

BHCS Privacy Policy

The following policy outlines the methods used by BHCS to manage personal information provided to, or collected by the School including personal and health information, which is used by the School.

Belgrave Heights Christian School is bound by the Australian Privacy Principles (APP) as part of the Privacy Act 1988 (Cth). BHCS is equally bound by the Health Records Act 2001 (Vic.) in relation to health records held by the School.

BHCS recognises the importance of protecting the rights of an individual in relation to their privacy and the obligations BHCS has in relation to the relevant current legislation.

This policy outlines how the School uses the information, who this information is shared with and how individuals can access personal information held by the School, as well as amend personal information. The policy further outlines how to lodge a complaint in relation to alleged breaches of privacy or how to make a related enquiry.

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

RESPONSIBILITIES

All BHCS staff, volunteers and contractors must comply with this policy in relation to how personal information is handled during the course of them carrying out their duties at the School or on the School's behalf.

HOW BHCS COLLECTS PERSONAL INFORMATION

Generally, information about an individual is collected directly from the individual, unless circumstances dictate that it is not reasonably practicable. In some instances, the School may receive unsolicited personal information regarding an individual. If it has been determined that this personal information would normally not have been available for collection in accordance with the law, the School will destroy and de-identify this information with minimal delay.

How personal information is collected about Parents and Students

BHCS will usually collect personal information regarding an individual through the completion of forms submitted to the School, face-to-face meetings, interviews, phone calls, correspondence including mail, email or other electronic correspondence (including communication apps and website "Contact Us" forms). The School may also use reports provided by other Schools, such as general references provided by other schools, information provided to the School by medical professionals with respect to health services previously provided or as provided to the School by an individual. The School may further use sources of information that are publicly available.

The School seeks the consent of parents/guardians to use their child's images and likeness in materials produced or published by or for the School at the time of enrolment. This material includes newsletters, magazines, posters and other advertising materials to promote the School and its services. From time to time, the School may seek additional consent if the use of a child's image falls outside the scope of any area for which consent has already been received. Where consent has not been given, the School will refrain from using the child's image and likeness. The School refrains from publishing a child's image or

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likeness with their names, except for school photos, student IDs and the yearbook. The School will seek additional permission if names are to be published with images.

What kind of personal information is collected and how does this occur?

The collection of personal information from any individual may result from the contact that individual has with the School. This may include current members of its community, volunteers, prospective families, alumni, job applicants, past employees, contractors and any other individuals who have direct contact with the School.

BHCS may also collect, use and disclose health information in relation to the provision of health services to students while they are in the care of the School.

For Students

In relation to students before, during and after the course of a student's enrolment at the School, the type of information collected and held by BHCS includes, but is not limited to, personal information including sensitive information related to:-

- Name, contact details, date of birth, previous school and religion
- Emergency contact details
- Birth certificate
- Nationality, Country of Birth, Indigenous status whether Aboriginal Torres Strait Islander
- Language spoke at home
- Medical information (eg. details of disability and/or allergies)
- School reports, school attendance, behavioural notes and conduct and complaints records
- Information about referrals to government welfare agencies
- Counselling reports
- Healthcare Card or equivalent information
- Any court orders or other legally required documentation
- Photos and videos at school events
- Other digital media

For Parents/Guardians/Carers

In relation to parents/guardians and carers, the type of information collected and held by BHCS includes, but is not limited to, personal information including sensitive information related to:-

- Name, contact details (including next of kin), date of birth, previous school and religion
- VISA documentation, passports and residential status information
- Nationality, Country of Birth, Indigenous status whether Aboriginal Torres Strait Islander
- Language spoke at home
- Socio-economic information required for the purposes of school funding calculations
- Marital status and custody details
- Education and Occupation Information
- Healthcare Card or equivalent information
- Any court orders or other legally required documentation
- Volunteering information and related information eg. WWCC, VIT
- Photos and videos at school events
- Other digital media

For Staff, Job Applicants, Volunteers and Contractors and others

In relation to staff members, job applicants, volunteers and contractors; and any other individuals who come into contact with the School the type of information that is collected relates to, but is not limited to:-

