



MELBOURNE  
GRAMMAR SCHOOL  
AN ANGLICAN SCHOOL

# Policy

## Privacy Policy

### Purpose

This policy has been developed to ensure personal information provided to, collected or generated by the School is used and managed in accordance with the Australian Privacy Principles (APPs) contained in the Commonwealth Privacy Act.

The School will, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the School's operations and practices, and to make sure it remains appropriate to the changing school environment.

### Applicable Legislation

- Information Privacy Act 2000 (Vic)
- Privacy Act 1988 (Cth)

### Related Policies and Documents

The Victorian Teaching Profession Code of Ethics and Code of Conduct.

### Responsibilities

The scope of this policy extends to all permanent, fixed term and casual employees of MGS, whether teaching or non-teaching. It also extends to contactors working at MGS.

#### Employee Responsibility

An employee has the responsibility to:

- Become familiar with the policy
- Conduct him/herself in an appropriate manner at all times in adherence to this policy.

#### School's Responsibility

The Headmaster and the School Executive have a responsibility to:

- Ensure all employees are aware of the policy
- Intervene promptly and appropriately when they become aware of a breach of the policy
- Comply with legislated requirements.

### What kind of personal information does the School collect and how does the School collect it?

The type of information the School collects and holds includes (but is not limited to) personal information, including sensitive information about:

- Students and parents and/or guardians (hereinafter referred to as 'parents') before, during and after the course of a student's enrolment at the School
- Job applicants, staff members, volunteers and contractors
- Other people who come into contact with the School.

#### Personal information you provide

The School will collect personal information about an individual by way of forms filled out by parents or students, (either hard copy or on line), face-to-face meetings and interviews, and telephone calls.

#### Personal information provided by other people

In some circumstances the School 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 school.



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### Exception in relation to employee records

The School is not bound by the APPs and this Privacy Policy does not apply in relation to the School's treatment of an employee record where the treatment is directly related to a current or former employment relationship between the School and the employee.

### How will the School use the personal information you provide?

The School will use personal information it collects from you 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 you have consented.

### Students and parents

In relation to personal information of students and parents, the School's primary purpose of collection is to enable the School to provide education for the student. This includes satisfying both the needs of parents and the needs of the student throughout the whole period the student is enrolled at the School.

The purposes for which the School uses personal information of students and parents include but are not restricted to:

- 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 and medical wellbeing
- Seeking donations and marketing for the School
- To satisfy the School's legal obligations and allow the School to discharge its duty of care
- To comply with the requirements of government authorities and similar organisations
- Class lists.

In some cases where the School requests personal information about a student or parent, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the student.

### Job applicants, staff members and contractors

In relation to personal information of job applicants, staff members and contractors, the School'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 School uses personal information of job applicants, staff members and contractors include:

- In administering the individual's employment or contract
- For insurance purposes
- Seeking funds and marketing the School
- To satisfy the School's legal requirements
- To assist in the School's normal administrative processes.

In some cases where the School requests personal information about you as an employee, if the information requested is not obtained, the School may not be able to employ you.

### Volunteers

The School also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, such as our alumni association, to enable the School and the volunteers to work together.



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### Marketing and fundraising

The School treats marketing and seeking donations for the future growth and development of the School as an important part of ensuring the School continues to be a quality learning environment for both students and staff. Personal information held by the School may be disclosed to an internal organisation that assists in the School's fundraising, for example, the School's Foundation or alumni organisation. This information may also be disclosed to third parties with appropriate privacy safeguards, e.g., direct marketing organisations.

Parents, staff, contractors and other members of the wider School Community may from time-to-time receive fundraising information. School publications, such as newsletters and magazines, may include personal information.

If you do not want to receive marketing materials from the School, you may contact the Marketing Manager at [marketing@mgs.vic.edu.au](mailto:marketing@mgs.vic.edu.au) to have your name removed from the mailing list.

### Who might the School disclose personal information to?

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

- Another school
- Government departments
- Medical practitioners
- People providing services to the School, including specialist visiting teachers and sports coaches
- Anyone to whom you authorise the School to disclose information.

### Sending information overseas

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), and/or
- Otherwise complying with the APPs.

The School may also store information by way of cloud computing, in which case it may be stored on servers outside Australia.

### How does the School treat sensitive information?

Sensitive information is information relating to a person's racial or ethnic origins, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record and health information.

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

### Management and security of personal information

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

The School will take reasonable steps to protect the personal information the School holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and pass-worded access rights to computerised records. Where information is passed to external organisations acting on behalf of the School, appropriate privacy safeguards are to be put in place prior to the release of information.



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### Use of Cloud Services

Use of third party cloud services is in accordance with the School's Cloud Based Applications Policy. The School is committed to ensuring that cloud based services comply with legislative obligations and address the School's robust privacy and security requirements.

### Updating personal information

The School endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by the School by contacting the Records Officer of the School at any time ([records@mgs.vic.edu.au](mailto:records@mgs.vic.edu.au)).

The APPs require the School not to store personal information longer than necessary. (Refer to MGS Records Management Policy.)

### You have the right to check what personal information the School holds about you

Under the Commonwealth *Privacy Act*, an individual has the right to obtain access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy. There are some exceptions to this right set out in the Act, including limitations in access by employees to their records. Students will generally have access to their personal information through their parents.

To make a request to access any information the School holds about you or your child, please contact the Director of Human Resources who will respond within 30 days of the request having been made.

The School may require you to verify your identity and specify what information you require. The School will also consider the request with due reference to the relevant APPs.

### Consent and rights of access to the personal information of (current) students

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

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

Parents may seek access to personal information held by the School about them or their child by contacting the Director of Human Resources. 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, where the release may result in a breach of the School's duty of care to the student or a breach of an APP.

The School may, at its discretion, on the request of a student, grant that student access to the information held by the School 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 student involved had reached 18 years of age, but the School could do so in other circumstances when the maturity of the student and/or the student's personal circumstances so warranted.

Past students have the right to request access to any personal information held about them by the School with consideration given to the relevant APPs. Any such requests are to be made to the Director of Human Resources via email to [humanresources@mgs.vic.edu.au](mailto:humanresources@mgs.vic.edu.au)



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### Enquiries or Complaints

If you would like further information about the way the School manages the personal information it holds, please contact the Director of Human Resources via email at [humanresources@mgs.vic.edu.au](mailto:humanresources@mgs.vic.edu.au) or telephone +61 3 9865 7555.

If you feel the School has breached any of the APPs in relation to personal information held about you, contact the Director of Human Resources who will ensure that the complaint is assessed and investigated. A response will be provided within 30 days of receiving the complaint.

### Breach of Privacy Principles

In accordance with the applicable legislation, should a data breach be likely to result in serious harm to any of the individuals to whom the information relates, the appropriate notifications will be made. Applicable legislation may include the Australian Notifiable Data Breaches Scheme and the European Union's General Data Protection Regulation.

### Breaches of this Policy

The School expects that any employees who become aware of a breach of this policy will advise the Director of Human Resources without delay.

The School will consider each breach of the policy in the context in which it has occurred and will determine if the matter is a minor or serious breach. A serious breach may result in disciplinary action, up to and including termination of employment.

### Further Information

Further information concerning any aspect of this policy may be directed to the Human Resources Department.