

Privacy Policy

1. Purpose

This Policy sets out how the School collects, manages, stores and discloses personal information.

The School is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988 (Privacy Act). In relation to health records, the School is also bound by the Health Privacy Principles which are contained in the Health Records and Information Privacy Act 2002 (NSW) (Health Records Act).

Under the Privacy Act and the Health Records Act, the Australian Privacy Principles and Health Privacy Principles do not apply to certain treatment of an employee record. As a result, this Privacy Policy does not apply to the School's treatment of an employee record held by the School, where the treatment is directly related to a current or former employment relationship between the School and the employee.

The School will, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the School's operations and practices and to make sure it remains appropriate to the changing school environment. The current version of this Privacy Policy is published on our website.

2. Who is Affected by these Policies?

- Nominated Supervisor (Principal)
- Staff (including casuals)
- Job Applicants
- Children and others attending the programs and activities of ISMS
- Parents/carers
- Students on teaching placements and observations
- Volunteers
- Outside Tutors and External Providers
- Contractors, Consultants and Visitors
- School Council Members

3. What does this Policy mean?

3.1 Kinds of personal information we collect

The types of information the School collects include (but are not limited to) personal information, including health and other sensitive information, about:

3.1.1 students and parents and/or guardians ('Parents') before, during and after the course of a student'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, language spoken at home, nationality and country of birth;
- health information (e.g., details of disability and/or allergies, dietary requirements, absence notes, immunisation details, medical reports and names of doctors);
- results of assignments, tests and examinations;
- conduct and complaint records, or other behaviour notes, and school reports;
- information about referrals to government welfare agencies;
- counselling reports;
- health fund details and Medicare number;
- any Family Court orders;
- volunteering information; and
- photos and videos at School events.

3.1.2 job applicants, staff members, volunteers and contractors, including:

- name, contact details (including next of kin), date of birth, and religion;
- information on job application;
- Working With Children Check information;
- copies of qualifications and professional development history;
- salary and payment information, including superannuation details;
- health information (e.g., details of disability and/or allergies, and medical certificates);
- complaint records and investigation reports;
- leave details;
- photos and videos at School events;
- workplace surveillance information (e.g., ICT information); and
- work emails and private emails (when using work email address) and Internet browsing history.

3.1.3 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.

3.2 How we collect personal information

3.2.1 Personal information you provide:

The School generally collects personal information about an individual directly from the individual (or their parent in the case of students). This includes by way of forms (online or paper), face-to-face meetings and interviews, emails and telephone calls. Further details about the collection of information are provided in Appendices A, B and C.

3.2.2 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, government requested information, a report provided by a medical professional, a reference from another school or a referee for a job applicant. If a student transfers to a new school, the new school may collect personal information about the student from the student's previous school to facilitate the transfer of the student.

3.2.3 Personal information from other sources: We may also collect personal information through surveillance activities such as email monitoring.

3.3 Purposes for which we collect, use and disclose personal information

The School will use personal information it collects from others for the primary purpose of providing education services and connected matters, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, for which we have received your explicit consent.

In some cases where the School requests personal information about a student or parent, if the information requested is not provided, the School may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity. The purposes for which the School collects, uses and discloses personal information depend on our relationship with you and include the following:

3.3.1 Students and Parents:

- providing schooling and school activities;
- satisfying the needs of parents, the needs of students and the needs of the School throughout the whole period a student is enrolled at the School;
- making required reports to government authorities;
- keeping parents informed about matters related to their child's schooling, through correspondence, apps, newsletters and magazines;
- day-to-day administration of the School;
- looking after students' educational, social and health wellbeing;
- seeking donations for the School (see the 'Fundraising and Marketing' section of this Privacy Policy);
- to satisfy the School's legal obligations and allow the School to discharge its duty of care.

3.3.2 Volunteers:

- to contact you about, and administer, the volunteer position;
- for insurance purposes; and
- satisfying the School's legal obligations, for example, in relation to child protection legislation.

3.3.3 Job applicants and contractors:

- assessing and (if successful) engaging the applicant or contractor;
- administering the individual's employment or contract;
- seeking donations for the School (see the 'Fundraising and Marketing' section of this Privacy Policy);
- for insurance purposes; and
- satisfying the School's legal obligations, for example, in relation to child protection legislation.

3.4 Who we disclose personal information to

The School may disclose personal information, including sensitive information, for educational, care and administrative purposes, and to seek support and advice.