- Name, company name, ABN, phone number and email address
- Name, contact details (including next of kin), date of birth, religion
- Tax file number (TFN)
- Information collected on job application including details of references and referees
- Record of interview
- Professional development history, qualifications, education and academic scripts
- Salary and payment information, including superannuation details and bank account details
- ID documentation such as a driver's licence or passport
- Registration details such as Working With Children Check (WWCC), Victorian Institute of Teaching (VIT), Police Checks and/or White Cards
- Medical information (eg. medical certificates)
- Complaints and conduct information
- Leave details
- Performance review and applications for promotion
- Photos and videos at school events
- Workplace surveillance information
- Work and private email addresses and internet browsing history (while using the School's network)

Personal information may also be collected from other people including, but not limited to, School Council Members, Volunteers, Donors and others. This information may include:-

- Name, contact details
- Any other necessary information necessary for that particular contact within the School or as required by law

Personal Information provided by other people

There may be occasions when the School may receive personal information regarding an individual from third parties. This may include school reports or references from other schools or a specialist reports provided by a medical or health professional.

Employee Record Exceptions

Under the [Privacy Act 1988 \(Cth\)](#), employee records are exempt, but the School is bound by confidentiality in relation to these records in accordance with the requirements of the [Fair Work Act 2009 \(Cth\)](#).

HOW PERSONAL INFORMATION PROVIDED IS USED

In the majority of cases, BHCS will only use the personal information provided for the primary purpose for which it was intended. The information collected will only be used for secondary purposes where this is permitted under the *Privacy Act*. Personal information collected by BHCS is normally used for the purposes of facilitating our ability to operate as an educational institution.

There are occasions during which you may be able to deal with the School under an assumed name or anonymously. These times may include general enquiries about the School and its services. Failing to provide the personal information requested or choosing to remain anonymous, however, may result in the

School not being able to function within its capacity as an educational institution, and may result in us not being able to discharge or provide you or your child with the necessary duty of care.

There are occasions where it is important that the School is able to and required to verify your identity in relation to a request for access to personal information or with respect to a request to amend personal or health information that is held by the School.

The use of personal information related to Students and Parents

The School's primary purpose for collecting personal information about parents and students is to ensure it can provide quality education to its students. This includes meeting the needs of both the parents/guardians and the students throughout the time the student remains enrolled at BHCS.

Personal information is used to:-

- Inform families about the day-to-day matters related to their child's education through correspondence, newsletter and magazines
- Day-to-day administration
- Attending to the education needs of students including training and assessments
- Attending to the medical needs of students, as well as their social well-being
- Addressing queries or resolving complaints
- Seeking donations and marketing for the School
- Ensuring BHCS complies with its legal obligations
- To allow the School to satisfy its legal obligations and discharge its duty of care.

In cases where the personal information requested is not obtained, BHCS may be unable to proceed with the enrolment of a student.

Images of the School's students, staff, alumni and visitors are used in a variety of ways including in the School's Yearbook, Newsletter, Social Media Platforms, the School's website and other material related to the promotion of the School. This includes both internal and external activities. Specific permission regarding the use of student photographs is obtained from Parents, during the enrolment of their child at the School.

Nationally Consistent Collection of Data (NCCD) on School students with a disability

The School is required by the Federal Australian Education Regulation 2013 (the Regulation) to provide certain information under the NCCD on students with a disability. The School provides the required information to Independent Schools Victoria (ISV), as an approved authority, to provide on the school's behalf. Under the NCCD, the following information is required for each student with a disability:

- Their level of education (ie. primary or secondary)
- Their category or disability (ie physical, cognitive, sensory or social/emotional)
- Their level of adjustment (ie support provided within quality differentiated teaching practice, supplementary, substantial adjustment)

Student information provided for the purpose of the NCCD does not explicitly identify any student. However, the School will disclose students' names to ISV, to undertake financial modelling about funding for particular students, including ongoing evaluation of the adequacy of the funding for individual students under the NCCD. ISV will not disclose a student's identity for the NCCD.

Information Sharing Entity (ISE)

The School may disclose personal information to other prescribed Information Sharing Entities (ISEs) to the extent that this is required or authorised under the Child Information Sharing Scheme (CISS) or Family Violence Information Sharing Scheme (FVISS). Other ISEs include Victoria Police and family violence specialist services. For more information, see: [Information Sharing and Family Violence Reforms Contextualised Guidance](#), [Child Information Sharing Scheme Ministerial Guidelines](#), [Family Violence Information Sharing Guidelines](#), and [Family Violence Multi-Agency Risk Assessment and Management Framework](#).

