



# Foundation Office

For the Whole of Their Life

## PRIVACY POLICY

### **POLICY SCOPE**

This Privacy Policy applies to St Philip's Christian Education Foundation Ltd and the schools and preschools which it operates (SPCEF Ltd, we, us, our). This Policy sets out how SPCEF Ltd aims to protect the privacy of your personal information, your rights in relation to your personal information managed by SPCEF Ltd and the way SPCEF Ltd collects, holds, uses and discloses your personal information. It applies to all personal information provided to or collected by SPCEF Ltd.

In handling your personal information, SPCEF Ltd complies with the 13 Australian Privacy Principles contained in the Privacy Act 1988 (Cth) (Privacy Act) and all other relevant Australian privacy laws. In relation to health records, SPCEF Ltd is also bound by the NSW Health Privacy Principles contained in the Health Records and Information Privacy Act 2002 (NSW).

SPCEF Ltd may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to schools' operations and practices and to make sure it remains appropriate to the changing school environment.

### **DEFINITIONS**

**Personal Information:** means information or an opinion about an identified, or reasonably identifiable, individual.

**Sensitive Information:** generally, means a special subset of personal information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices, or criminal record, and health information or biometric information about an individual.

**Health Information:** generally, means a special subset of personal information about an individual's health including an illness, disability or injury, information about an individual's wishes regarding the provision of health services, genetic or biometric information of an individual, an individual's wishes regarding organ donation or any personal information collected, in the course, of providing a health service.

### **WHAT KINDS OF PERSONAL INFORMATION DOES SPCEF Ltd COLLECT AND HOLD?**

SPCEF Ltd does not collect personal information unless it is reasonably necessary for one or more of our activities and functions. In the case of sensitive information, we do not collect sensitive information unless it is reasonably necessary for one of our activities or functions and you consent to the collection (in some circumstances consent may be implied).

Generally, the type of personal information we collect and hold, including health information and other sensitive information, includes information about:

- (a) students and parents and/or guardians (**parents**) before, during and after the course of a student's enrolment with SPCEF Ltd;
- (b) job applicants, staff members, volunteers and contractors; and
- (c) other people who come into contact with SPCEF Ltd.

The kinds of personal information, including sensitive and health information, collected by SPCEF Ltd may include (but is not limited to):

57 High St | PO Box 87, Waratah NSW 2298 | Ph 02 4960 6600  
Fax 02 4960 6690 | foundation@spcc.nsw.edu.au | [www.spcc.nsw.edu.au](http://www.spcc.nsw.edu.au)

WARATAH PORT STEPHENS GOSFORD CESSNOCK DALE DYPS

CRICOS Code 0553M

- (a) name, address, phone number, email address, language spoken at home;
- (b) credit card information and other relevant information for payment of fees;
- (c) a student's name, address, phone number, email address;
- (d) enrolment information for a student;
- (e) academic progress information/educational assessments for a student;
- (f) photographic ID of a student or staff member;
- (g) fee allowance/Scholarship information for a student;
- (h) visa information of a student or staff member (where applicable);
- (i) medical history and health information regarding a student;
- (j) information about vaccination status, including vaccination history and/or evidence of medical contraindication if relevant;
- (k) disability support services regarding a student;
- (l) details of any complaints made involving a student either by the student's parents or third parties;
- (m) photos and media recordings which may include images of a student or a parent attending a school event;
- (n) details of who to call in the event of an incident/emergency including telephone numbers of such persons;
- (o) employment information including qualifications and previous experience;
- (p) work health and safety information such as pre-existing injuries which may be relevant to a staff member's employment;
- (q) performance review documents for a staff member;
- (r) misconduct and disciplinary information with respect to either a staff member or a student;
- (s) alumni information for students and teachers or other staff members of the school;
- (t) staff and student email address and emails; and
- (u) religious affiliation of parents, students and staff members.

**Exception in relation to employee records:** Under the Privacy Act and Health Records and Information Privacy Act 2002 (NSW), the Australian Privacy Principles and Health Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to SPCEF Ltd's use, disclosure, or handling of an employee record, where the use, disclosure or handling is directly related to a current or former employment relationship between SPCEF Ltd and the relevant staff member.