This may include to:

- other schools and teachers at those schools, including a new school to which a student transfers to facilitate the transfer of the student;
- government departments (including for policy and funding purposes);
- medical practitioners;
- people providing educational, support and health services to the School, including specialist visiting teachers, [sports] coaches, volunteers, counsellors, third party cocurricular providers;
- organisations that assist us with fundraising (see the ‘Fundraising and Marketing’ section of this Privacy Policy);
- providers of specialist advisory services and assistance to the School, including in the area of Human Resources, child protection, students with additional needs and for the purpose of administering Google Workspace (formally Google Apps for Education) and ensuring its proper use (see further the section below ‘Sending and storing information overseas);
- 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);
- agencies and organisations to whom we are required to disclose personal information for education, funding and research purposes;
- people providing administrative and financial services to the School;
- the provider of our information management and storage system and other information technology services;
- recipients of School publications, such as newsletters and magazines;
- students’ parents or guardians;
- anyone you authorise the School to disclose information to; and
- anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

3.5 How we store personal information

We store your personal information in hard copy and electronically. We use information management and storage systems provided by third party service providers. Personal information is stored with and is accessible by the third-party service providers, for the purpose of providing services to the School in connection with the systems. 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. See further the section below ‘Sending and storing information overseas.’

3.6 Sending and storing information overseas

The School may disclose personal information about an individual to overseas recipients in certain circumstances, for instance, to facilitate a school exchange. 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 education 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 and provide technical

support. This personal information may be stored in the 'cloud' which means that it may reside on a cloud service provider's server which may be situated outside Australia.

An example of such a cloud service provider is Google Workspace (formally Google Apps for Education) and Microsoft 365. The School provides both Google Workspace and Microsoft 365 to staff and students. These providers store and processes limited personal information for this purpose. School personnel and its service providers 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 Google Workspace and Microsoft 365 and ensuring its proper use.

3.7 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, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information;
- Health information and biometric 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 agreed otherwise, or the use or disclosure of the sensitive information is allowed by law.

The Office of the Australian Information Commissioner in its Guide to Securing Personal Information (published 5 June 2018) states: 'The community generally expects that their sensitive information will be given a higher level of protection than non-sensitive information. This expectation is reflected in the increased privacy protections which apply to the handling of sensitive information.' The School will uphold this standard of security of sensitive information.

3.8 Fundraising and Marketing

The School treats seeking donations for the future growth and development of the School as an important part of ensuring that the School continues to provide a quality learning environment in which both students and staff thrive. Your personal information may be used to make an appeal to you. It may also be disclosed to organisations that assist in the School's fundraising activities, for example external fundraising organisations. If you do not want to receive fundraising communications from us, please contact our ICT Manager.

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

3.9 Security of personal information

The School's staff are required to respect the confidentiality of students' 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, 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.

These steps include:

- restricting access to information on the School databases on a need to know basis with different levels of security being allocated to staff based on their roles and responsibilities and security profile;
- ensuring all staff are aware that they are not to reveal or share personal passwords;
- ensuring where personal and health information is stored in hard copy files that these files are stored in lockable filing cabinets in lockable rooms. Access to these records is restricted to staff on a need to know basis;
- implementing physical security measures around the School buildings and grounds to prevent break-ins;
- implementing ICT security systems, policies and procedures, designed to protect personal information storage on our computer networks;
- implementing human resources policies and procedures, such as email and internet usage, confidentiality and document security policies, designed to ensure that staff follow correct protocols when handling personal information; and
- undertaking due diligence with respect to third party service providers who may have access to personal information, including cloud service providers, to ensure as far as practicable that they are compliant with the Australian Privacy Principles or a similar privacy regime.

3.10 Access and correction of personal information

Under the Commonwealth Privacy and the Health Records Act, an individual has the right to seek access to, and/or correction of, any personal information which the School holds about them. Students will generally be able to access and update their personal information through their Parents.

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

To make a request to access, update or correct any personal information the School holds about you or your child, please contact the School Principal or School ICT Manager by telephone or email at 02 9555 7803 or principal@isms.nsw.edu.au. The School may require you to verify your identity and specify what information you require. If we decide to refuse your request, we will provide you with written notice explaining the reasons for refusal unless, in light of the grounds for refusing, it would be unreasonable to provide reasons and how to complain.

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

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 student to the student's parents. Generally, the School 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.

Parents may seek access to personal information held by the School about them or their child by contacting the School Principal or School ICT Manager by telephone or in writing (details in the section above 'Access and correction of personal information'). However, there may be occasions when access is denied. Such occasions may include (but are not limited to) 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 student.

3.12 Responding to Data Breaches

The School will take appropriate, prompt action if it has reasonable grounds to believe that a data breach may have or is suspected to have occurred. Depending on the type of data breach, this may include a review of internal security procedures, taking remedial internal action, notifying affected individuals and the Office of the Australian Information Commissioner (OAIC).