Personal Information related to Staff Members, Job Applicants and Contractors

The School's primary purpose for the collection of personal information in relation to staff members, job applicants and contractors is to determine on whether or not to engage with the staff member, job applicant or contractor.

The School uses the personal information collected for:-

- The administration of an individual's employment and any contracts associated with this employment
- For insurance purposes
- Ensuring BHCS complies with its legal obligations e.g. in relation to child protection legislation

Personal Information related Volunteers

BHCS also collects personal information about volunteers who assist at School either in the classroom, at events or other school related activities in line with its policies and procedures and as required by law.

THE DISCLOSURE OF PERSONAL INFORMATION

The School may disclose personal information, including sensitive information held about an individual to:-

- Another school and teachers at those schools
- Government departments including the Department of Education (for policy and funding purposes)
- Local Council for the purpose of immunisations
- School Photography companies for the purposes of school photos
- The School's uniform supplier for the purpose of booking appointments
- Tertiary institutions for students accelerating or undertaking Distance Education
- RTOs or Training Institutions for the provision of certificate courses
- Medical Practitioners and Ambulance Officers (as required)
- Counsellors and Chaplains who have a direct relationship with the School
- The School's professional advisors, courts, tribunals and regulatory authorities
- People providing services to BHCS including, but not limited to specialist visiting teachers and sports coaches
- CSEN and other sporting organisations for students participating in external sporting events
- Organisations used for camps and excursions, where this is deemed necessary for the well-being of students
- 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
- Recipients of School publications including newsletters and magazines
- Parents and others who may be authorised to receive this information
- ISEs which are authorised to request and share relevant information under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme (the Schemes)
- Anyone to whom we are required or authorised to disclose information to by law, including child protections laws.

Information may be disclosed for the purposes of

- Ensuring the School is able to comply with its obligations owed to a party under any contract between the School and the party or as required by law
- Enabling those third parties to perform services on behalf of the School
- Enabling students to participate in training, testing and online assessments
- Enabling students to attend camps or excursions
- Attending to the wellbeing needs of a child
- Recovering debts where the amounts owed to the School for services provided by the School remain due and outstanding beyond the payment terms

Direct Marketing

Where the School has already collected personal information directly from you, the School may use this information to directly market its services to you where you would reasonably expect the School to do so. Personal information collected through a third party will not be used by the School to directly market to you without your consent. BHCS will also comply with laws relevant to marketing, including the [Spam Act 2003 \(Cth\)](#), the [Do Not Call Register Act 2006 \(Cth\)](#) and the [Australian Competition and Consumer Act 2010 \(Cth\)](#).

Sending and storing information overseas

The School will not send personal information about an individual outside of Australia without obtaining the consent of the individual or otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

The School may also store personal information including sensitive information in the 'cloud'. This means that the information is held on the servers of third party cloud service providers engaged by the School. The School takes reasonable steps to verify that these servers are situated in Australia.

The School 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 relating to email, instant messaging and education and assessment, such as Google's G Suite, including Gmail and Operoo, which may be accessible by you. Some personal information including sensitive information may be collected and processed or stored by these providers in connection with these services.

School personnel, authorised to do so, and the school's 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 system and services ensuring their proper use.

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. This

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

An example of such a cloud service provider, is Google. Google provides the 'Google Apps for Education' (GAFE) including Gmail, and stores and processes limited personal information for this purpose. School personnel and the School 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 GAFE and ensuring its proper, use.

How does the School use Sensitive Information?

“Sensitive” personal information is deemed to be information regarding a person’s racial or ethnic origins, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record and health information.

Sensitive information will only be used and disclosed for the purpose for which it was provided or for a directly related secondary purpose, unless agreed otherwise or where the use or disclosure of the sensitive information is permitted by law.

