

## Privacy Policy

<b>Policy Category:</b>	<b>3. Administration and Information Management</b>		<b>Policy No.</b>	<b># 3.23</b>
<b>Related Policies and Documents:</b>	<ul style="list-style-type: none"> <li>#3.20 Media and Communications Policy</li> </ul>			
<b>Approved By:</b>	School Council	<b>Date Approved:</b>	16th May 2023	
<b>Version Control:</b>	Version # 3.0 (April 2023)			
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### GUIDING SCRIPTURE

Whoever derides their neighbour has no sense, but the one who has understanding holds their tongue. A gossip betrays a confidence, but a trustworthy person keeps a secret. (Proverbs 11: 12-13)

### SCOPE

This Privacy Policy applies to personal information collected by St John's Lutheran School, who are governed by the Australian Privacy Principles under the *Privacy Act 1988 (Cth)*.

#### Exception in Relation to Employee Records:

Under the *Privacy Act 1988 (Cth)* (Privacy Act), the Australian Privacy Principles do not apply to an employee record held by the employing entity. As a result, this *Privacy Policy* does not apply to St John's Lutheran School's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between St John's Lutheran School and employee.

#### Policy Review

St John's Lutheran School will regularly review this policy to ensure it is in accordance with any changes that may occur. The most up-to-date copy can be obtained either from our website or by contacting the school.

### PRIVACY STATEMENT

St John's Lutheran School regularly collects and uses individuals' personal information in the course of delivering appropriate and quality education services. We are committed to ensuring the privacy and confidentiality of all personal information (which may include sensitive and health information). St John's Lutheran School must comply with the *Australian Privacy Principles (APPs)* under the *Privacy Act 1988 (Cth)* which governs how an individual's personal information is handled. The school will take such steps as are reasonable in the circumstances to implement practices, procedures and systems to ensure compliance with the Australian Privacy Principles.

## ST JOHN'S LUTHERAN SCHOOL, KINGARROY

### WHAT KINDS OF PERSONAL INFORMATION DOES THE SCHOOL COLLECT?

The type of information St John's Lutheran School 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 course of a student's enrolment at the school:**

- name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
- parents' education, occupation and language background;
- medical information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors);
- 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 court orders;
- volunteering information; and
- photos and videos at school events.

#### **Job applicants, staff members, volunteers and contractors:**

- name, contact details (including next of kin), date of birth, and religion;
- information on job application; Blue Card information;
- professional development history;
- salary and payment information, including superannuation details;
- medical information (e.g. details of disability and/or allergies, and medical certificates, vaccination status);
- complaint records and investigation reports;
- leave details;
- photos and videos at school events;
- workplace surveillance information;
- work emails and private emails (when using work email address) and Internet browsing history.

**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.

### HOW THE SCHOOL COLLECTS PERSONAL INFORMATION

Information is collected in a number of ways, including:

#### **Personal Information You Provide:**

St John's Lutheran School will generally collect personal information held 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 St John's Lutheran School 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.

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### **Personal Information Collected by Electronic Surveillance:**

Personal information may be collected by St John's Lutheran School through electronic surveillance (e.g. security cameras) for reasons of security.

### **WHY WE COLLECT PERSONAL INFORMATION**

St John's Lutheran School collects personal information about you for a purpose that is reasonably necessary for, or directly related to, one or more of our functions or activities. We will only 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.

#### **Students and Parents**

In relation to personal information of students and parents, St John's Lutheran School's primary purpose of collection is to enable St John's Lutheran School to provide schooling to students enrolled at the school, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all the activities of the school. This includes satisfying the needs of parents, the needs of the students and the needs of St John's Lutheran School throughout the whole period the student is enrolled at the School.

The purposes for which St John's Lutheran School uses personal information of students and parents include:

- to keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- day-to-day administration of St John's Lutheran School;
- looking after student's educational, social and medical wellbeing;
- seeking donations and marketing for St John's Lutheran School;
- to satisfy St John's Lutheran School's legal obligations and allow the school to discharge its duty of care.

In some cases where St John's Lutheran School requests personal information about a student or parent, if the information requested is not provided, St John's Lutheran 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.

On occasions, information such as academic and sporting achievements, student activities and similar news is published in School newsletters and magazines, on our internet and on our website. This may include photographs and videos of student activities such as sporting events, school camps and school excursions. The School will obtain permissions annually from the student's parent or guardian (and from the student if appropriate) if we would like to include photographs or videos, or other identifying material, in our promotional material or otherwise make this material available to the public such as on the internet.