Please note, the employee records exemption will only apply once the personal information about the employee has been collected by SPCEF Ltd.

#### **HOW DO WE COLLECT PERSONAL INFORMATION?**

**Personal Information you provide:** SPCEF Ltd will generally collect your personal information by way of completed forms, face-to-face meetings and interviews, emails, video conferences and telephone calls.

We may also collect your personal information through technology and in the online environment. Examples of such collection include: CCTV footage recorded by cameras on school sites; the use of Cookies on the school's website and school owned electronic devices; audits of and data monitoring software installed on school owned electronic devices; personal information submitted directly through the school's website or through social media accounts operated by the school.

It should be specifically noted that SPCEF Ltd monitors all emails sent and received through the SPCEF Ltd email system. SPCEF Ltd also undertakes audits and data monitoring of software installed on school owned electronic devices such as computers. Personal information may be collected via this surveillance.

SPCEF Ltd collects photographs of staff members and students for use on ID cards for identification purposes. SPCEF Ltd may also collect media, images or recordings of staff members, students or the broader community from time to time at school or community events.

SPCEF Ltd will take such steps as are reasonable in the circumstances to notify you when it is collecting your personal information and about your rights in respect of that personal information.

SPCEF Ltd may also generate personal information from other data which it holds – such as the creation of audit logs, incident reports, academic records for students and disciplinary proceedings for staff members or students.

**Personal Information provided by third parties:**

We may collect your personal information from third parties where you have agreed with them that your information may be disclosed or where it is unreasonable or impracticable to collect the information directly from you.

The following are some examples of personal information we may collect from third parties in the above circumstances:

- (a) a report provided by a medical professional;
- (b) a reference from another school; or
- (c) information from an authorised agent representing an international student.

From time to time SPCEF Ltd may collect media, images or recordings of students, parents or the public at school or community events which have initially been created or collected by students or other persons. SPCEF Ltd may also collect personal information from generally available publications – such as clippings of newspaper articles relevant to school functions and activities.

There may be occasions when SPCEF Ltd collects your personal information from other sources such as from:

- (a) an entity you represent (including but not limited to your employer or a company of which you are a director), for example where necessary for that entity to supply products or services to SPCEF Ltd;
- (b) an information services provider;
- (c) a publicly maintained record or other publicly available sources of information including social media and similar websites, such as LinkedIn; and
- (d) if for recruitment purposes, an external recruitment, labour hire, or background screening services provider or third parties with whom you have previously worked.

**FOR WHAT PURPOSES WILL WE USE THE PERSONAL INFORMATION WE COLLECT?**

SPCEF Ltd collects, holds, uses and discloses your personal information where it is reasonable necessary for the primary purpose of the operation of our schools, and for such other secondary purposes that are related to the primary purpose and reasonably expected by you, or to which you have consented (in some circumstances consent may be implied).

Your sensitive information held by SPCEF Ltd will be used and disclosed only for the purpose for which it was collected or a **directly related** secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

We collect, hold, use and disclose your personal information for the following primary purposes:

**Students and Parents:**

- (a) to allow SPCEF Ltd to educate students in a Christian environment or, where relevant, provide early childhood care in a Christian environment. This requires us to know personal information, including sensitive information, about parents and students;
- (b) to communicate with parents about matters related to their child's schooling through correspondence, newsletters and magazines;
- (c) school administration including, without limitation, collection of school enrolment fees;
- (d) for pastoral care including, without limitation, caring for student's educational, social, spiritual and medical wellbeing;
- (e) discipline of students where we consider it necessary;
- (f) seeking donations;
- (g) marketing and promotion of our schools and SPCEF Ltd;
- (h) insurance purposes;
- (i) to comply with our legal obligations, including public health and work health and safety laws;
- (j) to comply with our policies and procedures;
- (k) research and development of programs and other school facilities; and
- (l) to allow SPCEF Ltd to discharge our duty of care to students.

Laws governing or relating to the operation of a school require certain information to be collected and disclosed by SPCEF Ltd, such as the Education Act 1990 (NSW), the Public Health Act 2010 (NSW) and the various child protection laws.

