Rationale

In dealing with personal and sensitive information about individuals, St Joseph’s as part of the Catholic Education Office Melbourne (CEOM) is bound by the Privacy Act 1988 (Cth), the National Privacy Principles (NPPs) in the Privacy Amendment (Private Sector) Act 2000 (Cth) and the Health Records Act 2001 (Vic). This policy describes the way St Joseph’s uses and manages personal information provided to or collected by it in accord with these principles and laws. In this policy a reference to ‘information’ is a reference to both personal and health information.

Definitions

Personal information: Information or an opinion (whether true or not) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. Examples includes names, addresses, telephone numbers, date of birth. Personal information does not include health information.

Health information: Any information or opinion about the health or disability of an individual, an individual’s expressed wishes about the future provision of health services to him or her or a health service provided, or to be provided to an individual. Examples include health records, certificates, details of medical background, health assessment results.

National Privacy Principles (NPPs): Principles established under the Privacy Amendment (Private Sector) Act 2000 (Cth) that set out minimum standards on how organisations deal with the collection, use and disclosure, transfer, handling and storage of personal information.

Sensitive information: Information relating to a person’s racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record. Sensitive information includes health information about an individual.

Identifier: A number assigned to an individual to identify uniquely that individual for the purposes of an organisation’s work, e.g. a Medicare number. Unique identifiers are used to facilitate data matching. As data matching can reduce privacy, organisations are required under the NPPs to limit the creation and use of identifiers.

Principles

Privacy – St Joseph’s respects the right of an individual to have their personal and health information protected.

Procedures

The following procedures describe the ways in which the St Joseph’s collects, protects and uses information about individuals that is collected by or supplied to it.

1. Collection and storage of personal information

St Joseph’s collects information from individuals to assist it in its work of advising and supporting its students and the overall school. In compliance with the relevant legislation, St Joseph’s only collects information that is necessary in order for it to perform one or more of its functions or activities.
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St Joseph’s collects information by way of forms filled out by an individual, face-to-face meetings, interviews or telephone calls. In accordance with the NPPs, St Joseph’s will ensure that the individual supplying the information is told why the information is being collected and to which it discloses the information it collects.

In some circumstances St Joseph’s may be provided with information about an individual from a third party, for example, information provided by a health professional or from another employer or source.

The type of information that St Joseph’s collects includes (but is not limited to) information, including sensitive information, about:

- students and parents and/or guardians (parents) before, during and after the course of a student’s enrolment at St Joseph’s
- job applicants, staff members, volunteers and contractors; and
- other people who come into contact with St Joseph’s

St Joseph’s will take reasonable steps to protect information it holds from misuse, loss, unauthorised access, modification or disclosure. Internal procedures have been developed and staff training has been provided to ensure the privacy of this information.

In accordance with the NPPs, St Joseph’s does not use identifiers assigned by another organisation or an agent of another organisation to identify individuals for the purposes of its work.

NOTE

The NPPs do not apply to an employee record. As a result, this policy does not apply to the St Joseph’s treatment of an employee record, where the treatment is directly related to a current or former employment relationship between St Joseph’s and an employee.

2. Use and disclosure of personal information

St Joseph’s uses personal information about pupils and parents to:

- assist with pupils’ wellbeing
- satisfy St Joseph’s accountability and legal obligations and allow St Joseph’s to discharge its duty of care.

St Joseph’s uses personal information about job applicants, staff members, contractors and volunteers for:

- assessing an individual’s suitability for employment or for work as a volunteer
- administering the individual’s employment or contract, as the case may be
- insurance purposes
- satisfying St Joseph’s legal obligations, for example, in relation to child protection legislation.
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St Joseph’s will use and disclose information only for the purpose for which it was collected (the primary purpose) or a related secondary purpose that the individual would reasonably expect, or to which they have consented. A secondary purpose may include the use of personal information to develop a case for funding increases for targeted groups of students.

3. Access to personal information

a. Access by the individual to information about them

Under the relevant privacy legislation, an individual may seek access to information held about him or her and parents may seek access to information held by St Joseph’s about their child. St Joseph’s may require verification of identity and details of the information required.

Generally, St Joseph’s will refer any requests for consent and notices in relation to the personal information of a student to the student’s parents. St Joseph’s 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.

There will be occasions when access is denied. Such occasions would include where release of information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of St Joseph’s duty of care to a student.

St Joseph’s may, at its discretion, on the request of a student, grant that student access to information held by St Joseph’s about him/her, or allow a pupil to give or withhold consent to the use of his/her personal information, independently of his/her parents. This would normally be done only when the maturity of the student and or/the student’s personal circumstances so warranted.

b. Access by another organisation or individual to information held by St Joseph’s.

c. St Joseph’s may disclose information, including sensitive information, held about an individual to:

- teaching staff within the school
- another Catholic education office
- government departments
- health practitioners
- professionals providing a service to St Joseph’s
- anyone you authorise St Joseph’s to disclose information to.

St Joseph’s will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (may be implied) or
- otherwise complying with the relevant legislation.

St Joseph’s endeavours to ensure that the personal information it holds is accurate, complete and up to date. A person may seek to update the information held by St Joseph’s about them by contacting St Joseph’s at any time.