by law to disclose information

**Sending and storing information overseas:** The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange or College excursion, however, the College will not send personal information about an individual outside Australia without:

- Obtaining the consent of the individual or a parent/guardian (in some cases this consent will be implied)
- Otherwise complying with the Australian Privacy Principles or other applicable privacy legislation

The College may also store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.

### How does the College treat sensitive information?

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.

### Management and security of personal information

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

The College has in place steps to protect the personal information it holds from misuse, interference and loss, unauthorized access, modification or disclosure by use of various methods including locked storage of paper records and password protected access rights to computerized records.

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

### Access and correction of personal information

Siena College endeavours to ensure that the personal information it holds is accurate, complete and up-to-date.

Under the Commonwealth Privacy Act and the Health Records Act 2001 (Vic), an individual has the right to obtain access to any personal information which Siena College holds about them and to advise the College 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 these rights set out in the applicable legislation.

To make a request to access or update any personal information the College holds about parents, staff or students, please contact the Principal in writing and specify what information is required. The College may require verification of identity. The College may charge 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, the College will advise the likely cost in advance. If the College cannot provide access to that information, a written notice explaining the reasons for refusal will be provided.

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

Siena College respects every parent's right to make decisions concerning their daughter's education. Generally, the College will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. The College 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.

As mentioned above, parents may seek access to personal information held by the College about them or their daughter by contacting the 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 College's duty of care to the student.

The College 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.

#### **Enquiries and complaints**

If you would like further information about the way Siena College manages the personal information it holds, or wish to complain that you believe that the College has breached the Australian Privacy Principles, please contact the College Principal. The College will investigate any 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.

## **RESPONSIBILITY**

- Principal
- Business Manager
- Director of Staff and Administration
- Office Manager

## **RELATED LEGISLATION**

- Australian Education Act 2013 (Cth)
- Australian Education Regulation 2013 (Regulation) (Cth)
- Privacy Act 1988 (Cth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)
- Australian Privacy Principles (APP) from Schedule 1 in the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)
- Health Records Act 2001 (Vic)

## **RELATED POLICIES**

- Mandatory Reporting Policy (2010)
- Enrolment Policy (2010)
- Pastoral Care Policy (2010)



## RELATED DOCUMENTS

- Siena College Mission Statement (2014)
- GEOM Policy 2.21 Information Privacy Policy (2013)