



PURPOSE

The Presbyterian and Methodist Schools Association (“**PMSA**”) is bound by the Privacy Act and the APPs. This Policy outlines how PMSA uses and manages Personal Information provided to or collected by it. PMSA may, from time to time, review and update this Policy to reflect new laws and technology, changes to PMSA operations and practices, and to ensure it remains up to date and relevant within the changing school environment.

SCOPE

Application

This Policy applies to Employees, volunteers, Parents, Students, PMSA School Council members, contractors, Foundation, Alumni Associations, Parents and Friend Associations, other support groups and individuals visiting PMSA corporate office, PMSA Schools and affiliated sites and organisations.

This Policy describes the type of information PMSA and PMSA Schools may collect, and how that information is managed and handled throughout the complete information lifecycle. This Policy also addresses how and to whom information is disclosed, and how information may be accessed.

Exception in Relation to Employee Records

The Privacy Act deals with records of public and private sector employees differently.

Under the Privacy Act, the APPs do not apply to an employee record. As a result this Policy does not apply to PMSA’s treatment of an employee record, unless required by law or an organisational policy where the treatment is directly related to a current or former employment relationship between PMSA, PMSA Schools and the employee. This also means that PMSA and PMSA Schools do not have to grant you access to your employee records under the Privacy Act.

CURRENCY

Authorised By:		Date:	
Review:	As required or a minimum of every two years.	Next Review Date:	
Policy Owner:	Interim: PMSA Information Security Governance Group (in lieu of a PMSA Executive Officer appointment).		



DEFINITIONS

“**APPs**” means the Australian Privacy Principles as outlined within the Privacy Act.

“**Employee**” refers to a person employed by the PMSA or a PMSA School under the PMSA Enterprise Agreement, a Modern Award or an Individual Contract.

“**General Health Situation**” means any situation where disclosure of Personal, Sensitive and Health Information is necessary in order to provide a health service to an individual and the collection use and disclosure is required by law, or the information is collected in accordance with the rules established by health or medical bodies that deal with obligations that bind the relevant organisation.

“**Health Information**” means any information or opinion about the health or disability of an individual, the individual's expressed wishes about the future provision of health services and a health service provided, currently or in the future, to an individual that is also Personal Information. Health information is a subtype of Sensitive Information, and includes Personal Information collected in the course of providing a health service.

“**Parent**” means the legal guardian of the Student and/or a person who exercises parental authority. Parental authority is defined in the *Family Law Act 1975* (Cth) and means the duties, powers, responsibilities, which by law, parents have in relation to their children.

“**Permitted General Situation**” refers to any situation where in PMSA or the PMSA School's sole discretion, it is unreasonable or impracticable to obtain an individual's consent and where PMSA or the PMSA School reasonably believes that the collection, use or disclosure of Personal and/or Sensitive Information is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety.

“**Personal Information**” means any information or an opinion about an identified individual or an individual who is reasonably identifiable whether the information is true or not, and whether the information is recorded in a material form or not, and regardless of its source. Personal information does not include information that has been de-identified so that the individual is no longer identifiable either from the information or from the information when combined with other information reasonably available to the College.

“**PMSA**” is the Presbyterian & Methodist Schools Association which includes the PMSA Corporate Office, PMSA Schools, PMSA Early Learning Centres and other affiliated sites and organisations, unless expressly stipulated otherwise.

“**PMSA School**” means any of the schools operated and controlled by PMSA from time to time, including but not limited to Brisbane Boys' College, Clayfield College, Somerville House and Sunshine Coast Grammar School. This also includes PMSA Early Learning Centres and other affiliated sites and organisations, unless expressly stipulated otherwise.

“**Policy**” means this Privacy Policy.

“**Principal**” refers to the person who has the executive authority for the PMSA School or the PMSA School Principal's delegated representative.



“**Privacy Act**” means the *Privacy Act 1988* (Cth).

“**Sensitive Information**” means information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record. It also included Health Information and biometric information about an individual. Sensitive Information is a type of Personal Information that is afforded extra protection and must be treated with additional care and sensitivity.

“**Student**” means all prior, current, and prospective students.

