



Catholic Schools NSW Limited Privacy Policy

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1. Scope of Policy and Source of Obligation

This privacy policy outlines the circumstances in which Catholic Schools NSW (CSNSW) complies with the Australian Privacy Principles (APPs) in the Privacy Act 1988 (Cth) (Privacy Act).

This policy contains information about how we collect, use and disclose and store personal information, including sensitive information, and how individuals may access and correct personal information that we may hold.

We take privacy seriously and will only collect, use and disclose your personal information in accordance with the Privacy Act and other applicable laws.

The Privacy Act applies to information about individuals, not to information about entities such as businesses, firms or trusts. If we do not receive personal information about you, the Privacy Act will not apply.

Detailed information about the Privacy Act can be found on the website of the Office of the Australian Information Commissioner by following this [link: https://www.oaic.gov.au/](https://www.oaic.gov.au/)

2. What is personal information and what personal information do we collect?

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 the whether the information is recorded in a material form or not. It includes all personal information regardless of its source.

Depending on the circumstances, we may collect personal information from an individual in their capacity as a student, parent or guardian, school employee, contractor, volunteer, stakeholder, job applicant, alumni, visitors or others that come into contact with CSNSW directly.

In carrying out our functions, we may collect personal information about an individual from other sources. For example, we may receive personal information regarding students from the NSW Department of Education, or the Catholic Schools' Office responsible for the operation of a particular school.

We collect this information for the purpose of providing financial and other assistance to Catholic Schools in NSW and to satisfy our legal obligations in our various capacities which are described in more detail in paragraph 3 below.

We may collect and hold the following kinds of personal information, which will vary depending on the context of the collection:

- a) **Personal Information** including names, addresses and other contact details; dates of birth; next of kin details; photographic images; educational information, attendance records and financial information.
- b) **Sensitive Information** (particularly in relation to student and parent records) including government identifiers (such as TFN), religious beliefs, nationality, country of birth, professional memberships,

family court orders and criminal records.

- c) **Health Information** (particularly in relation to student and parent records) including medical records, physical injuries, illnesses, disabilities, immunisation details and psychological reports.

As part of our recruitment processes for employees, contractors and volunteers, we may collect and hold:

- a) **Personal Information** including names, addresses and other contact details, dates of birth, financial information, citizenship, employment references, regulatory accreditation, media, directorships, property ownership and driver's licence information.
- b) **Sensitive Information** including government identifiers (such as TFN), nationality, country of birth, professional memberships, family court orders and criminal records.
- c) **Health Information** (particularly in relation to prospective staff) including medical records, disabilities, and immunisation details.

Generally, where we obtain personal information directly from an individual we will seek consent from the individual in writing before we collect their sensitive information (including health information).

Note that records relating to employees employed by CSNSW are not covered by the APPs or the Health Privacy Principles where they relate to current or former employment relations between CSNSW and the employee.

3. What is the purpose of the personal information we collect, use and disclose?

CSNSW only uses personal information that is reasonably necessary for one or more of its functions or activities (the primary purpose) or for a related secondary purpose that would be reasonably expected by you, or for an activity or purpose to which you have consented.

CSNSW acts as an overarching entity for the purpose of advancing education and religion in Catholic Schools in NSW and ensuring that Catholic Schools meet their compliance requirements and can measure their activities in such a way as to maximise the educational and faith outcomes of students.

The primary uses of personal information we collect, hold and use include, but are not limited to:

- a) acting as an Approved System Authority in accordance with the Australian Education Act (AEA) and its Regulations;
- b) ensuring that funding for NSW Catholic Schools is distributed in accordance with relevant legislation;
- c) complying with Governmental obligations at both Federal and State level with regards to Federal and State funding;
- d) supporting Catholic School Agencies;
- e) liaising with Catholic School Agencies, particularly in relation to grant administration;
- f) liaising and developing cooperative links with other groups for the advancement of education;
- g) acting as a facilitator for opportunities to collaborate with Catholic School Agencies on education related matters and fostering a culture whereby educational leadership can meet and engage in common areas where joint approaches can be developed;
- h) responding to the needs of parents, students and school communities relating to the activities of Catholic Schools NSW;
- i) acting as an advocate for Catholic Schools;

- j) developing reporting frameworks for use by Catholic School Agencies in relation to efficiency and effectiveness;
- k) assisting Catholic School Agencies in the development of education policies, research materials, benchmarking and information sharing which contribute to the:
 - i) enhancement of the quality of education in Catholic Schools; and
 - ii) maintenance of the Catholic identity in education,
- l) staging sporting events and administering athletic pathways for students of Catholic Schools, including to:
 - i) notify parents, guardians and supporters of the staging and administration of sporting events, selection trials and representative teams, either directly or via newsletters and social media;
 - ii) ensuring the health, safety, welfare and wellbeing of all students, staff, contractors and volunteers participating in CSNSW staged events.
- m) marketing, promotional and fundraising activities;
- n) helping us to improve our day-to-day operations including training our staff;
- o) systems development; developing new programs and services; undertaking planning, research and statistical analysis;
- p) general administration including for insurance purposes;
- q) the employment of staff; and
- r) the engagement of volunteers.