The School may use health information collected about an individual in order to provide health services to that individual as required. The School may disclose health information to a medical professional or a health service provider where that professional or provider is engaged in providing health services to an individual. The School will not use or disclose this information for a purpose other than its primary purpose unless:-

- The individual consents to the use or disclosure of this information
- The secondary purpose is directly related to the primary purpose and the individual would reasonably expect the School to use or disclose the information for the secondary purpose
- The use or disclosure is required, authorised or permitted, whether expressly or as implied by or under law
- As otherwise authorised, permitted or required under the [Health Records Act 2001 \(Vic\)](#)

The School may transfer health information about an individual to an entity other than the School or an individual, which is outside of Victoria:-

- Only when the School reasonably believes that the recipient is subject to a law, binding scheme or contract, which effectively upholds the principles for the fair handling of information or is substantially equal to the requirements under the [Health Records Act 2001 \(Vic\)](#).
- If the individual consents to the transfer or otherwise as permitted under the [Health Records Act 2001 \(Vic\)](#).

MANAGEMENT AND SECURITY OF PERSONAL INFORMATION

All School staff are required to respect the confidentiality of the personal information related to students and parents, as well as the privacy of individuals.

The School has taken measures to ensure that personal information the School holds is protected from misuse, loss, unauthorised access, modification or disclosure by use of various methods, including locked storage of paper records and passworded access rights to computerised records.

In addition to the aforementioned, the School takes reasonable steps to suitably destroy or de-identify personal information that is held about an individual if the School no longer requires that personal information.

The School will only retain personal information for the period necessary for the use for which it is submitted to the School and in accordance with the *General Retention and Disposal Authority of School Records* as determined by the *Public Record Office Victoria*.

UPDATING PERSONAL INFORMATION

The School endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by the School by contacting the School to inform them of the change.

The *Australian Privacy Principles* require the School to store personal information no longer than necessary.

CHECKING PERSONAL INFORMATION HELD BY THE SCHOOL

In Victoria, you have the right to access your personal information and to ask for inaccurate information about you to be amended under the *Freedom of Information Act 1982 (Vic) (FOI Act)*. There are some exceptions to this right, set out in the Act. Students will generally have access to their personal information through their Parents.

To request access to any information the School holds about your or your child, please contact the School's Privacy Officer in writing at privacy@bhcs.vic.edu.au.

The School may request verification of identity and the details of what information is required. The School may at its discretion charge a fee to cover the cost of verifying the application, locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the School will advise the possible cost in advance.

Consent and rights of access to the personal information of students

The School respects the rights of every Parent/Carer to make decisions regarding their child's education. In most cases, any request for consent and notices related to the personal information of a student will be directed to the Parents or Carers. The School will treat the consent given by Parents as consent given on behalf of the student, and notice to Parents will act as notice given to students.

Parents may seek access to personal information held by the School about them or their child by contacting the School's Privacy Officer. However, there will be occasions when access is denied, such as where the release of 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.

The School 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. Under normal circumstances this would only occur where a student has attained the age of 18, but the School could do so in other circumstances when the maturity of the student and/or the student's personal circumstances so warrant it.

Additionally, the School may from time to time refuse an individual access to the information a School holds about the individual when this is in accordance with relevant legislation. Where the School refuses access, the School will provide an explanation for the refusal in writing.

ENQUIRIES AND COMPLAINTS

If you would like further information about the way the School manages the personal information it holds about you, or you wish to lodge a complaint about an alleged breach of privacy by the School with respect to your personal information, the complaint should be made in writing to the attention of the School's Privacy Officer at the School's address.

Where required by law, the School will acknowledge your complaint in writing and provide information in writing on how we will deal with your complaint. Further, if required to do so by law, the School will provide its determination on your complaint to you in writing and will acknowledge receipt of your complaint within 30 days of receipt of your complaint. Where a more detailed investigation is required in relation to a complaint and it takes longer to resolve, the School will endeavour to provide you with progress reports.

The School reserves the right to verify your identity and seek (where appropriate) information from you and other relevant individuals in connection with the complaint. Where it has been deemed that a complaint is considered to be vexatious, or frivolous, the School reserves the right to refuse to investigate and deal with a complaint.

If you are not satisfied with the outcome of your complaint, you may seek an internal review of the School's decision, which will be completed by an officer not previously involved in your complaint. If you remain dissatisfied, you may escalate your complaint to the *Office of the Australian Information Commissioner (OAIC)* at www.oaic.gov.au

If you would like to solicit, collect or deal with personal information in a way that is not explicitly described above written permission from the Schools Privacy Officers (the Business Manager or Systems and Compliance Manager) or their delegate is required.