REFERENCES

This Policy was prepared in accordance with and having regard to the requirements of:

- *Privacy Act 1988* (Cth);
- Australian Privacy Principles;
- Notifiable Data Breaches Scheme;
- PMSA Data Breach Response Plan;
- The Office of the Australian Information Commissioner;
- The Uniting Church in Australia, Queensland Synod Privacy Policy;
- Presbyterian Church of Queensland Privacy Policy;
- For each PMSA School:
 - Data Breach Response Plan;
 - Personal Information - Standard Collection Notice;
 - Alumni Association Collection Notice;
 - Employment Collection Notice; and
 - Contractor/Volunteer Collection Notice.

PERSONAL INFORMATION

What kinds of Personal Information is collected?

The types of information which PMSA and PMSA Schools collect and hold includes (but is not limited to) Personal Information, including Sensitive Information, about:

- Students and Parents before, during and after the course of a Student's enrolment at a PMSA School:
 - name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
 - parents' education, occupation and language background;
 - medical information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors);
 - conduct and complaint records, behaviour notes, school reports;
 - information about referrals to government welfare agencies;
 - counselling reports;
 - health fund details and Medicare number;
 - any court orders;
 - volunteering information; and



- photos and videos at PMSA School events.
- Job applicants, staff members, volunteers and contractors:
 - name, contact details (including next of kin), date of birth and religion;
 - information on job application;
 - professional development history;
 - salary and payment information, including superannuation details;
 - medical information (e.g. details of disability and/or allergies, and medical certificates);
 - complaint records and investigation reports;
 - leave details;
 - photos and videos at school events;
 - workplace surveillance information; and
 - work emails and private emails (when using work email address) and internet browsing history.
- Other people who come into contact with PMSA or a PMSA School, including name and contact details and any other information necessary for the particular contact with PMSA or the PMSA School.

How is this Personal Information collected?

PMSA collects information from PMSA Schools, Parents and, in some circumstances from third parties, regarding Parents, Students, Employees and other third parties. PMSA Schools collect Personal Information in various forms including paper and digital forms completed by Parents or Students, face-to-face meetings and interviews, emails and phone calls, use of PMSA School websites, interactions via public and directed digital applications and platforms including social media. On occasions people other than Parents and Students may provide Personal Information. (Refer to the next section, *Personal information provided by other people*).

Collection of Sensitive Information & Health Information

PMSA and PMSA Schools will only collect Sensitive Information & Health Information with your consent where it is reasonably necessary for one or more of the PMSA School functions or activities, unless one of the exceptions under the APPs applies (i.e. a General Permitted Situation or a General Health Situation exists).

Cookies and IP addresses

When you access PMSA or PMSA School websites and apps, the PMSA or our third-party host or service provider may use software embedded in our website and apps (including Javascript) and may place small data files (called cookies) on your device to collect information. This allows the server to deliver a page tailored to a particular user. This information does not identify you personally.

Cookies track your machine's IP address, analyse your browsing activity, and to aggregate traffic patterns across our sites. We use this information to improve our services and information. The information contained within a cookies is information that the user has volunteered already or that the web server already has.

If you do not wish to receive cookies, you can set your browser so that your computer does not accept them. However this may affect how you view and access PMSA websites.

Social media platforms



You can participate in social media platforms used or hosted by PMSA and PMSA Schools including blogs, forums, wiki and apps. Social media platforms enable information sharing; however, the PMSA and PMSA Schools cannot be held responsible if you share Personal Information on these platforms that is subsequently used, misused or otherwise appropriated by others.

Links

PMSA and PMSA School websites and social medial platforms may contain links to other websites and platforms operated by third parties over which we have no control. The PMSA and PMSA Schools make no representations or warranties in relation to the privacy practices of any third parties and are not responsible for the privacy policies or content of any third party websites.

Personal Information provided by other people

In some circumstances PMSA or PMSA Schools 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. Further, PMSA or PMSA Schools may become privy to certain Personal and Sensitive information about you, your personal or professional associations, in circumstances where this information has not actively been sought. This information will be treated as private, and unless required for either PMSA or a PMSA School's activities or functions, this information will be treated as unsolicited information and dealt with in accordance with the APPs.