#### **Job Applicants, Staff Members and Contractors**

In relation to personal information of job applicants, staff members and contractors, St John's Lutheran School'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 St John's Lutheran School 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
- seeking donations and marketing for the School

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- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

### Volunteers

The School also obtains personal information about volunteers who assist St John's Lutheran School in its functions or conduct associated activities, such as alumni associations, to enable St John's Lutheran School and the volunteers to work together.

### Marketing and Fundraising

St John's Lutheran School treats marketing and seeking donations for the future growth and development of the school as an important part of ensuring that St John's Lutheran School continues to provide a quality learning environment in which both students and staff thrive. Personal information held by St John's Lutheran School may be disclosed to organisations that assist in the school's fundraising, for example, the St John's Lutheran School P&F or, on occasions, external fundraising organisations.

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

If you would like to opt-out of direct marketing, please contact the Principal on (07) 4162 3988.

### WHO MIGHT THE SCHOOL DISCLOSE PERSONAL INFORMATION TO?

St John's Lutheran School may disclose personal information, including sensitive information, held about an individual for educational, legal, administrative, marketing and support purposes. This may include to:

- another school or staff at another school;
- 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 and 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);
- people providing administrative and financial services to St John's Lutheran School;
- recipients of School publications, such as newsletters and magazines;
- students' parents or guardians;
- anyone you authorise St John's Lutheran School to disclose information to;
- anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

### SENDING AND STORING INFORMATION OUTSIDE AUSTRALIA

St John's Lutheran School may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, St John's Lutheran School 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.

St John's Lutheran School may use online or 'cloud' service providers to store personal information and to provide services to St John's Lutheran School that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications.

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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.

### **SENSITIVE INFORMATION**

In referring to 'sensitive information', St John's Lutheran School means: information or opinion about an individual's racial or ethnic origin, political opinions or membership of a political association, religious beliefs or affiliations, 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, genetic information and biometric information about an individual.

The school will only collect sensitive information if it is reasonably necessary for, or directly related to, one or more of our functions or activities, and with your consent. Other situations may exist where we are able to collect information under the law.

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 required by law.

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

St John's Lutheran School staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals. St John's Lutheran School has in place steps to protect the personal information St John's Lutheran School holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records with controlled access, and password access rights to computerised records.

#### **Data Breach**

St John's Lutheran School will take appropriate, prompt action if we have 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 our internal security procedures, taking remedial internal action to reduce any potential harm, notifying affected individuals and the Office of the Australian Information Commissioner (OAIC). If we are unable to notify individuals, we will publish a statement on our website and take reasonable steps to publicise the contents of this statement.

### **ACCESS AND CORRECTION OF PERSONAL INFORMATION**

Under the *Privacy Act*, an individual has the right to seek and obtain access to any personal information, which St John's Lutheran School holds about them and to advise St John's Lutheran School of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Students will generally be able to access and update their personal information through their parents, but older students may seek access and correction themselves.

To make a request to access or to update any personal information St John's Lutheran School holds about you or your child, please contact the School Principal in writing. St John's Lutheran School may require you to verify your identity and specify what information you require. St John's Lutheran School 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, St John's Lutheran 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.

The School will take reasonable steps to ensure that any personal information is accurate, up to date, complete, relevant and not misleading.

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### CONSENT AND RIGHTS OF ACCESS TO THE PERSONAL INFORMATION OF STUDENTS

St John's Lutheran School respects every parent's right to make decisions concerning their child's education. Generally, St John's Lutheran School will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. St John's Lutheran 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.

As mentioned above, parents may seek access to personal information held by St John's Lutheran School about them or their child by contacting the School 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 St John's Lutheran Schools duty of care to a student.

The School may, at its discretion, on the request of a student grant that student access to information held by St John's Lutheran 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 warrant it.

### USE OF STUDENT IMAGES

Images of individuals in photographs or film are treated as personal information under the Privacy Act where the person's identity is clear or can reasonably worked out from that image. As outlined in the *Media Communications and Marketing Policy*, the school will obtain permission from a student's parent or guardian prior to their use.

