



## PRIVACY POLICY

Approved by Management Committee 2019

### Policy Statement

Peregrine School values the privacy of every individual's personal information.

Information provided to and collected by Peregrine will be used and managed in a way that protects the privacy of students, parents/carers, staff, volunteers and contractors. Peregrine is bound by the Australian Privacy Principles (APPs) contained in the Commonwealth *Privacy Act 1988*.

### Aims

This policy sets out:

- Why personal information is being collected
- What information is collected
- How it will be used
- Who it will be disclosed to
- How it can be accessed
- How it is stored
- How incorrect information is corrected
- How to make a complaint

### Definitions

*Personal Information* – is information or opinion, in any form, whether true or not, about an identified individual or an individual who is reasonably identifiable. It includes all information regardless of its source, which school holds in a record.

*Sensitive information* – is the type of information that is given extra protection and care. It includes information or opinion about a person's racial or ethnic origin, trade union or other professional trade or association membership, sexual preferences, languages spoken, religious beliefs, criminal record, health records, family court orders.

*Health information* – a subset of sensitive information. It includes information or opinion about the health or disability of an individual, mental health or counselling information, nutrition and dietary requirements.

*Personal information provided by third parties* – is information from people other than parents/carers and students. It includes medical professionals, government agencies, schools or institutes.

### Responsibilities

The Principal has overall responsibility for ensuring the appropriate procedures and resources are in place to enable the policy to be implemented.

### Open & transparent management of personal information

Peregrine will implement procedures that ensure compliance with the APPs.

This Policy will be made available to the school community on request and via the school's website.

### Collection of Personal Information

#### What kind of personal information does Peregrine collect?

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

- students and parents/carers, during and after the course of a student's enrolment at the School;
- job applicants, staff members, volunteers and contractors; and
- other people who come into contact with the School.

**Third Party unsolicited personal information**

If the school receives personal information from a third party that has not been requested, Peregrine will (within a reasonable time after receiving such information) determine whether it could have been collected from the individual to which it relates. If the school determines the unsolicited information could not have been collected, it will be destroyed or de-identified.

**How will it be collected?**

In general the school only collects information required to provide and facilitate the education and safety of the children in our care. Our aim is to use fair and lawful ways to collect it.

*Personal Information you provide:* Peregrine will generally collect personal information held about an individual by way of forms filled out by parents/guardians or students, face-to-face meetings and interviews, telephone calls, email and any other form of communication.

On occasion people other than parents and students will provide personal information, for example a reference from another school. In these circumstances the School will use best endeavours to confirm the information is correct by contacting the individual that the information concerns. We aim to ensure you know why we are collecting the information, to whom the information will be given and how we will use it or disclose it.

*Exception in relation to employee records:* Under the Privacy Act the Australian Privacy Principles do not apply to an employee record held by the school. As a result, this Privacy Policy does not apply where the record treatment is directly related to a current or former employment relationship between Peregrine and employee.

There are situations in which we may use or disclose information without an individual's consent. These include where:

- we reasonably believe that use or disclosure is necessary to reduce or prevent a threat to a person's life or health or safety or a serious threat to public health or safety;
- we are investigating or reporting on suspected unlawful activity;
- the use or disclosure is required or authorised by law; or
- we reasonably believe that the use is necessary for law enforcement, public revenue protection, prevention and remedying of seriously improper conduct, or preparation or conduct of court or tribunal proceedings, either by or on behalf of an enforcement body.

If we use or disclose information on these grounds we will make a written note of such disclosure.

**Use of Personal Information****Why is personal information collected?**

*Students & Parents:* In relation to personal information of students and parents, Peregrine's primary purpose of collection is to enable the school to provide schooling 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 Peregrine.

The purposes for which Peregrine uses personal information of students and parents include:

- ensuring students' educational, social and medical wellbeing are protected;
- keeping parents informed about matters related to their child/ren's schooling and extra-curricular activities, including through reports, letters and email correspondence or school publications;
- conducting administrative activities of the school;
- seeking donations and marketing for Peregrine School and;
- satisfying Peregrine's legal obligations and allow the school to discharge its duty of care.

Parents/carers may choose to remain anonymous, or to use a pseudonym where it is legal and practical do so.

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

**How will the information be used?**

Peregrine will use personal information it collects for the primary purpose for which it was collected, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which you have consented (or in the case of sensitive information, directly related to the secondary purpose).

Peregrine may use personal information for other purposes where consent is provided or as otherwise authorised under the Privacy Act or other Australian Law.

The purposes for which Peregrine uses personal information of potential employees and independent contractors include:

- assessing the individual's suitability for employment or contract;
- administering the individual's employment or contract;
- meeting insurance requirements;
- seeking funds and marketing;
- satisfying the school's legal obligations, for example, in relation to child protection legislation.

*Volunteers:* Peregrine may collect personal information about volunteers who assist in its functions or associated activities to enable the school and the volunteers to work together.

*Marketing and fundraising:* Peregrine may use personal information for marketing and promoting the school, or during school related fundraising activities.

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.

Written consent will be obtained from parents on their child's enrolment form for the use of images, work samples or information relating to themselves or their children in promotional material or on the school website.

