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Mary MacKillop College  
Kensington

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Version: Final  
Approved by: College Board  
Date of approval: 4 December 2014

## Mary MacKillop Privacy Policy



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## 1. Purpose

Mary MacKillop College (hereinafter referred to as the College) is bound by the Australian Privacy Principles contained in the Privacy Act 1988 (Cth). This statement sets out how the College uses and manages the personal information provided to or collected by it.

## 2. Scope

The provisions of this statement apply to Mary MacKillop College owned, operated and administered by the Sisters of St Joseph Mary MacKillop College Limited.

## 3. Statement

### 3.1 The personal information the College collects and how the College collects it

The type of information the College 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 College;
- job applicants, staff members, volunteers and contractors; and
- other people who come into contact with the College.

Personal Information provided by an individual: The College 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 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 college.

Exception in relation to employee records: Under the Privacy Act the Australian Privacy Principles do not apply to an employee record. As a result, this privacy statement does not apply to the College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the College and the employee.

### 3.2 College use of personal information provided

The 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 to which an individual has consented.

Students and Parents: In relation to personal information of students and Parents, the College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying the needs of Parents, the needs of the student and the needs of the College throughout the whole period the student is enrolled at the College.

The purposes for which the College 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;
- looking after students' educational, social, spiritual 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.

In some cases where the College requests personal information about a student or Parent, if the information requested is not obtained, 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.

Job applicants, staff members and contractors: In relation to personal information of job applicants, staff members and contractors, the 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 the 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;
- seeking funds and marketing for the College; and
- to satisfy the College's legal obligations, for example, in relation to child protection legislation.

Volunteers: The College also obtains personal information about volunteers who assist the College in their functions or conduct associated activities, such as alumni associations, to enable the College and the volunteers to work together.

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 be a quality learning environment in which both students and staff thrive. Personal information held by the College may be disclosed to an organisation that assists in the College's fundraising, for example, the College's Foundation or alumni organisation. 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.

### 3.3 Disclosure and storage of personal information

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

- another school;
- government departments;
- the College's local parish;
- medical practitioners;
- people providing services to the College, including specialist visiting teachers, counsellors and sports coaches;
- recipients of the College or CEO publications, such as newsletters and magazines;
- Parents;
- anyone an individual authorises the College to disclose information to; and
- anyone to whom the College is required to disclose the information by law.

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 individual (in some cases this consent will be implied); or



- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.
- The College may also store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.

### 3.4 Treatment of sensitive information

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

### 3.5 Management and security of personal information

The College's staff are required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals.

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.

### 3.6 Access and correction of personal information

Under the Commonwealth Privacy Act, an individual has the right to obtain access to any personal information which the College holds about them and to advise the College 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. There are some exceptions to these rights set out in the applicable legislation.

To make a request to access or update any personal information the College holds about an individual or their child, please contact the College's Principal in writing.

The College may require an individual to verify their identity and specify what information they require. The College may charge a fee to cover the cost of verifying an application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the College will advise the likely cost in advance. If the College cannot provide an individual with access to that information, the College will provide a written notice explaining the reasons for refusal.

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

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

As mentioned above, parents may seek access to personal information held by the College about them or their child by contacting the College 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 the College's duty of care to the student.



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 so warranted.

#### 4. Enquiries

For further information about the way the College manages the personal information it holds please contact the College Principal.

If an individual wishes to complain that they believe the College has breached the Australian Privacy Principles, they should contact the College Principal. The College will investigate any complaint and will notify the complainant of a decision in relation to their complaint as soon as is practicable after it has been made.

Further, an individual may make a complaint to the Office of the Australian Information Commissioner (OAIC). For information about how to make such a complaint, please refer to the OAIC website <http://www.oaic.gov.au/>.

#### 5. Definitions

**the College** includes Mary MacKillop College as well as sites on which staff or others engaged in duties or activities such as excursions or conference attendance sanctioned by the College.

**Staff** means staff employed by Mary MacKillop College.

**Parents** means parents and/or guardians

**Personal information** is 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 in a material form or not. It includes all personal information regardless of its source.

**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.

#### 6. Related Policies, Procedures and Resources

This Statement is to be read in conjunction with, and is additional to, any other relevant South Australian Commission for Catholic Schools (SACCS), College or CEO policy, procedure or support document including:

- SACCS Privacy Policy (2014) available at [CESA privacy collection](#)
- Privacy collection notices available at [CESA privacy collection](#)



## 7. Resources

Privacy Amendment (Enhancing Privacy Protection) Bill 2012

[www.comlaw.gov.au/privacy\\_amendments](http://www.comlaw.gov.au/privacy_amendments)

National Catholic Education Commission and National Council of Independent Schools' Association Privacy Compliance Manual April 2014

[CESA privacy collection](#)

Office of the Federal Privacy Commissioner

[www.privacy.gov.au](http://www.privacy.gov.au)

Privacy Collection – privacy policy, statements and collection notice templates for schools, privacy information for enrolments, employees, volunteers, contractors, etc.

[CESA privacy collection](#)



## Mary MacKillop Privacy Policy Employment Collection Notice

1. In applying for this position you will be providing Mary MacKillop College with personal information. We can be contacted at 10 High Street Kensington SA 5068 or (08) 8333 6300.