In some cases, where SPCEF Ltd requests personal information about a student or parent, if the information requested is not obtained, SPCEF Ltd 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, employees and contractors:**

- (a) to administer a person's employment or contract, as the case may be including, without limitation, paying staff members and contractors, managing employee entitlements and giving directions and supervision to staff members and contractors;
- (b) to interview applicants for jobs or contractors for engagement;
- (c) for insurance purposes;
- (d) performance management of staff members and contractors and disciplinary proceedings where relevant;
- (e) seeking donations;
- (f) marketing and promotion of our schools and SPCEF Ltd;
- (g) to comply with SPCEF Ltd's legal obligations, such as child protection laws and public health and work health and safety laws;
- (h) to comply with our policies and procedures;
- (i) research and development of programs and other school facilities; and
- (j) to allow the school to discharge our duty of care to students, staff members, contractors or other third parties.

**Volunteers:**

SPCEF Ltd also obtains personal information about volunteers who assist SPCEF Ltd in our functions or conduct associated activities, such as alumni associations. SPCEF Ltd collects this information for the following purposes:

- (a) to communicate with the volunteers about their functions or activities and allow SPCEF Ltd and the volunteers to work together effectively;
- (b) for insurance purposes;
- (c) seeking donations;
- (d) to comply with SPCEF Ltd's legal obligations, such as child protection laws and public health and work health and safety laws;
- (e) to comply with our policies and procedures;
- (f) to allow SPCEF Ltd to discharge our duty of care to students, staff members, contractors or other third parties;
- (g) training and education of volunteers to allow them to effectively undertake their tasks; and
- (h) marketing and promotion of our schools and SPCEF Ltd.

**Marketing and fundraising:**

SPCEF Ltd treats marketing and seeking donations for the future growth and development of our schools and preschools as an important part of ensuring that we continue to provide a quality learning environment in which both students and staff members thrive. SPCEF Ltd may collect, hold, use and disclose personal information in order to contact interested persons or entities for marketing and fundraising purposes.

Personal information held by SPCEF Ltd may be disclosed to an organisation that assists in fundraising on behalf of SPCEF Ltd, including for example, SPCEF Ltd's alumni organisation, PTF associations and S.P.C.C Ltd. On occasions, personal information may be disclosed to external fundraising organisations solely for the purpose of providing fundraising activities to SPCEF Ltd. SPCEF Ltd will not disclose your personal information to third parties for their own marketing purposes without your consent.

Parents, staff members, 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. You may at any time request not to receive marketing materials and opt-out of receiving such communications by contacting SPCEF Ltd at the details provided in paragraph 11 below.

### **Use of media, images and recordings**

As mentioned above, the personal information collected by SPCEF Ltd may include media, images and recordings. SPCEF Ltd may from time to time use such images and recordings in school newsletters, magazines and on our intranet. The enrolment pack for new students and other collection notices applicable to staff members, volunteers and contractors contain a consent form consenting to this use. You should contact SPCEF Ltd if you have any concerns regarding this use. SPCEF Ltd will obtain separate permission from the individual (or parents in the case of students) if SPCEF Ltd wants to use these images or recordings in promotional material or otherwise make it available to the public, such as on the internet.

### **Use of staff member and student names for email**

We use staff member and student names as the basis for email addresses in our internally hosted email system. This system is predominantly used for communication within SPCEF Ltd, however staff member email details are made available to third parties as necessary for staff members to perform their employment functions. Student email addresses are not published by SPCEF Ltd, however students may from time to time use their SPCEF Ltd email account to contact third parties which could result in disclosure of their name and enrolment with SPCEF Ltd to third parties. If you have any concerns about your name or your child's name being used as an email address, please contact SPCEF Ltd via the details provided below.

### **Sharing personal information between the different schools and preschools operated by SPCEF Ltd.**

Generally speaking, personal information which is collected by a particular school or preschool operated by SPCEF Ltd will be predominately used within that school. However, SPCEF Ltd maintains central information databases which consolidate all information, including personal information, collected through the various schools and preschools which it operates. Where it is within the primary or secondary purposes of collection, personal information collected by one school or preschool may be used by another school or preschool. One of the main examples of when this will occur is when a student transfers from preschool to school, or from one school to another.

