

Purpose

In dealing with personal and sensitive information about individuals, Melbourne Archdiocese Catholic Schools (MACS) is bound by the Australian Privacy Principles contained in the *Australian Privacy Act 1988* (Cth).

In relation to health records, MACS is also bound by the *Health Records Act 2001* (Vic.) and the Health Privacy Principles in that act. This policy intends to address how MACS complies with these legislative requirements.

MACS may, from time to time, review and update this policy to take account of new laws and technology and changes to MACS operations and practices, and to ensure the policy remains current in a changing environment.

Scope

This Privacy Policy applies to MACS and its subsidiaries and sets out how MACS as an organisation manages the personal and sensitive information it collects and holds. A reference to MACS in this policy includes a reference to its subsidiaries.

What kinds of personal information does MACS collect and hold?

MACS collects information from individuals that is necessary in order for it to perform one or more of its functions or activities related to its role as a governing authority of schools and early childhood education and care services, and in advising and supporting Catholic schools / services in the Archdiocese of Melbourne.

MACS collects and holds personal information, including health and other sensitive information, about:

- students, parents and/or guardians (parents) before, during and after the course of a student's enrolment at the school/early childhood education and care service
- job applicants, staff members, volunteers and contractors
- members of MACS Board Committees and directors of MACS
- other people who come into contact with MACS.

In the case of student and parent information, the schools/services will generally collect this information on behalf of MACS. The type of information that is collected by MACS may include:

- students and prospective students:
 - name, contact details (including next of kin), date of birth, gender, identity documents including a current photograph
 - language background, previous school and religion
 - medical information (e.g. details of disability, special needs and/or allergies and details of any assistance the student receives in relation to those disabilities)
 - conduct and complaint records or other behaviour notes, school/service attendance and school /service reports
 - information about referrals to government welfare agencies
 - counselling and medical reports
 - any court orders
 - photos and videos at school/service events

- parents and prospective parents:
 - name, contact details, identity documents, marital status
 - education, occupation and language background
 - court orders affecting the parents and students
 - financial information
 - photos and video images
 - religion
- job applicants, staff members, volunteers and contractors:
 - name, contact details (including next of kin), date of birth and religion
 - information on job application, references, qualifications and employment history
 - identity documents and photographs
 - working with children clearances, Victorian Institute of Teaching registration and National Police Record checks
 - professional development history
 - salary and payment information, including superannuation details
 - medical information, (e.g. details of disability and/or allergies and medical certificates)
 - complaints records and investigation reports
 - leave details
 - photos and videos at MACS and/or school/service events
 - work emails and private emails (when using a work email address) and internet browsing history
- other people who come into contact with MACS in the course of undertaking its functions and activities, including name and contact details and any other information necessary for the particular contact with MACS.

How MACS collects and holds personal information

Personal information you provide

MACS will generally collect personal information about an individual directly from the individual through the following means:

- students – through their participation in course work and activities at a MACS school/service, in face-to-face meetings, or through communications such as email or other electronic means
- parents and prospective parents – from forms filled out by them, such as an enrolment application and other forms and online requests while their children are enrolled at a MACS school/service, in face-to-face meetings and interviews, or via emails and telephone calls
- prospective employees, volunteers and contractors – through the recruitment or engagement process, at interviews, from past employers and referees, or during the course of their employment or engagement by MACS.

Personal information provided by other people

In some circumstances MACS may receive personal information about an individual from a third party, for example, a report provided by a school or service, or a medical professional or a reference from another employer.

Information collected by the MACS website

When you look at the MACS website, MACS' internet service provider makes a record of your visit and logs the following information for statistical purposes:

- your server address
- your top-level domain name (for example .com, .gov, .au, .uk, etc.)

- the date and time of your visit to the site
- the pages you accessed and the documents you downloaded
- the previous site you have visited
- the type of browser you are using.

Access to information collected by the MACS website

MACS will not attempt to identify users by their browsing activities. However, in the unlikely event of an investigation, a law enforcement agency or other government agency may exercise its legal authority to inspect MACS' internet service provider's logs.

