



# PRIVACY POLICY

## Policy

The Beehive Montessori School is committed to respecting the privacy of all staff, students and families; to identifying what information is private; and controlling the release of this information in accordance with the relevant laws and information (eg. the Privacy Amendment Act (Private Sector) 2000).

## Background

This Privacy Policy sets out how the School manages personal information provided to or collected by it and what to do in the event of a data breach.

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

## Implementation

### 1. ***What kinds of personal information does the School collect and how does the School collect it?***

- 1.1. The type of information the School collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about:
  - 1.1.1. students and parents and/or guardians ('Parents') before, during and after the course of a student's enrolment at the School;
  - 1.1.2. job applicants, staff members, volunteers and contractors; and
  - 1.1.3. other people who come into contact with the School.
- 1.2. Personal Information you provide: The School will generally collect personal information held about an individual by way of forms filled out by parents or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parents and student's provide personal information.
- 1.3. 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.
- 1.4. Exception in relation to employee records: Under the Privacy Act the Australian Privacy Principles (and Health Privacy Principles) do not apply to an employee record.

### 2. ***How will the school use the personal information you provide?***

- 2.1. 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 by you or to which you have consented.
- 2.2. Student and Parents: To enable the School to provide schooling for the student. The purposes for which the School uses personal information of students and parents include:



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- 2.2.1. to keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
    - 2.2.2. day to day administration of the School;
    - 2.2.3. looking after students' educational, social and medical wellbeing;
    - 2.2.4. seeking donations and marketing for the School;
    - 2.2.5. to satisfy the Schools legal obligations and allow the School to discharge its duty of care;
    - 2.2.6. the beeliner orientation process; and
    - 2.2.7. the School directory.
  - 2.3. In some cases where the School requests personal information about a student or parent, if the information requested is not provided, the School may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.
  - 2.4. Job applicants, staff members and contractors: To engage the applicant, staff member or contractor, as the case may be. The purposes for which the School uses the personal information of job applicants, staff members and contractors include:
    - 2.4.1. administering the individual's employment or contract;
    - 2.4.2. for insurance purposes;
    - 2.4.3. seeking donations and marketing for the School; and
    - 2.4.4. to satisfy the School's legal obligations, for example, in relation to child protection legislation.
  - 2.5. Volunteers: The School also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, (such as alumni associations).
  - 2.6. 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 that the School continues to provide a quality learning environment in which both students and staff thrive. Personal information held by the School may be disclosed to organizations that assist in the School's fundraising, for example, the School's Foundation or alumni organization or, on occasions, external fundraising organizations.
  - 2.7. 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.
- 3. *Who might the School disclose personal information to?***
- 3.1. The School Principal may disclose personal information, including sensitive information, held about an individual to:
    - 3.1.1. another school the student is attending or applying to;
    - 3.1.2. government departments;
    - 3.1.3. medical practitioners;
    - 3.1.4. people providing services to the School, including specialist visiting teachers, counsellors and sports coaches;
    - 3.1.5. recipients of School publications, such as newsletters and magazines;
    - 3.1.6. parents;
    - 3.1.7. anyone you authorise the School to disclose information to; and
    - 3.1.8. anyone to who we are required to disclose the information to by law.



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- 3.2. The School may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers which are situated outside Australia or to facilitate a school exchange. However, the School will not send personal information about an individual outside Australia without:
  - 3.2.1. obtaining the consent of the individual (in some cases this consent will be implied); or
  - 3.2.2. otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

#### **4. *How does the School treat sensitive information?***

- 4.1. In referring to 'sensitive information', the School means: information relating to a person's racial or ethnic origin; political opinions; membership of a political association; religious beliefs or affiliations; philosophical beliefs; membership of a trade union; membership of a professional or trade association; sexual preferences or practices; or criminal record.
- 4.2. Sensitive information also includes personal information; health information; biometric information; and genetic information that is not otherwise health information.
- 4.3. 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 the use or disclosure of the sensitive information is allowed by law.

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

- 5.1. The School's staff is required to respect the confidentiality of students' and parents' personal information and the privacy of individuals.
- 5.2. The School has in place steps to protect the personal information the School holds from misuse, interference and loss, unauthorized access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerized records.
- 5.3. A data breach concerns the security of personal information and involves the actual unauthorised access or disclosure of personal information, or the loss of personal information where the loss is likely to result in unauthorised access or disclosure.
  - 5.3.1. Data breaches are not limited to malicious acts such as theft, but also may arise from human error, a systems failure, or failure to follow information handling procedures.
  - 5.3.2. In the event of a data breach, the School will take immediate steps to contain and limit it.
  - 5.3.3. The School is required to report certain data breaches under the notifiable data breaches scheme (NDBS). The School has an obligation to notify affected individuals and the Information Commissioner about data breaches considered an eligible data breach (EDB).
  - 5.3.4. A data breach is considered to be an EDB if it is likely to result in serious harm to an individual or individuals whose information is involved in the data breach.
  - 5.3.5. If the School takes remedial action to prevent serious harm resulting from the data breach, then it will not be a data breach that must be notified.



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5.3.6. The School's Notifiable Data Breach Action Plan will be followed in the event of a data breach to contain and limit harm, to prevent future breaches, to notify as needed, and to ensure ongoing compliance with data security obligations.

### **6. Access and correction of personal information:**

6.1. Under the Commonwealth Privacy Act (and the Health Records 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. Students will generally be able to access and update their personal information through their parents, but older students may seek access and correction themselves.

6.2. There are some exceptions to these rights set out in the applicable legislation.

6.3. To make a request to access or update any personal information the School holds about you or your child; please contact the Principal in writing.

6.3.1. The School may require you to verify your identify and specify what information you require.

6.3.2. The School may charge a fee to cover the cost of verifying your application, and locating, retrieving, reviewing and copying any material requested.

6.3.3. If the information sought is extensive, the School will advise the likely cost in advance.

6.3.4. If the School cannot provide you with access to that information, the School will provide you with written notice explaining the reasons for refusal.

6.3.5. 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, or where the release may result in a breach of the School's duty of care to the student.

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

7.1. Generally, the School will refer any requests 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.

7.2. The School may, at its discretion, on the request of a student grant that student access to 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 maturity of the student and or the student's personal circumstances so warranted.

### **8. Enquiries and complaints:**

8.1. If you would like further information about the way the School manages the personal information it holds, or wish to complain that you believe that the School has breached the Australian Privacy Principles please contact the Principal. The School will investigate any complaint in accordance with the Complaints and Feedback Policy and will notify you of the making of a decision in relation to your complaint as soon as is practicable after it has been made.



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## Related Documentation and Resources

[Freedom of Information Act 1992 \(WA\)](#)

[The Privacy Act 1988 \(Cth\)](#)

Complaints and Feedback Policy

Code of Conduct

Staff Code of Conduct

Family Court Policy

Notifiable Data Breach Action Plan