### **TO WHOM MIGHT WE DISCLOSE YOUR PERSONAL INFORMATION?**

SPCEF Ltd may disclose personal information, including sensitive information, held about an individual to:

- (a) another school (i.e. a school not operated by SPCEF Ltd);
- (b) government departments and regulatory bodies;
- (c) medical practitioners or other allied health professionals;
- (d) people providing services to SPCEF Ltd, including specialist visiting teachers, counsellors and sports coaches;
- (e) recipients of school publications, such as newsletters and magazines;
- (f) parents;
- (g) anyone you authorise SPCEF Ltd to disclose information to;
- (h) anyone to whom we are required or authorised to disclose the information by law;
- (i) law enforcement agencies such as the police; and
- (j) other businesses or service providers which SPCEF Ltd engages to provide services to our schools, for example, IT service providers, lawyers, insurance providers or debt recovery organisations.

We will only make the above disclosures to third parties for the primary purpose, or a permitted secondary purpose as referred to in Section 5. SPCEF Ltd disclosures of your personal information to third parties are on a confidential basis and/or otherwise in accordance with law. We may also disclose your personal information with your consent or if disclosure is required or authorised by law.

### **Sending information overseas**

SPCEF Ltd may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with an IT service provider situated outside Australia or to facilitate a school exchange.

It is impracticable to list all countries in which recipients may be located. However, SPCEF Ltd is unlikely to disclose personal information to countries outside Australia.

Overseas recipients may have different privacy and data protection standards. However, we will not disclose

*personal information about an individual to an overseas recipient without at least one of the following applying:*

- (a) taking reasonable steps in the circumstances to ensure that the overseas recipient complies with the Australian Privacy Principles; or*
- (b) reasonably believing that the overseas recipient is subject to a law or binding scheme which provides substantially similar protection for personal information as the Australian Privacy Principles; or*
- (c) obtaining the consent of the individual (in some cases this consent will be implied); or*
- (d) the overseas disclosure is otherwise required or permitted by law.*

*If you have any queries or objections to such disclosures, please contact SPCEF Ltd on the details set out in paragraph 11.*

### **HOW DO WE HOLD AND STORE YOUR PERSONAL INFORMATION?**

*SPCEF Ltd and our staff members respect the confidentiality of students' and parents' personal information and the privacy of individuals. Accordingly, we comply with the following:*

- 1. We take steps as are reasonable in the circumstances to protect personal information we hold from misuse, interference and loss and from unauthorised access, modification or disclosure.*
- 2. Where we no longer need the information for a purpose described in this policy and we are not required by law to hold the information we take steps as are reasonable in the circumstances to destroy or de-identify the information.*

*SPCEF Ltd stores information via a number of different methods, including paper records, shared electronic files and web-based systems. We maintain a central student records database in electronic form, which is maintained at a secure off-site location and accessed by a private network. Other personal information from our internal systems (including financial information) is linked directly to our student record system. Personal information is also stored in our internally hosted email system and library systems.*

*SPCEF Ltd has put in place for each school steps to protect the personal information the school 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. Generally, access is only authorised to the extent necessary to allow personal information to be used or disclosed for the primary or secondary purposes of collection.*

*Personal information of particular students is also held by relevant teaching staff to the extent necessary for staff members to properly fulfil their functions. SPCEF Ltd provides training and support to our staff members on maintaining the security of personal information whilst in their possession.*

### **HOW YOU CAN ACCESS AND CORRECT YOUR PERSONAL INFORMATION**

*SPCEF Ltd takes steps reasonable in the circumstances to ensure personal information it holds is accurate, up-to-date, complete, relevant and not misleading.*

*Under the Privacy Act and the Health Records and Information Privacy Act 2002 (NSW) (with regard to health information), an individual generally has the right to obtain access to, and seek correction of, any personal information which SPCEF Ltd holds about them.*

*There are some exceptions to this right set out in the applicable Acts. Students will generally be able to access and update their personal information through their parents, but older students that we consider have sufficient maturity 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, correct or update any personal information SPCEF Ltd holds about you or your child, or you would like more information on our approach to privacy, please contact SPCEF Ltd via the details provided in paragraph 11 below.*

SPCEF Ltd will grant access to the extent required or authorized by the Privacy Act or other applicable privacy or health records legislation and take steps reasonable in the circumstances to correct personal information where necessary and appropriate.

