



# Avila College

A leading Catholic secondary college for girls  
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## PRIVACY POLICY

Date Reviewed: March 2015

### RATIONALE:

This Policy has been prepared to comply with the Australian Privacy Principles (APPs) and based on an extract from the document Privacy Compliance Manual, prepared by Minter Ellison Lawyers for schools and systems represented by the National Catholic Education Commission. The document was made available to Catholic schools in Victoria in November 2013.

Avila College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988. In relation to health records, the school is also bound by the Health Records Act 2001 (includes a set of Health Privacy Principles) VIC.

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

### POLICY STATEMENT:

#### PURPOSE

This Privacy Policy sets out how the College manages personal information provided to or collected by it.

#### COLLECTION OF INFORMATION

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

- students and parent(s)/guardian(s) before, during and after the course of a student's enrolment at the College
- job applicants, staff members, volunteers and contractors
- other people who come into contact with the College (including prospective families).

**Personal Information you provide:** Avila College will generally collect personal information held about an individual by way of forms filled out by parent(s)/guardian(s) or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parent(s)/guardian(s) and students provide personal information.

**Personal Information provided by other people:** In some circumstances Avila 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)** 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 unless required by law or organizational policy, where the treatment is directly related to a current or former employment relationship between the College and employee.

## **USE OF PERSONAL INFORMATION**

Avila College will use personal information it collects 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 given consent by those the school has collected it from.

**Students and Parent(s)/Guardian(s):** In relation to personal information of students and parent(s)/guardian(s), Avila College's primary purpose of collection is to enable the school to provide schooling for the student. This includes satisfying the needs of parent(s)/guardian(s), the needs of the student and the needs of the school throughout the whole period the student is enrolled at Avila College.

The purposes for which Avila College uses personal information of students and parent(s)/guardian(s) include:

- to keep parent(s)/guardian(s) 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 and medical wellbeing
- to seek donations and assist with the marketing of the College
- to satisfy Avila College's legal obligations and allow the school to discharge its duty of care.

In some cases where Avila College requests personal information about a student or parent(s)/guardian(s), if the information requested is not provided, 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, staff members and contractors:** In relation to personal information of job applicants, staff members and contractors, Avila 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 Avila College uses personal information of job applicants, staff members and contractors include:

- in administering the individual's employment or contract, as the case may be
- for insurance purposes
- to seek donations and assist with the marketing of the College
- to satisfy the Avila College's legal obligations, for example, in relation to child protection legislation.

**Volunteers:**

Avila College also obtains personal information about volunteers who assist the school in its functions or conduct associated activities to enable the school and the volunteers to work together.

Volunteers working on behalf of the College, for example parents, will be made aware of the Privacy Policy Principles and will be expected to adhere to the guidelines in relation to the treatment of personal information.

**Marketing and fundraising:**

Fundraising and marketing activities help to ensure the future growth of the College and provide a quality learning environment for students. Personal information held by the College may be passed onto organisations that assist with fundraising campaigns.

parent(s)/guardian(s), staff, contractors and other members of the wider Avila College community may, from time to time, receive fundraising requests. School publications, both in hard copy and electronic format, such as newsletters and magazines, which include personal information, may be used for marketing purposes.

**IMPLEMENTATION****DISCLOSURE AND STORAGE OF PERSONAL INFORMATION**

Avila 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, the catholic Education Office Melbourne (CEOM), the Catholic Education Commission and other diocese;
- recipients of school publications, such as newsletters and magazines
- parent(s)/guardian(s)
- anyone you authorise the school to disclose information to
- anyone to whom we are required or authorised to disclose the information to by law.

**Sending and storing information overseas:** Avila College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, the College 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)
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

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

## **TREATMENT OF SENSITIVE INFORMATION**

In referring to 'sensitive information', Avila College 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 with the parent(s)/guardian(s), or the use or disclosure of the sensitive information is allowed by law.

## **MANAGEMENT AND SECURITY OF PERSONAL INFORMATION**

Avila College's staff is required to respect the confidentiality of students and parent(s)/guardian(s) personal information and the privacy of individuals.

Avila College has steps in place to protect the personal information the College 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.

## **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 that the 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 parent(s)/guardian(s), 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 Avila College holds about you or your daughter, please advise the College in writing. Avila College may require you to verify your identity and specify what information you require. The College 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**

Avila College respects every parent(s)/guardian(s) right to make decisions concerning their daughter's education.

Generally, Avila College will refer any requests for consent and notices in relation to the personal information of a student to the student's parent(s)/guardian(s). The school will treat consent given by parent(s)/guardian(s) as consent given on behalf of the student, and notice to parent(s)/guardian(s) will act as notice given to the student.

As mentioned above, parent(s)/guardian(s) may seek access to personal information held by Avila College about them or their daughter by contacting the College. 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.

Avila College may, at its discretion, upon 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 parent(s)/guardian(s). This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

## **ENQUIRIES AND CONCERNS**

If you would like further information about the way Avila College manages the personal information it holds, or wish to discuss a concern that the College has breached the Australian Privacy Principles please contact the College. Avila College may require a concern to be outlined in writing. The College will investigate concerns and will notify you of the decision in relation to your complaint as soon as is practicable after it has been made.

## **PRIVACY OFFICER**

A Privacy Officer will be appointed annually.

## **COMMUNICATION PLAN:**

This policy will be included in the staff handbook and an electronic copy can be located on the College intra-net via SIMON/ Knowledge Bank / Documents & Forms / Policies and on the College website.

The College will be responsible for ensuring that parent(s)/guardian(s), students, employees, contractors, volunteers and alumnae has access to this Privacy Policy and all Collection Notices/forms via the College website as part of a communication plan.

## **RELATED DOCUMENTS:**

- Collection of Information Notice
- Alumnae Collection Notice
- Employment Collection Notice
- Students Disclosure Statement for Counselling
- Media and Marketing Consent Form
- Breach of Privacy Concern Form

## **REVIEW:**

To be advised.