We will only use or disclose sensitive or health information for a secondary purpose if you would reasonably expect us to use or disclose the information and the secondary purpose is directly related to the primary purpose.

We may disclose personal information to related bodies corporate, but only if necessary for us to provide our services.

4. Collection of personal information

The collection of personal information depends on the circumstances in which the information is collected. If it is reasonable and practical to do so, we collect personal information directly from the individual.

Solicited Information

CSNSW collects personal information through specific forms (e.g. Job Application Form or Health Information Disclosure Form), as well as by email, letters, notes, via our website, over the telephone, in face-to-face meetings, through financial transactions and through surveillance activities such as the use of CCTV security cameras or email monitoring.

We may also collect personal information from other people (e.g. a third-party administrator, referees for prospective employees) or independent sources. However, we will only do so where it is not reasonable and practical to collect the personal information from the individual directly.

We may collect information based on how individuals use our website. We may use “cookies” and other data collection methods to collect information on website activity such as the number of visitors, the number of pages viewed and the internet advertisements which bring visitors to our website. This information is collected to analyse and improve our website, marketing campaigns and to record statistics on web traffic. We do not use this information to personally identify individuals.

Unsolicited information

CSNSW may be provided with personal information without having sought it through our normal means of collection. This is known as “unsolicited information” and is often collected by:

- a) Misdirected postal mail – Letters, Notes, Documents;
- b) Misdirected electronic mail – Emails, electronic messages;
- c) Employment applications sent to us that are not in response to an advertised vacancy;
- d) Additional information provided to us which was not requested.

Unsolicited information obtained by CSNSW will only be held, used and or disclosed if it is considered to be personal information that could have been collected by normal means and is relevant to our primary purposes. If that unsolicited information could not have been collected by normal means or is not relevant then we will destroy, permanently delete or de-identify the personal information as appropriate.

5. Collection and use of sensitive information

We only collect sensitive information if it is:

- a) reasonably necessary for one or more CSNSW’s functions or activities, and we have the individual’s consent ;
- b) necessary to lessen or prevent a serious threat to life, health or safety;
- c) another permitted general situation;
- d) another permitted health situation.

Generally we use collated health information relating to student educational and health needs collected from Catholic School Agencies in order to determine educational support needs and to allocate appropriate funding for those needs. There may be some circumstances where a student’s identity may be ascertained from their health information as a consequence of their particular needs or the size of the school.

We may share sensitive information with other entities, but only if necessary for us to identify and allocate funding and services.

6. Storage and security of personal information

CSNSW stores personal information in a variety of formats including, but not limited to:

- a) databases;
- b) hard copy files;

- c) personal devices, including laptop computers;
- d) third party storage providers such as cloud storage facilities; and
- e) paper based files.

CSNSW takes all reasonable steps to protect the personal information we hold from misuse, loss, unauthorised access, modification or disclosure.

These steps include, but are not limited to:

- a) Restricting access and user privilege of information by employees depending on their role and responsibilities.
- b) Ensuring employees do not share personal passwords.
- c) Ensuring hard copy files are stored in lockable filing cabinets in lockable rooms. Employee access is subject to user privilege.
- d) Ensuring access to CSNSW's premises are secured at all times.
- e) Implementing physical security measures around the work premises to prevent break-ins.
- f) Ensuring our IT and cyber security systems, policies and procedures are implemented and up to date.
- g) Ensuring employees comply with internal policies and procedures when handling the information.
- h) Undertaking due diligence with respect to third party service providers who may have access to personal information, including customer identification providers and cloud service providers, to ensure as far as practicable that they are compliant with the APPs or a similar privacy regime.
- i) The destruction, deletion or de-identification of personal information we hold that is no longer needed or required to be retained by any other laws.

CSNSW's public website may contain links to other third-party websites outside of CSNSW. CSNSW is not responsible for the information stored, accessed, used or disclosed on such websites and we cannot comment on their privacy policies.

7. Responding to data breaches

CSNSW will take prompt and appropriate 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 taking immediate remedial action, for example, notifying affected individuals, and the Office of the Australian Information Commissioner (OAIC) and implementing practicable mitigating measures.