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 College's Privacy Policy contains details of how you may complain about a breach of the APPs or how you may seek access to personal information collected about you. However, there may be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others.

4. We will not usually disclose this information to a third party without your specific consent. We may, if requested by the organisations, disclose this kind of information to the following types of organisations:

- . Other Catholic schools who may be recruiting staff
- . Catholic Education Offices for the purpose of informing Catholic schools of persons seeking employment

If you do not wish the information to be disclosed to any of these organisations, could you please let us know in writing as soon as possible using the above contact details.

5. We usually disclose your personal information as a matter of routine to the Catholic Education Office for good character screening purposes.

6. If you are a teacher, we usually disclose your personal information to the Teacher Registration Board for the purpose of ascertaining that you are a registered teacher.

7. It is our policy to collect information from any previous employers in Catholic education. If we wish to contact previous Catholic education employers not named by you as a referee, we will contact you specifically to obtain your consent. If you decline consent, this may prejudice your application.

8. We are required to conduct a criminal record check and collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws. We may also collect personal information about you in accordance with these laws.

9. The School may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.

10. 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, that they can access that information if they wish and that the College does not usually disclose the information to third parties.



## Mary MacKillop Privacy Policy Collection Notice – Existing Families

1. The College collects personal information, including sensitive information about students and parents or guardians before and during the course of a student's enrolment at the College. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the College to provide schooling to the student and to enable them to take part in all the activities of the College.
2. Some of the information we collect is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care.
3. Laws governing or relating to the operation of a College 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 under the Privacy Act. We may ask you to provide medical reports about students from time to time.
5. The College from time to time discloses personal and sensitive information to others for administrative and educational purposes, including to facilitate the transfer of a student to another school. This includes to other Colleges, government departments, the Catholic Education Office, the South Australian Commission for Catholic Schools, the College's local diocese and the parish, schools within other Dioceses, medical practitioners, and people providing services to the College, including specialist visiting teachers, sports coaches, volunteers and counsellors.
6. Personal information collected from students is regularly disclosed to their parents or guardians.
7. In situations where parents are separated, it is the policy of the College to release College reports to mother and father of the student upon request. It is also our policy to allow both mother and father to attend parent/teacher interview upon request. However, the College will abide by any court orders which prevent the release of such information.
8. The College may store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.
9. In the event of default of payment of fees, the College may refer the default to a debt collection agency. If this occurs, personal information will be disclosed to the agency and you will be responsible for the collection costs.
10. The College's Privacy Policy sets out how parents or students may seek access to personal information collected about them. However, there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the College's duty of care to the student, or where students have provided information in confidence.
11. The College Privacy Policy also sets out how you may complain about a breach of privacy and how the College will deal with such a complaint.





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12. As you may know the College from time to time engages 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 College'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.

13. On occasions information such as academic and sporting achievements, student activities and similar news is published in College newsletters and magazines and on our website. Photographs of student activities such as sporting events, College camps and College excursions may be taken for publication in College newsletters and magazines and on our website. The College will obtain separate permissions from the students' parent or guardian prior to publication. We may include students' and students' parents' contact details in a class list and College directory.

14. If you provide the College 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 College and why, that they can access that information if they wish and that the College does not usually disclose this information to third parties.



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## Mary MacKillop Privacy Collection Notice – Old Scholars Association

1. Mary MacKillop Old Scholars' Association may collect personal information about you from time to time. The primary purpose of collecting this information is to enable us to inform you about our activities and the activities of Mary MacKillop College and to keep alumni members informed about other members.
2. We must have the information referred to above to enable us to continue your membership of the Mary MacKillop College Old Scholars' Association.
3. As you know, from time to time we engage in fundraising activities. The information received from you may be used to make an appeal to you. It may also be used by Mary MacKillop College to assist in its fundraising activities. If you do not agree to this, please advise us now.
4. The Mary MacKillop College Old Scholars' Association may publish details about you in the Old Scholars Newsletter and the College's website. If you do not agree to this you must advise us now.
5. The School's Privacy Policy contains details of how you may seek access to personal information collected about you or how you may complain about a breach of the APPs.
6. The School may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
7. If you provide personal information to us about other people, we encourage you to inform them of the above matters.



## Mary MacKillop Privacy Prospective volunteers and contractors

1. In applying to provide services to the College, you will be providing Mary MacKillop College with personal information. We can be contacted at 10 High Street Kensington SA 5068 or (08) 8333 6300.
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 for the period of your engagement by/volunteer work in the College.
4. The College's Privacy Policy sets out how you may seek access to your personal information and how you may complain about a breach of the APPs.
5. We will not disclose this information to a third party without your consent.
6. We usually disclose your personal information as a matter of routine to the Catholic Education Office for good character screening purposes.
7. We are required to conduct a criminal record check, collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection law. We may also collect personal information about you in accordance with these laws.
8. The College may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
9. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the College and why, that they can access that information if they wish and that the College does not usually disclose the information to third parties.

### 8. Revision Record

The following people are responsible for providing a point of contact for the Privacy Statement.

<b>Policy Leader</b>	College Principal – Kath McGuigan
<b>Approval Authority</b>	Mary MacKillop College Board of Directors
<b>Review Date</b>	November 2014
<b>Replaces Version</b>	2012