Use of information collected by the MACS website

MACS will only record your email address if you send MACS a message. Your email address will only be used for the purpose for which you have provided it, and it will not be added to a mailing list or used for any other purpose without your consent.

The MACS website does not provide facilities for the secure transmission of information across the Internet. Users should be aware that there are inherent risks in transmitting information across the Internet.

Cookies

The MACS website only uses session cookies and only during a search query of the website.

On closing your browser, the session cookie set by the MACS website is destroyed and no personal information is retained which might identify you should you visit the MACS website at a later date.

The purposes for which MACS collects, holds, uses and discloses personal information

MACS will use the personal information it collects and holds for the primary purpose for which it was collected, which is to provide educational, co-curricular and related services to its students, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which you have consented.

Students and parents

MACS uses personal information about students and parents collected and held by MACS or provided to MACS to:

- assess applications for enrolment of a student in accordance with its enrolment policy and procedures
- keep parents informed in relation to the education of their child
- enable MACS to undertake its day-to-day administrative duties as an education provider
- identify student need, implement reasonable adjustments to assist with students' learning and wellbeing
- seek feedback from students and parents on school/service performance and improvement, including through school/service improvement surveys
- undertake fundraising and promotional activities
- satisfy MACS' responsibilities, accountabilities, legal and professional obligations including its duty of care to students
- satisfy the legal obligations of MACS and the Catholic Education Commission of Victoria Ltd (CECV) including to government authorities and departments.

Job applicants and contractors

In relation to the personal information of job applicants and contractors, MACS' primary purpose of collection is to assess and (if successful), engage the applicant or contractor, as the case may be.

The purposes for which MACS uses the personal information of job applicants and contractors include:

- assessing an applicant's suitability for employment or engagement by MACS
- administering the individual's employment or contract, as the case may be
- for insurance purposes
- satisfying MACS' legal obligations, for example, in relation to child protection and its duty of care to students.

Volunteers

In relation to the personal information of volunteers who assist MACS in its functions or to conduct associated activities, MACS' primary purpose of collection is to assess and (if successful), engage the volunteer.

The purposes for which MACS uses the personal information of volunteers include:

- assessing a volunteer's suitability for engagement by MACS as a volunteer
- for insurance purposes
- satisfying MACS' legal obligations, for example, in relation to child protection and its duty of care to students.

Marketing

MACS undertakes marketing activities to promote the future growth and development of Catholic schools and early childhood education and care services in the Archdiocese of Melbourne. MACS may receive personal information held by schools/services for marketing purposes.

Who might MACS disclose personal information to?

MACS may disclose personal information, held about an individual to:

- state and federal government departments and authorities in relation to the regulation of schools/early childhood education and care services
- medical practitioners and health service providers
- other schools with which MACS interacts
- the CECV, Victorian Catholic education companies, and specialist visiting teachers
- third-party service providers that provide educational support and services to MACS' schools/services, including visiting teachers and specialist visitors, consultants, counsellors, sport coaches, providers of camps and excursions
- third parties providing services in relation to school/service improvement surveys or pastoral care services to schools and school systems including the Integrated Catholic Online Network (ICON) system and the Enterprise Content Management system
- another school to facilitate the transfer of a student
- recipients of MACS and/or school/service publications, such as newsletters and magazines
- alumni and parent/friends support groups
- anyone who MACS is required or authorised to disclose the information to by law, including under child protection and information-sharing laws.

MACS 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. These online service providers may be located in or outside Australia.

MACS makes reasonable efforts to be satisfied about the protection and security of any personal information processed and stored in the cloud. MACS will endeavour to ensure they will be located in countries which have substantially similar protections as the Australian Privacy Principles.

Sending and storing information overseas

MACS will not send personal information about an individual outside Australia without:

- your consent (in some cases this consent will be implied)
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

MACS is likely to only disclose personal information to overseas recipients if it is directly relevant to an overseas trip or excursion being undertaken by students and then only with the consent of the individual concerned (in which consent may be implied). It is not practicable to specify in this policy the countries in which the recipients of such information are likely to be located.

How does MACS treat sensitive information?

Sensitive information includes a person's racial or ethnic origin, political opinion, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or criminal record. MACS will only collect information of this nature if it is reasonably necessary for its functions and activities and you consent, or it is lawfully authorised or obliged to collect such information.