USE OF PERSONAL INFORMATION

Purpose of Collection

PMSA and PMSA Schools collect and hold Personal Information for the primary purpose of exercising their functions and activities as educational institutions, and so they can fulfil their relevant duties and obligations. Personal Information may also be collected and held by PMSA for other secondary purposes that are related to the primary purpose of collection, and reasonably expected by that person, or to which that person has consented.

PMSA and PMSA Schools will use Personal Information, including Sensitive Information, held about an individual for:

- the primary purpose of collection (i.e. the provision for educational and support services, which by disclosing you have consented);
- secondary purposes that are directly related to the primary purpose of collection;
- a Permitted General Situation;
- a General Health Situation;
- any purpose that a reasonable person would expect; or
- any reasons or purpose the individual has consented.

Students and Parents

PMSA and PMSA Schools collect information about Student and Parents. We collect this information to provide schooling to students enrolled at PMSA Schools, to exercise our duty of care, to facilitate necessary associated administrative activities and to enable students to take part in all school activities. This includes satisfying the needs of Parents, Students, PMSA School, and PMSA, throughout the whole enrolment period, and where necessary, post enrolment.

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We use personal Student and Parent Information to:

- inform Parents about matters relating to their child's schooling, through correspondence, newsletters and magazines;
- conduct day-to-day administration of the PMSA School;
- manage Student's educational, social and medical wellbeing;
- seek donations and marketing for the PMSA School; and satisfy the PMSA and PMSA Schools' legal and regulatory obligations, and allow the school to discharge its duty of care.

If we request Personal Information about a Student or Parent and you do not provide this information, the PMSA School may not be able to enrol, continue the enrolment, or permit the Student to take part in a particular activity.

On occasions, information such as academic and sporting achievements, Student activities and similar news is published in PMSA School newsletters and magazines, on the PMSA or PMSA School intranet, on the PMSA or PMSA School website, using digital applications and on social media. This may include photographs and videos of Student activities including sporting events, school camps and school excursions. The PMSA School will obtain permissions annually from the Student's Parent (and from the Student if appropriate) prior to including these photos, videos or other identifying material, in promotional material or otherwise making this material publicly available such as on the internet.

Job Applicants, Staff Members and Contractors

PMSA and PMSA Schools collect Personal Information for job applicants, staff members and contractors. The purpose of collecting this information is to:

- assess and, if successful, engage the applicant, staff member or contractor;
- administer the individual's employment or contract as required;
- for insurance purposes;
- seeking donations and marketing for the PMSA School; and
- to satisfy the PMSA School's and PMSA's legal and regulatory obligations, (e.g. complying with child protection legislation).

Volunteers

PMSA and PMSA Schools also collect Personal Information about volunteers who assist the PMSA Schools in their functions or conduct associated activities (including support groups, Parents and Friends Association and Alumni Associations) to enable the PMSA Schools and the volunteers to work together, and to satisfy PMSA's and the PMSA Schools legal obligations.

Marketing Fundraising

PMSA Schools treat marketing and seeking donations for the future growth and development of the schools as an important aspect to ensure PMSA Schools continue to provide quality learning environments where Students and staff can thrive. Personal Information held by PMSA and/or PMSA Schools may be disclosed to organisations that assist with fundraising (e.g. School Foundation, Parents & Friends Association, Alumni Association and other PMSA School-based support groups).



Parents, staff, contractors and other members of the wider College community may from time to time receive fundraising information or be contacted in relation to fundraising for PMSA or a PMSA School. PMSA School publications include but are not limited to, newsletters, magazines, websites and social media sites, which include aggregated Personal Information, which may be used for marketing purposes.

Details of marketing and fundraising (including donor information) is securely stored and is only accessed and viewed by authorised people. PMSA will at no time disclose Personal Information to third parties for non-PMSA School marketing activities without first obtaining written consent.

Students, Parents, staff, contractors, volunteers and other stakeholders in the PMSA community can elect not to receive marketing materials and information, or request that they not be included in such publications by contacting PMSA or the relevant PMSA School.

Video Surveillance

PMSA and PMSA Schools use video surveillance systems to monitor and record activity for a range of purposes including providing a safe and secure environment for Students, staff and visitors, as well as protecting school buildings and assets by deterring incidences of theft and vandalism, both during and after school hours.