To obtain access to your personal information SPCEF Ltd may require you to:

- (a) put your request in writing;
- (b) verify your identity to ensure that personal information is provided only to the correct individuals and that the privacy of others is protected; and
- (c) specify what information you require.

SPCEF Ltd 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, SPCEF Ltd 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.

SPCEF Ltd will endeavor to respond to your request to access or correct your personal information within 30 days from your request.

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

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

Generally, SPCEF Ltd will refer any requests for consent and notices in relation to the personal information of a student to the student's parent. SPCEF Ltd will treat consent given by parents as consent given on behalf of the student, and notice to parents will be treated as notice given to the student.

As mentioned above, parents may seek access to personal information held by SPCEF Ltd about them or their child by contacting SPCEF Ltd. However, there will be occasions when access is denied. Such occasions may include, amongst others:

- (a) where the student has specifically requested that the information not be disclosed;
- (b) where SPCEF Ltd is concerned that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or safety;
- (c) where release of the information would have an unreasonable impact on the privacy of others;
- (d) where the release may result in a breach of law or SPCEF Ltd's duty of care to a student; or
- (e) where giving access may prejudice enforcement related activities conducted by an enforcement body.

SPCEF Ltd may, at our discretion, on the request of a student grant that student access to information held by SPCEF Ltd 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 (as determined by SPCEF Ltd).

#### **COOKIES**

When accessing SPCEF Ltd's website, SPCEF Ltd uses 'cookies' which are small pieces of information sent from the website and stored by your browser on your computer's hard drive. Cookies that SPCEF Ltd uses monitor how our website is used, including the number of visitors to the website, the date and time of those visits, the number of pages viewed and navigation patterns.

This information is used by SPCEF Ltd to improve and tailor our website functionality and better understand how you interact with SPCEF Ltd, and to monitor aggregate usage and web traffic routing on our website. You can modify your browser setting by editing your browser options to reject SPCEF Ltd cookies or to prompt you before accepting a cookie. However, if a browser does not accept cookies or if you reject a cookie, some portions of SPCEF Ltd online services may not function properly.

#### **HOW TO MAKE AN ENQUIRY OR COMPLAINT**

If you would like further information about the way SPCEF Ltd manages the personal information it holds, or wish to make a complaint that SPCEF Ltd has breached the Australian Privacy Principles or other applicable privacy or

health records legislation, please contact SPCEF Ltd on the details provided in paragraph 11 below. SPCEF Ltd will investigate any complaint and will notify you of a decision in relation to your complaint as soon as is practicable after it has been made.

At all times, privacy complaints:

- (a) will be treated seriously;
- (b) will be dealt with promptly; and
- (c) will be dealt with in a confidential manner.

If you are dissatisfied with the outcome, or remain concerned, you may contact the Office of the Australian Information Commissioner via the details at <http://www.oaic.gov.au/privacy/privacy-complaints>

**CONTACT DETAILS:**

Any questions regarding this policy or the privacy practices of SPCEF Ltd should be directed to:

1. firstly, the Principal of the relevant SPCEF Ltd school;
2. secondly, the Executive Principal of SPCEF Ltd.

School Principal contact details:

Cessnock

The Principal

St. Philip's Christian College, Cessnock  
10 Lomas Lane,  
NULKABA NSW 2325

Gosford

The Principal

St. Philip's Christian College, Gosford  
PO Box 640  
GOSFORD NSW 2250

Waratah

The Principal

St. Philip's Christian College, Waratah  
PO Box 87  
WARATAH NSW 2289

Port Stephens

The Principal

St. Philip's Christian College, Port Stephens  
PO Box 8342  
SALAMANDER BAY NSW 2317

DALE

The Principal,

St. Philip's Christian College, DALE  
PO Box 173  
WARATAH NSW 2298

DYPS

The Principal,

St. Philip's Christian College, DALE YOUNG PARENTS  
PO Box 173  
WARATAH NSW 2298

SPCEF Ltd contact details:



*Privacy Officer  
c/o Executive Principal  
St. Philip's Christian Education Foundation Ltd  
PO Box 287  
WARATAH NSW 2289*