If we are unable to notify individuals, we will publish a statement relating to the data breach on our website and take reasonable steps to publicise the statement with the aim of alerting affected individuals.

8. Disclosure of personal information

Personal information is used for the purposes for which it was given to CSNSW, or for purposes which are directly related to one or more of our functions or activities.

Personal information may be disclosed to government agencies, other Catholic Schools, our service providers, agents, contractors, business partners, related entities and other recipients from time to time, if the individual:

- a) has given consent; or
- b) would reasonably expect the personal information to be disclosed in that manner.

CSNSW may disclose personal information without consent or in a manner which an individual would reasonably expect if:

- a) required to do so by law.
- b) the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety.
- c) another permitted general situation applies.
- d) disclosure is reasonably necessary for a law enforcement related activity.
- e) another permitted health situation exists.

9. Disclosure of your personal information to overseas recipients

Personal information about an individual may be disclosed to an overseas organisation in the course of providing our services, but only where certain conditions are met, for example, you give your consent or the disclosure is otherwise authorised by law.

We will take all reasonable steps not to disclose an individual's personal information to overseas recipients unless:

- a) we have the individual's consent (which may be implied);
- b) we have satisfied ourselves that the overseas recipient is compliant with the APPs, or a similar privacy regime;
- c) we form the opinion that the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety; or
- d) we are taking appropriate action in relation to suspected unlawful activity or serious misconduct.

10. Personal information of students

The Privacy Act does not differentiate between adults and children and does not specify an age after which individuals can make their own decisions with respect to their personal information.

At CSNSW we take a common sense approach to dealing with a student's personal information and generally will refer any requests for personal information to a student's parents/carers. We will treat notices provided to parents/carers as notices provided to students and we will treat consents provided by parents/carers as consents provided by a student.

We are however cognisant of the fact that children do have rights under the Privacy Act, and that in certain circumstances (especially when dealing with older students and especially when dealing with sensitive information), it will be appropriate to seek and obtain consents directly from students. We also

acknowledge that there may be occasions where a student may give or withhold consent with respect to the use of their personal information independently from their parents/carers.

There may also be occasions where parents/carers are denied access to information with respect to their children, because to provide such information would have an unreasonable impact on the privacy of others or result in a breach of a school's duty of care to the student.

11. The quality of personal information

We take all reasonable steps to ensure the personal information we hold, use and disclose is accurate, complete and up-to-date, including at the time of using or disclosing the information.

If CSNSW becomes aware that the Personal Information is incorrect or out of date, we will take reasonable steps to rectify the incorrect or out of date information.

12. Access and correction of personal information

You may submit a request to us to access the personal information we hold, or request that we change the personal information. Upon receiving such a request, we will take steps to verify your identity before granting access or correcting the information.

If we reject the request, you will be notified accordingly. Where appropriate, we will provide the reason/s for our decision. If the rejection relates to a request to change personal information, an individual may make a statement about the requested change and we will attach this to their record.

13. Complaints

You can make a complaint about how CSNSW manages personal information, including a breach of the APPs or the Health Privacy Principles, by notifying us in writing as soon as possible. We will respond to the complaint within a reasonable time (usually no longer than 30 days) and we may seek further information in order to provide a full and complete response.

CSNSW does not charge a fee for the handling of complaints.

If you are not satisfied with our response, you may refer the complaint to the OAIC. A complaint can be made using the OAIC online [Privacy Complaint form](#) or by mail, fax or email.

A referral to OAIC should be a last resort once all other avenues of resolution have been exhausted.

14. How to contact us

If you wish to:

- a) know more about our Privacy Policy
- b) access or correct personal information we hold about you
- c) lodge a complaint
- d) speak to our Privacy Officer

You can contact Catholic Schools NSW by:

- a) Visiting www.csnsw.catholic.edu.au
- b) Emailing privacy@csnsw.catholic.edu.au
- c) Calling (02) 9287 1555
- d) Facsimile (02) 92646308
- e) Writing to our Privacy Officer at -

PO Box 20768
World Square NSW 2002

Level 9, Polding Centre
133 Liverpool Street Sydney

If practical, you can contact us anonymously (i.e. without identifying yourself) or by using a pseudonym. However, if you choose not to identify yourself, we may not be able to give you the information or provide the assistance you might otherwise receive if it is not practical to do so.

15. Changes to our privacy and information handling practices

This Privacy Policy is subject to change at any time. Please check our Privacy Policy on our website regularly for any changes.

This Privacy Policy was last reviewed: **November 2019**