3.13 Log Data

Like many website operators, the School collects information that a user's browser sends whenever it visits our website (Log Data). This Log Data may include information such as a user's computer's Internet Protocol (IP) address, browser type, browser version, the pages of the School's website that a user visits, the time and date of his or her visit, the time spent on those pages and other statistics. In addition, the School may use third party services such as Google Analytics (or similar web traffic analytic tools) that collects, monitors, analyses and records all visits to the School's website.

3.14 Enquiries and complaints

If you would like further information about the way the School manages the personal information it holds, or wish to complain that you believe that the School has breached the Australian Privacy Principles or the Health Privacy Principles please contact the School Principal or School Privacy Officer by telephone or email at 02 9555 7803 or principal@isms.nsw.edu.au.

The School 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.

If you are not satisfied with our response, you may complain to the Office of the Australian Information Commissioner (OAIC) via the OAIC website, www.oaic.gov.au.

4. Related Policies and Procedures

Policy to be read in conjunction with:

- 3.8.3 Enrolment and Orientation Policy
- 3.6.2.4 Staff Code of Conduct
- 3.6.2.6 Information Technology, Computer, Telephone, Equipment Code of Use
- 3.6.2.7 Social Media Policy
- 3.6.2.15 Medical Management Policy

5. Access to and Communication of Policy

This policy is to be published on the School's publicly accessible website.

Families and staff have access to an electronic version of this policy. Hard copies are available at all campuses.

Families:

- If there are changes to the policy, the Deputy Principal and ICT Manager are responsible for ensuring parents are notified.

Staff:

- If there are changes to the policy, the Deputy Principal and ICT Manager are responsible for ensuring staff are notified. Additionally, significant changes are discussed and communicated verbally at Whole Staff Meetings or Pupil Free Days.

The Deputy Principal is responsible for the upkeep of policies and procedures through IT sites and hard copies in central locations. This includes initiating the review process for all policies.

6. Review Process

Person Responsible for Initiating the Review: Deputy Principal

External Consultation: ACECQA, CELA, AISNSW, NSWDET, OAIC

Approver: School Council

7. Consequences of Non-Compliance

STAFF

It is expected that all staff will comply with the Policy and if not, consequences will be as per the Staff Code of Conduct.

8. Appendix List

Appendix A – Standard Collection Notice

Appendix B – Employment Collection Notice (for job applicants)

Appendix C – Contractor Collection Notice

9. Legislative Requirements

Relevant legislation and standards include but are not limited to:

ACECQA

Education and Care Services National Law Act 2010

Education and Care Services National Regulations 2011 (ACECQA):

- Regulation 86 – Notification to parents of incident, injury, trauma and illness
- Regulation 90 – Medical Conditions Policy
- Regulation 181 – Confidentiality of Records
- Regulation 183 – Storage of Records

Link to National Quality Standard, Quality Area 2: Children's Health and Safety

Link to National Quality Standard, Quality Area 7: Governance and Leadership

[NSW Education Standards Authority \(NESA\)](#)

- Section B8 – Safe and Supportive Environment

Other

Commonwealth Privacy Act 1988

Health Privacy Principles (Health Records and Information Privacy Act 2002 (NSW))

Privacy Compliance Manual (April 2023) - published by Independent Schools Australia and the National Catholic Education Commission

“The School’s policies which are made from time to time are made pursuant to the requirements set out in section 47 of the Education Act, the NSW Education Standards (NESA) for registration of the School and the Australian Children’s Education and Care Quality Authority (ACECQA).”

STANDARD COLLECTION NOTICE

1. The School collects personal information, including sensitive information about Students and Parents or Guardians (Parents) before and during the course of a Student's enrolment at the School. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the School to provide schooling to the Student and to enable them to take part in all the activities of the School throughout their association with the School.
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. Laws governing or relating to the operation of a school require certain information to be collected and disclosed. These include relevant Education Acts, and Public Health and Child Protection laws.
4. Health information about Students is sensitive information within the terms of the Australian Privacy Principles under the *Privacy Act 1988*. We may ask you to provide medical reports about Students from time to time.
5. The School may disclose personal and sensitive information for educational, administrative and support purposes. This information may be sent to:
 - a. Another school or educational institution as permitted by legislation.
 - b. Government departments (including for policy and funding purposes).
 - c. Medical practitioners.
 - d. People providing educational, support and health services to the School, including specialist visiting teachers and co-curricular facilitators.
 - e. Assessment and educational authorities, including the Australian Curriculum Assessment and Reporting Authority (ACARA), NAPLAN Test Administration Authority, the NSW Education Standards Authority (NESA) and the Australian Children's Education and Care Quality Authority (ACECQA).
 - f. People providing administrative and financial services to the School.
 - g. Recipients of School publications, such as newsletters and magazines.
 - h. Parents or guardians.
 - i. Anyone that a parent or staff member, authorises the School to disclose information.
 - j. Anyone to whom we are required or authorised to disclose the information by law, including child protection laws.

