

MOOROOLBARK GRAMMAR

Privacy Policy



Help for non-English speakers

If you need help to understand the information in this policy, please contact the school office.

Phone: 03 9727 3032

Email: admissions@mooroolbarkgrammar.vic.edu.au

RATIONALE

Mooroolbark Grammar values your privacy and is committed to protecting information that we collect.

PURPOSE

This policy explains how Mooroolbark Grammar collects and manages personal and health information.

All staff including contractors, service providers and volunteers of Mooroolbark Grammar, must comply with the Australian Privacy Principles ('APP') contained in the Commonwealth Privacy Act 1988. Mooroolbark Grammar will collect, use and retain personal information, including any sensitive information, in accordance with those Principles. In relation to health records, Mooroolbark Grammar is also bound by the Health Records Act 2001 (Vic) ('Health Records Act').

DEFINITIONS

[Australian Privacy Principles](#) (APPs) replaced the National Privacy Principles and Information Privacy Principles and are considered the cornerstone of the privacy protection framework established by the Privacy Act 1988.

Personal information is recorded information or opinion, whether true or not, about a person whose identity is apparent, or can reasonably be ascertained, from the information. The information or opinion can be recorded in any form. A person's name, address, phone number and date of birth (age) are all examples of personal information.

Sensitive information is a type of personal information with stronger legal protections due to the risk of discrimination. It includes information or opinion about an identifiable person's racial or ethnic origin, political opinions or affiliations, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, criminal record, or membership of a trade union.

Health information is information or opinion about an identifiable person's physical, mental or psychological health or disability. Health information is a type of personal information which, because of its sensitivity, also has different and stronger legal protections.

Health information is regulated in Victoria under the [Health Records Act 2001](#) (Vic).

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Note: De-identified information about individuals can become personal information if it is re-identified or if it is at high risk of being re-identified, for example, if it is released to the public or is a small sample size.

WHAT INFORMATION DO WE COLLECT?

Mooroolbark Grammar collects the following types of information.

- Information about students and their families provided by students, their families and others – for example, contact and enrolment details, health information, and parenting and access arrangements.
- Information about job applicants, staff, volunteers and visitors provided by job applicants, staff members, volunteers, visitors and others – for example, qualifications, working with children checks, teacher registration and banking details.
- Information about the activities of students, staff and families if they are on school grounds (for example captured through CCTV) or using school systems (such as school networks or school-acquired software).

HOW DO WE COLLECT THIS INFORMATION?

Mooroolbark Grammar collects information in a number of ways, including:

- in person and over the phone: from students and their families, staff, volunteers, visitors, job applicants and others
- from electronic and paper documentation: such as job applications, emails, invoices, letters, and forms (such as enrolment, excursion, medical, specialist or consent forms)
- through school websites and school-controlled social media
- through online tools: such as apps and other software used by us
- through any CCTV cameras located at Mooroolbark Grammar
- through photographs, film and other recordings
- through polls, surveys and questionnaires, and
- in some cases, through authorised information sharing arrangements with other services.

Collection notices

Mooroolbark Grammar provides families with a privacy notice on enrolment to communicate:

- the reason for collecting information about families and students
- how the information is used and disclosed
- how to access, update and correct the information.

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We may also send out ad hoc collection notices during the year, for example if we are adopting new technologies or processes.

Consent processes

Consent is when someone voluntarily agrees for their information to be collected, used and/or shared within or outside the school.

Consent, when required, is sought in different ways and can be verbal, online or in writing, depending on the circumstances. There are many consent processes that may be applied during the school year.

Unsolicited information about people

Mooroolbark Grammar may receive information about you that they have taken no active steps to collect. If permitted or required by law, we may keep records of this information. If not, we will destroy or de-identify the information when practicable, lawful and reasonable to do so.

WHY DO WE COLLECT THIS INFORMATION?

Primary purposes of collecting information about students and their families

Mooroolbark Grammar collects information about students and their families when necessary to:

- educate students
- support students' social and emotional wellbeing, and health
- fulfil legal requirements, including to:
 - take reasonable steps to reduce the risk of reasonably foreseeable harm to students, staff and visitors (duty of care)
 - make reasonable adjustments for students with disabilities (anti-discrimination law)
 - ensure, as far as is reasonably practicable, the health and safety of people in school workplaces (occupational health and safety law)
- enable us to:
 - communicate with parents about students' schooling matters and celebrate the efforts and achievements of students
 - maintain the good order and management of Mooroolbark Grammar
 - seek donations and marketing for the school
- enable the Board to:
 - ensure the effective management, resourcing and administration of Mooroolbark Grammar
 - fulfil statutory functions and duties

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- plan, fund, monitor, regulate and evaluate Mooroolbark Grammar's policies, services and functions
- comply with reporting requirements
- investigate incidents at Mooroolbark Grammar and/or respond to any legal claims against the Board, including Mooroolbark Grammar.

Primary purposes of collecting information about others

Mooroolbark Grammar collects information about staff, volunteers and job applicants:

- to assess applicants' suitability for employment or volunteering
- to administer employment or volunteer placement
- for insurance purposes, including public liability and WorkCover
- to fulfil various legal obligations, including employment and contractual obligations, occupational health and safety law and to investigate incidents
- to seek donations and marketing for the school
- to respond to legal claims against Mooroolbark Grammar/the Board.

WHEN DO WE USE OR DISCLOSE INFORMATION?

Using and/or disclosing information refers to how it is utilised for a specific purpose, and how it is shared and/or made available to other individuals or organisations.