If the parent/carer does not want to receive marketing correspondence from the school, they may opt-out by contacting the school.

### **Disclosure personal information**

Peregrine will not use or disclose personal information held that was collected for a particular purpose or another purpose unless:

- consent has been given
- the use or disclosure is otherwise permitted under the Privacy Act (for example, where the disclosure of the information is required or authorised by law or a court/tribunal order).

Peregrine may disclose personal information, including sensitive information when appropriate, held about an individual to:

- other schools;
- government departments;
- medical practitioners;
- specialist visiting personnel, including teachers from other schools, sports coaches and other people providing services to the school;
- recipients of school publications, like newsletters and magazines;
- external sporting bodies with a connection to the school;
- police;
- lawyers; and
- anyone parents/carers have authorised the school to disclose information to.

### *Sensitive information:*

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

### *Sending information overseas:*

Peregrine 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.

### **How does Peregrine ensure the quality of personal information?**

Peregrine has systems in place to ensure parent/carers are reminded to advise of any updates to information provided. These include notices and information in the school Newsletter.

Peregrine aims to ensure any information disclosed will be accurate, up-to-date, complete and relevant.

### **Management and security of personal information**

Peregrine has procedures to provide protection of personal information and prevent it from being misused, interfered with, lost, modified, accessed or disclosed other than with the appropriate consent or authority. The procedures include:

- use of secure storage for both paper and computer records;
  - paper records relating to students are kept in locked rooms and/or filing cabinets;
  - computer records are stored on a dedicated server, to minimise unauthorised access;
- storing past student records in a secure area; and
- regular assessment of documents for shredding

If the school no longer needs the personal information it holds and is not required to retain the information under Australian Law, the school will take reasonable steps to destroy or de-identify the information.

Peregrine's staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals.

Peregrine will retain and dispose information in accordance with its Information Management Policy.

### **Accessing personal information**

Under the Commonwealth Privacy Act, an individual has the right to obtain access to any personal information which Peregrine holds. In some circumstances this right of access might be denied, in accordance with the Privacy Act. Examples of when access might be denied include:

- where the release of the information would have an unreasonable impact on the privacy of others; or
- where the request for access is frivolous or vexatious

The process for requesting access to personal information is:

- contact the Principal in writing, identifying the nature of the information being requested;
- the identify of the person and the right of their access to the information will be verified;
- the person requesting the access will receive a response within 30 days of the request being made;
- if access is refused, a written reply will be sent that sets out the reasons for the refusal, how to complain about the refusal and any other matter prescribed by the regulations set out in the APP's.

In the event of a non-routine request for access to personal information, especially where the issues relating to the request are of a sensitive nature, the Principal will consult the Management Committee. Where there is uncertainty about the request, the Management Committee may seek legal advice on behalf of the school. They can also direct the individual to the FOI process where this is an appropriate option.

If Peregrine refuses access to personal information, written notice will be provided that sets out the reasons for the refusal, how to complain about the refusal and any other matter prescribed by the regulations set out in the APPs.

Peregrine 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, Peregrine School will advise the likely cost in advance.

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

If the personal information sought relates to a student, or past student, the school generally expects the access request to be undertaken by the student's parent/carers.

The school may, in special circumstances, allow students access to information about them held by the school independently of their parents/carers.

The school may allow a student to give or withhold consent in relation to the use or disclosure of their personal information, particularly sensitive information, where the school considers this to be in the best interests of the

student. This may include consideration of whether certain sensitive information should not be disclosed to a parent.

In relation to issues of independent access to information and consent, the school will consider:

- the age, maturity and best interests of the student;
- the nature of the information;
- the students' understanding and expectation about what information might be disclosed;
- the need for parents to be informed; and
- the school's duty of care to the student

### **Updating and correcting personal information**

Peregrine takes all reasonable steps to ensure that the personal information it holds is accurate, complete, relevant and up-to-date.

If we have provided your personal information to third parties we will also notify them of the correction if you ask us to do so, unless it is impracticable or unlawful.

An individual may contact the school requesting that it update any personal information held by the school.

### **Storage**

The Australian Privacy Principles require Peregrine not to store personal information longer than necessary.

### **Complaints**

If you have any concerns or a complaint about the way personal information is managed, contact the Principal. The Peregrine Complaints Policy & Procedure outlines how complaints are managed.

### **Anonymity**

Where it is lawful and practicable, Peregrine will allow individuals to enter into transactions with us on an anonymous basis.

Exceptions will be if the school is required or authorised by law, a court/tribunal order or if impracticable when the individual has not identified or have used a pseudonym.

### **Enquiries**

If you would like further information about the way Peregrine School manages the personal information it holds, please contact the Principal.

If you would like more information about the way we use personal information, contact the Principal.

### **Review**

Peregrine 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. Any updates to the Privacy Policy will be made available on our website at

[www.peregrine.tas.edu/privacy](http://www.peregrine.tas.edu/privacy)

### **Related Legislation**

Australian Privacy Act  
Australian Privacy Principles

### **Related Policy & Procedure**

Complaints Policy  
Information Management

### **Resources**

The Office of the Australian Information Commissioner:

Australian Privacy Principles  
Freedom of Information Guidelines

[www.oaic.gov.au](http://www.oaic.gov.au)