Sensitive information will be used and disclosed by MACS 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 allowed by law.

Failure to provide personal information to MACS

The main consequences for an individual if all or some of the personal information required by MACS is not provided to it, or cannot be collected, include:

- in relation to students and parents, MACS may not be able to fully consider and assess an application for enrolment or continue a student's enrolment, or it may not be able to provide the educational services that the student requires, including in relation to the student's wellbeing, or properly discharge its duty of care to the student if relevant health or medical information is not disclosed to MACS
- in relation to prospective employees, volunteers and contractors, MACS may not be able to fully assess the person's suitability for employment or engagement by MACS or be able to continue to do so.

Management and security of personal information

MACS staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals.

MACS has various methods in place to protect the personal information it holds from misuse, interference, loss, unauthorised access, modification or disclosure. These include, but are not limited to, locked storage of paper records, access protocols, password-protected computer records, high-level security measures and encryption.

MACS will also respond to any incidents which may affect the security of the personal information it holds. If MACS assesses that anyone whose information is affected by such a breach is likely to suffer serious harm as a result, we will notify them and the Office of the Australian Information Commissioner of the breach.

If you believe any of your personal information has been compromised by MACS, please let MACS know immediately.

Access and correction of personal information

Under the *Australian Privacy Act 1988* (Cth) and the *Health Records Act 2001* (Vic.), an individual has the right to obtain access to any personal information which MACS holds about them and may request correction of the information. There are some exceptions to the access right set out in the applicable legislation. 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 update any personal information MACS holds about you or your child, please refer to the contact details below.

MACS may require you to verify your identity and specify what information you are seeking. MACS 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, MACS will advise the likely cost in advance. If MACS cannot provide you with access to that information, you will be provided with a written notice explaining the reasons for refusal.

Consent and rights of access to the personal information of students

MACS respects every parent's right to make decisions concerning their child's education.

Generally, MACS will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. MACS 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.

While parents may seek access to personal information held by MACS about them or their child by contacting the MACS Privacy Officer (see contact details below), 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 MACS' duty of care to a staff member or student.

MACS may, at its discretion, on the request of a student, grant that student access to information held by MACS about them, or allow a student to give or withhold consent to the use of their personal information, independently of their parents. Normally, this would only be done when the maturity of the student and/or the student's personal circumstances warrant it.

What happens when we no longer need your information?

We will only keep your personal information for as long as needed for our purposes, or to comply with a law that requires some information to be retained for certain periods of time. When we no longer require your information, we'll ensure that your information is destroyed or de-identified.

However, MACS will retain certain records as part of an archival record of its schools/services, its former students, staff and the school/service communities for historic purposes.

Exception in relation to employee records

Under the *Australian Privacy Act 1988* (Cth), the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to MACS' treatment of employee records unless required by law or organisational policy where the treatment is directly related to a current or former employment relationship between MACS and the employee. MACS handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001* (Vic.).

Complaints

If you wish to make a complaint against MACS relating to an alleged breach of the Australian Privacy Principles, please contact the MACS Privacy Officer:

MACS Privacy Officer
Melbourne Archdiocese Catholic Schools Ltd
PO Box 3
EAST MELBOURNE 8002
Phone 03 9267 0228
Email: privacy@macs.vic.edu.au.

MACS will investigate any complaint and notify you of a decision in relation to your complaint as soon as practicable after the decision has been made.

If you are not satisfied with MACS' decision, you may make a complaint to the Office of the Australian Information Commissioner (OAIC) whose contact details are:

GPO Box 5218, Sydney, NSW 2001
Telephone: 1300 363 992
<https://www.oaic.gov.au>

Responsible director	Director, Governance and Strategy
Policy owner	General Manager, Legal and Professional Standards
Approving authority	MACS Executive Director
Assigned board committee	Child Safety and Risk Management Board Committee
Approval date	April 2022
Risk Rating	High
Date of next review	April 2024

POLICY DATABASE INFORMATION	
Assigned Framework	Governance
Related documents	
Superseded documents	MACS Privacy Policy – v1.0 - 2021
New policy	