Mooroolbark Grammar uses or discloses information consistent with Australian Privacy Principles and other associated legislation, including as follows:

- for a primary purpose – as defined above
- for a related secondary purpose that is reasonably to be expected – for example, to enable the school council to fulfil its objectives, functions and powers
- with notice and/or consent – for example, consent provided for the use and disclosure of enrolment details for school transfers (the information collected will not be disclosed beyond schools without consent, unless such disclosure is lawful)
- when Mooroolbark Grammar reasonably believes it is necessary to lessen or prevent a serious threat to:
 - a person's life, health, safety or welfare
 - the public's health, safety or welfare
- when required or authorised by law – including as a result of anti-discrimination law, occupational health and safety law, child wellbeing and safety law, family violence law, or reporting obligations to agencies such as the Department of Health and the Department of

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Families, Fairness and Housing and complying with tribunal or court orders, subpoenas, summonses or search warrants, and in some circumstances to meet our duty of care

- when required under the Child and Family Violence Information Sharing Schemes, with other Victorian schools and Victorian services to promote the wellbeing or safety of children, or to assess or manage family violence risk
- to investigate or report suspected unlawful activity, or when reasonably necessary for a specified law enforcement purpose, including the prevention or investigation of a criminal offence or seriously improper conduct, by or on behalf of a law enforcement agency
- as de-identified information, for research or school statistics purposes, or to inform board policy and strategy
- marketing and fundraising: Mooroolbark Grammar treats marketing and seeking donations for the future growth and development of the school as an important part of ensuring that the school continues to provide a quality learning environment in which both students and staff thrive. Personal information held by the School may be disclosed to organisations that assist in the School's fundraising, for example, the School's Foundation or Past Students Association 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.
- to establish or respond to a legal claim.

UNIQUE IDENTIFIERS

Mooroolbark Grammar assigns a unique identifier to every school student in our student records system to enable us to carry out our functions effectively. In addition, Mooroolbark Grammar uses a unique [Victorian Student Number](#) (VSN) assigned to each student by the Victorian Curriculum and Assessment Authority (VCAA) when they enrol in a Victorian government school, independent or Catholic school. The use of the VSN is regulated and can only be used as stipulated by legislation.

STUDENT TRANSFERS

To and from Victorian non-government schools including Catholic schools

When a student has been accepted at, and is transferring to Mooroolbark Grammar or from Mooroolbark Grammar to a non-government school in Victoria, the current school provides a transfer note from the student records system to the new school, with parental consent.

Additionally, the current school may share information with the new school to promote the wellbeing or safety of the student or to assess or manage family violence risk pursuant to the Information Sharing Schemes.

To and from interstate schools

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When a student has been accepted at and is transferring to or from a school outside Victoria, the current school provides a transfer note to the new school, with parental consent.

NAPLAN RESULTS

NAPLAN is the national assessment for students in years 3, 5, 7 and 9, in reading, writing, language and numeracy.

Mooroolbark Grammar uses NAPLAN data to evaluate our educational programs by analysing results for students who attended our school.

Victorian government schools can access student NAPLAN results from the student records system. When a student transfers to or from an independent, Catholic or interstate school, with parental consent, the school where the assessment was undertaken can provide a student's NAPLAN results to the new school.

RESPONDING TO COMPLAINTS

On occasion, Mooroolbark Grammar may receive complaints from parents and others. We will use and disclose information as considered appropriate to respond to these complaints (including responding to complaints made to external organisations or agencies). More information about the process can be found in the *Complaints and Grievances Policy*.

ACCESSING INFORMATION

All individuals, or their authorised representative(s), have a right to access, update and correct information that Mooroolbark Grammar holds about them, providing access to information or records doesn't increase a risk to the safety of a child or children.

Access to student information

Mooroolbark Grammar only provides school reports and ordinary school communications to students, parents, carers or others who have a legal right to that information.

In some circumstances, an authorised representative may not be entitled to information about the student. These circumstances include when granting access would not be in the student's best interests or would breach our duty of care to the student, would be contrary to a mature minor student's wishes or would unreasonably impact on the privacy of another person.

Additionally, the Child and Family Violence Information Sharing Schemes allow prescribed organisations to share confidential information with each other to promote the wellbeing or safety of children, or to assess or manage family violence risk.

Access to staff information

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 Policy does not apply to Mooroolbark Grammar's treatment of an employee record, where the treatment is directly related to a current or

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former employment relationship between Mooroolbark Grammar and the employee. Mooroolbark Grammar handles staff health records in accordance with the Health Privacy Principles in the Health Records Act.

Storing and securing information

Mooroolbark Grammar takes reasonable steps to protect information from misuse and loss, and from unauthorised access, modification and disclosure. We store all paper and electronic records securely. All school records are formally disposed of, or transferred to the State Archives (Public Record Office Victoria), as required by the relevant Public Record Office Victoria record Retention and Disposal Authorities.

Notifiable Data Breaches

In accordance with the Privacy Act, Mooroolbark Grammar is required to notify individuals should their personal information (held by Mooroolbark Grammar) be involved in an eligible data breach.

Sending and storing information overseas

Mooroolbark Grammar may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, the 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); or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

Mooroolbark Grammar may use online or 'cloud' service providers to store personal information and to provide services to Mooroolbark Grammar 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-based service provider which may be situated outside Australia.

As an example of a cloud-based service, Scholastic Learning Zone for Lexile reading assessment and book activities. Lexile Hub promotes matching readers with texts. To access this service, Mooroolbark Grammar must provide limited, personal student information to Scholastic to enable user authentication.

Updating your information

It is important that the information we hold about students, families and staff is accurate, complete and up to date. Please contact Mooroolbark Grammar's office when information you have provided has changed.

POLICY REVIEW AND APPROVAL

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This policy will be reviewed annually, or earlier as required following any changes in regulations or requirements.

Policy last reviewed	October 2024
Approved by	Principal October 2024
Approved by	School Governing Board October 2024
Next scheduled review date	October 2025