



## Privacy Policy

### 1 Rationale

- 1.1 The Board of Pymble Ladies' College (the College) is committed to protecting the privacy of personal information, that the College is required to collect, hold and use in operating its business.
- 1.2 This *Privacy Policy* sets out how the College manages personal information provided to or collected by it.

### 2 Scope

- 2.1 This Policy applies to all College employees who collect and maintain personal information about staff members, students, parents, volunteers, contractors and alumnae.

### 3 Definitions

In the context of this document:

- 3.1 **Parent** refers to parent and/or guardian.
- 3.2 **Personal information** means information or an opinion about an identified individual or an individual who is reasonably identifiable whether the information is true or not, and whether the information is recorded by the College in material form or not. So, this can be information shared verbally with staff and may include personal information regardless of its source.

The term 'personal information' encompasses a broad range of information. A number of different types of information are explicitly recognised as constituting personal information under the *Privacy Act*. For example, the following are all types of personal information:

- sensitive information (includes information or opinion about an individual's racial or ethnic origin, political opinion, religious beliefs, sexual orientation or criminal record, provided the information or opinion otherwise meets the definition of personal information)
- health information (which is also 'sensitive information')
- credit information
- employee record information (subject to exemptions) and
- tax file number information.

- 3.3 **Sensitive information** is a type of personal information that is given extra protection and must be treated with additional care. It includes any information or opinion about an

individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, or criminal record. It also includes health information and biometric information.

- 3.4 **Health Information** is any information or opinion about the health or disability of an individual, the individual's expressed wishes about the future provision of health services and health service provided, currently or in the future, to an individual.

It also includes personal information collected in the course of providing a health service. Health information is a subset of sensitive information.

## 4 Policy

- 4.1 The College is bound by the *Australian Privacy Principles* contained in the *Commonwealth Privacy Act 1998*.
- 4.2 In relation to health records, the College is also bound by the *New South Wales Health Privacy Principles* which are contained in the *Health Records and Information Privacy Act 2002 (Health Records Act)*.
- 4.3 This policy is to be read in conjunction with other related policies, in particular as it relates to the Record Keeping and Archive Procedure in point 7.6 below.
- 4.4 The College may, from time to time, review and update this *Privacy Policy* to take account of new laws and technology, changes to the College operations and practices and to make sure it remains appropriate to the changing environment of the College.

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

- 4.5 The type of information the College collects and holds may include (but is not limited to) personal information, including sensitive information, about:
- Students and parents and/or guardians ('Parents') before, during and after the course of the student's enrolment at the College, including:
    - name, contact details (including next of kin), date of birth, gender, language background previous school and religion, working with children check and drivers licence numbers
    - parents' education, occupation and language background
    - medical information (e.g., details of disability and/or allergies, absence notes, 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 numbers
    - any court orders

- volunteering information
  - photos and videos at College 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 (e.g., details of disability and/or allergies and medical certificates)
    - complaint records and investigation reports
    - performance feedback
    - leave details
    - photos and videos at College events
    - workplace surveillance information including but not limited to CCTV
    - work emails and private emails (when using work email address) and Internet browsing history.
  - Other people who come into contact with the College, including name and contact details and any other information necessary for the particular contact with the College.

4.6 **Personal Information you provide:** The College will generally collect personal information held about an individual by way of forms filled out by Parents, students, staff or contractors, face-to-face meetings, interviews, emails and telephone calls. On occasions people other than Parents and students provide personal information.

4.7 **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.

4.8 **Exception in relation to employee records:** The *Privacy Act* and the *Health Records Act*, 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 treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the College and employee.

#### **The purpose for which and how the College will use the personal information you provide**

4.9 The College 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, by you or to which you have consented.

4.10 **Students and Parents:** In relation to personal information of students and Parents, the primary purpose of collection is to enable the College to provide schooling for the student enrolled at the College, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all the activities of the

College. This includes satisfying the needs of Parents, the student and the College throughout the whole period the student is enrolled at the College.