STANDARD COLLECTION NOTICE (cont.)

6. If we do not obtain the information referred to above, we may not be able to enrol or continue the enrolment of your child.
7. 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, education and business applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users who access their services. This personal information may reside on a cloud service provider's server, which may be situated outside Australia.
8. The School uses (centralised) information management and storage systems provided by third-party service providers. Personal information is stored with and accessible by third-party service providers for the purpose of providing services to the School in connection with our ICT Systems.
9. The School's Privacy Policy sets out how Parents or Students 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, where access may result in a breach of the School's duty of care to the Student, or where Students have provided information in confidence.
10. The School's Privacy Policy also sets out how you may complain about a breach of privacy and how the School will deal with such a complaint.
11. Personal information collected from Students is regularly disclosed to their Parents. On occasion information such as student activities, photographs and other news is published in School newsletters, magazines, on our website and social media pages such as Facebook and Instagram. If you do not wish such information to be so published, it is your responsibility to inform the School.
12. With respect to the marketing of the School generally, it will obtain separate permission, other than the consent provided at the beginning of each school year, from a Parent prior to publication of a specific marketing campaign if we would like to include photographs or other identifying material, such as voice recordings or film, in marketing material for the school or otherwise make it available to the public. Similarly, the permission of staff will also be sought where their personal information is to be used for such purposes.
13. You may provide your personal details to other parents through our community engagement platform, *ConnectISMS*. The School does not provide this information to other parents without your consent.

STANDARD COLLECTION NOTICE (cont.)

14. From time to time, the School engages in fundraising activities. The information received from you may be used to make an appeal to you. It may also be disclosed to organisations that assist in the School's fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.

15. 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 this information to third parties.

If you have any questions in relation to this Standard Collection Notice. Please contact the **Privacy Officer** at e: ictmanager@isms.nsw.edu.au

EMPLOYMENT COLLECTION NOTICE

1. In order to assess your application for employment, Inner Sydney Montessori School collects your personal information. If we cannot collect some of your personal information, we may be limited in our ability to assess your application.
2. We collect your personal information directly from you (including from your resume), as well as from other sources (such as your referees and the results of criminal background and working with children checks). We may keep your information on file if your application is unsuccessful in case another position becomes available.
3. We may be required to conduct a criminal record check and collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws.
4. We will not disclose your personal information to a third party without your consent unless otherwise permitted. We may disclose your personal information to support vendors that provide services around staff administration systems.
5. 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 email services. Some limited personal information may be provided to these service providers to enable them to authenticate users that access their services and provide technical support. This personal information may reside on a cloud service provider's servers which may be situated outside Australia. Further information about the School's use of on online or 'cloud' service providers is contained in the School's Privacy Policy.
6. The School's Privacy Policy, accessible on the School's website, contains details of how you may seek access to and correction of your personal information which the School holds, as well as how you can make a privacy complaint and how we will handle the complaint.
7. If you provide us with the personal information of others (e.g. referees), we encourage you to inform them that you are disclosing that information to the School and why.
8. For further information regarding this collection notice, please contact the School Privacy Officer at e: ictmanager@isms.nsw.edu.au or via phone at p: 02 9555 7803

CONTRACTOR COLLECTION NOTICE

1. In order to assess your application for to provide services to our School, Inner Sydney Montessori School collects your personal information. If we cannot collect some of your personal information, we may be limited in our ability to assess your application.
2. We collect your personal information directly from you (including from your proposals), as well as from other sources (such as your referees and the results of criminal background and working with children checks).
3. We may be required to conduct a criminal record check and collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws.
4. We will not disclose your personal information to a third party without your consent unless otherwise permitted. We may disclose your personal information to support vendors that provide services around staff administration systems.
5. 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 email services. Some limited personal information may be provided to these service providers to enable them to authenticate users that access their services and provide technical support. This personal information may reside on a cloud service provider's servers which may be situated outside Australia. Further information about the School's use of on online or 'cloud' service providers is contained in the School's Privacy Policy.
6. The School's Privacy Policy, accessible on the School's website, contains details of how you may seek access to and correction of your personal information which the School holds, as well as how you can make a privacy complaint and how we will handle the complaint.
7. If you provide us with the personal information of others (e.g. referees), we encourage you to inform them that you are disclosing that information to the School and why.
8. For further information regarding this collection notice, please contact the School Privacy Officer at e: ictmanager@isms.nsw.edu.au or via phone at p: 02 9555 7803