### COMPLAINTS HANDLING

St John's Lutheran School take complaints and concerns regarding privacy seriously. If you have any concerns, complaints or suggestions about the management of your personal information we ask that you contact us directly at the details below. St John's Lutheran School will attempt to resolve the complaint according to our complaint resolution procedure and respond within a reasonable timeframe. If you are not satisfied with the response, you may contact the Office of the Australian Information Commissioner (OAIC) in writing using the online form [www.oaic.gov.au](http://www.oaic.gov.au).

### CONTACT US

The Principal  
St John's Lutheran School  
PO Box 506  
Kingaroy Qld 4610

Ph: (07) 4162 3988

Fax: (07) 4162 4255

Email: [office@sjls.qld.edu.au](mailto:office@sjls.qld.edu.au)

### APPENDIX 1:

### STANDARD COLLECTION NOTICE

1. The School collects personal information, including sensitive information, about students and parents or guardians before and during the course of a student's enrolment at the School. This may be in writing or during conversations. The primary purpose of collecting this information is to enable the School to provide schooling to students enrolled at the school, exercise its duty of care, engage in marketing/fundraising and perform necessary associated administrative activities, which will enable students to take part in all the activities of 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 (APPs) 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, legal, administrative, marketing and support purposes. This may include to other schools, government departments, medical practitioners, people providing educational, support and health services to the School, including specialist visiting teachers, sports coaches, volunteers, and counsellors, people providing administrative and financial services to the School.
6. Personal information collected from students is regularly disclosed to their parents or guardians.
7. In some cases where the School requests personal information about a student or parent, if the information requested is not provided, St John's Lutheran 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.
8. The School may use online or 'cloud' service providers to store personal information which may mean that it resides on servers which are situated outside Australia.
9. The School's *Privacy Policy*, accessible on the School's website, sets out how parents or students may seek access to and correction of their personal information which the School has collected and holds. However, access may be refused in certain circumstances such as 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 a student, or where students have provided information in confidence. Any refusal will be notified in writing with reasons if appropriate.
10. The School's *Privacy Policy* also sets out how parents and students can make a complaint about a breach of the APPs and how the complaint will be handled.
11. The School may engage in fundraising activities. 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.
12. On occasions information such as academic and sporting achievements, student activities and similar news is published in School newsletters and magazines, on our intranet [and on our website] this may include photographs and videos of student activities such as sporting events, school camps and school excursions. The School will obtain permissions annually from the student's parent or guardian (and from the student if appropriate) if we would like to include such photographs or videos or other identifying material in our promotional material or otherwise make this material available to the public such as on the internet.
13. 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.

### APPENDIX 2:

### EMPLOYMENT COLLECTION NOTICE

1. In applying for this position, you will be providing St John's Lutheran School with personal information. We can be contacted at:  
  
84 – 94 Ivy Street, Kingaroy 4610  
Email: [office@sjls.qld.edu.au](mailto:office@sjls.qld.edu.au)  
Phone: (07) 4162 3988.
2. If you provide us with personal information, for example, your name and address or information contained on your resume, we will collect the information in order to assess your application for employment. We may keep this information on file if your application is unsuccessful in case another position becomes available.
3. The School's *Privacy Policy*, accessible on the School's website, contains details of how you may complain about a breach of the Australian Privacy Principles and how you may seek access to and correction of your personal information which the School has collected and holds. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others. Any refusal will be notified in writing with reasons if appropriate.
4. We will not disclose this information to a third party without your consent unless otherwise permitted.
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 also be provided to these service providers to enable them to authenticate users that access their services. This personal information may reside on a cloud service provider's server 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. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why.



### APPENDIX 3: CONTRACTOR / VOLUNTEER COLLECTION NOTICE

1. In offering, applying or agreeing to provide services to the School, you will be providing St John's Lutheran School with personal information. We can be contacted at:  
84 – 94 Ivy Street, Kingaroy 4610  
Email: [office@sils.qld.edu.au](mailto:office@sils.qld.edu.au)  
Phone: (07) 4162 3988.
2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information in order to assess your application. We may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information.
4. The School's *Privacy Policy*, accessible on the School's website, contains details of how you may complain about a breach of the Australian Privacy Principles and how you may seek access to and correction of your personal information which the School has collected and holds. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others. Any refusal will be notified in writing with reasons if appropriate.
5. We will not disclose this information to a third party without your consent unless otherwise permitted to.
6. The School may use online or 'cloud' service providers to store personal information which may mean that it resides on servers which are situated outside Australia.
7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the School and why.