- 4.11 The purpose for which the College uses personal information of students and Parents includes:
- To keep Parents informed about matters related to their daughter's schooling through correspondence, newsletters and magazines
  - Day-to-day administration of the College
  - Looking after students' educational, social and medical wellbeing
  - Seeking donations and marketing for the College; and
  - To satisfy the College's legal obligations and allow the College to discharge its duty of care.
- 4.12 In some cases where the College requests personal information about a student or Parent, if the information requested is not provided, the College may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.
- 4.13 **Job applicants and contractors:** In relation to personal information of job applicants and contractors, the College's primary purpose of collection is to assess and (if successful) to engage the applicant or contractor, as the case may be.
- 4.14 The purpose for which the College uses personal information of job applicants and contractors includes:
- Administering the individual's employment or contract, as the case may be
  - For insurance purposes
  - Seeking funds and marketing for the College; and
  - Satisfying the College's legal obligations, for example, in relation to child protection legislation.
- 4.15 **Volunteers:** The College obtains personal information about volunteers who assist the College in its functions or conduct associated activities, such as alumni associations, to enable the College and the volunteers to work together.
- 4.16 **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 the College 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 fundraising, for example, the College's Foundation or alumni organisation or on occasions external fundraising organisations.
- 4.17 Parents, staff, contractors and other members of the wider College 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 your information with?

- 4.18 The College may disclose personal information including sensitive information held about an individual for educational, administrative and support purposes. This may include to:
- Other schools and teachers at those schools
  - Government departments (including for policy and funding purposes)
  - Medical practitioners
  - People providing educational, support and health services to the College, including specialist visiting teachers, sports and other coaches, psychologists and volunteers
  - Providers of specialist advisory services and assistance to the College, including in the area of human resources, child protection and students with additional needs
  - 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 College
  - Recipients of College publications, such as newsletters and magazines
  - Students' parents or guardians
  - Anyone you authorise the College to disclose information to; and
  - Anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.
- 4.19 **Sending and storing information overseas:** The 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 Parent and/or individual (in some cases this consent will be implied) or
  - Otherwise complying with the *Australian Privacy Principles* or other applicable privacy legislation.
- 4.20 The College may use online or 'cloud' service providers to store personal information and to provide services to the College 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. 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. Google provides the 'Google Workspace for Education' including Gmail, and stores and processes limited personal information for this purpose. College personnel and the AIS 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 the 'Google Workspace for Education' and ensuring its proper use. This would be the same for Microsoft Office applications.

#### **How does the College treat sensitive information?**

- 4.21 Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless the individual agrees otherwise, or the use or disclosure of the sensitive information is allowed by law.

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

- 4.22 College staff are required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals.
- 4.23 The College has in place steps 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**

- 4.24 Under the *Commonwealth Privacy Act* and the *Health Records Act*, an individual has the right to seek and obtain access to any personal information, which the College holds, about them and to advise the College of any perceived inaccuracy.
- 4.25 Students will generally be able to access and update their personal information through their Parents, but older students may seek access and correction themselves.
- 4.26 There are some exceptions to these rights set out in the applicable legislation.
- 4.27 To make a request to access or update any personal information the College holds about an individual or their child, a request in writing should be made to the Principal. The College may require verification of identity and specifics of what information you require.
- 4.28 The College may charge a fee to cover the cost of verifying the application, locating, retrieving, reviewing and copying any material requested.
- 4.29 If the information sought is extensive, the College will advise the likely cost in advance. If access to information cannot be provided, written notice will be given explaining the reasons for refusal (unless, in light of the grounds for refusing, it would be unreasonable to provide reasons).

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

- 4.30 The College respects every Parent's right to make reasonable decisions concerning their child's education.

4.31 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.

4.32 Parents may seek access to personal information held by the College about themselves or their child by contacting the Principal. However, there may 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.

4.33 The College may, at its discretion, on the request of a student grant that student access to information held by the College 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 warrant it.

### **Enquiries and Complaints**

4.34 For further information about the way the College manages the personal information it holds, or to raise a concern if there is a belief that the College has breached the *Australian Privacy Principles*, contact should be made with the Principal on (02) 9855 7799, by email to [principal@pymblelc.nsw.edu.au](mailto:principal@pymblelc.nsw.edu.au) or by mail to: Principal PO Box 136, NORTH RYDE BC NSW 1670.

4.35 The College will investigate any complaint and notify the person who has raised the concern as soon as practicable after it has been made.

4.36 This policy is not intended to extend the responsibilities of the College beyond the law.

4.37 The College reserves the right to change or modify this policy at any time by notice on the College website.

## **5 Guidelines**

5.1 Nil

## **6 Responsibilities**

6.1 Principal

6.2 Chair of the Board

## **7 Related Documents**

7.1 Privacy Act 1988 (Commonwealth)

- 7.2 Australian Privacy Principles
- 7.3 Health Records and Information Privacy Act 2002 (NSW)
- 7.4 Health Privacy Principles
- 7.5 Data Breach Response Procedure
- 7.6 Record Keeping and Archive Procedure

## **8 Authorisation**

- 8.2 Principal  
Dr Kate Hadwen
- 8.1 Chair of the Board  
James Hunter

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