Surveillance video recorded by cameras is securely stored and is only accessed and viewed by authorised people. Surveillance video is only retained for its useful life (typically 31 days) and is deleted/disposed of in accordance with secure information management procedures at each PMSA School unless required by law enforcement authorities to be preserved.

Surveillance video may be disclosed to third parties in accordance with the APPs. Circumstances under which video may be shown to a third party include:

- for law enforcement purposes (e.g. police);
- where it is necessary for the health, safety or welfare of individuals or public health reasons; and
- when otherwise required by law (e.g. court order).

Sensitive Information

Sensitive Information will be used and disclosed by PMSA and PMSA Schools only for the purpose which it was provided or a directly related secondary purpose, unless a person agrees otherwise or the use or disclosure of the Sensitive Information is required by law, or an exception under the APPs applies.

INFORMATION RETENTION, STORAGE, HANDLING AND DISCLOSURE

Who will the PMSA School disclose Personal Information to, and where is that information stored?

PMSA and PMSA Schools may also disclose Personal Information held about an individual to:

- another school or staff at another school where an individual is or seeks to be enrolled;
- government departments including for policy and funding purposes;
- health practitioners;
- people providing educational, support and medical services to the PMSA School, including specialist visiting teachers, coaches, volunteers, health practitioners and providers of learning and assessment tools;

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- assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA) and NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN);
- people providing administrative and financial services to the PMSA School or the PMSA, including staff and contractors;
- recipients of PMSA School or PMSA publications, such as newsletters and magazines;
- the Parents individual Student;
- anyone you authorise the PMSA School to disclose information to; and
- anyone to whom the PMSA or PMSA School are required or authorised to disclose the information to by law, including under child protection laws.

Sending and Storing Information Overseas

PMSA and PMSA Schools may disclose Personal Information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, the PMSA School will not send Personal Information about an individual outside Australia without:

- obtaining the consent of the individual; or
- taking reasonable steps to ensure the recipient is complying with the Australian Privacy Principles or other applicable privacy legislation.

PMSA and PMSA Schools may use online or 'cloud' service providers to store Personal Information and to provide services to the school that involve the use of Personal Information, such as services relating to email, instant messaging and education and assessment applications. Some limited Personal Information may also be provided to these service providers to enable them to authenticate users that access their services. This Personal Information may be stored on a cloud service provider which may be situated outside Australia on the condition that PMSA has taken reasonable steps in the circumstances to ensure that the overseas recipient complies with the APPs.

Management and Security of Personal Information

The PMSA and PMSA School staff are required to respect the confidentiality of Students' and Parents Personal Information and the privacy of individuals. PMSA and each PMSA School uses an Information Security Management System (ISMS) system to protect the Personal Information it holds from misuse, interference, loss, unauthorised access, modification or disclosure. PMSA and each PMSA School uses various methods to achieve this including locked storage of paper records and appropriate information security technologies to protect computerised records.

Notifiable Data Breaches

The PMSA and each PMSA School complies with the requirements of the Privacy Act's Notifiable Data Breaches scheme and has in place a Data Breach Response Plan.

According to the Notifiable Data Breaches scheme, it is deemed that an 'eligible data breach' has occurred if:

- there has been unauthorised access to, or unauthorised disclosure of, Personal Information about one or more individuals (the affected individuals);
- a reasonable person would conclude there is a likelihood of serious harm to any affected individuals as a result;
- the information is lost in circumstances where:

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- unauthorised access to, or unauthorised disclosure of, the information is likely to occur; and
- assuming unauthorised access to, or unauthorised disclosure of, the information was to occur, a reasonable person would conclude that it would be likely to result in serious harm to the affected individuals.

Serious harm may include serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation.

What happens if a data breach occurs?

If the PMSA or PMSA School suspects that a data breach has occurred, it must:

- immediately notify the nominated PMSA officer responsible for privacy and information security;
- activate its Data Breach Response Plan; and
- carry out a reasonable and expedient assessment/investigation within 30 days.

If such an assessment/investigation indicates there are reasonable grounds to believe an eligible data breach has occurred, then the PMSA School will be required to lodge a statement to the Office of Australian Information Commission. Where practical to do so, the PMSA School will also notify the affected individuals. If it is not practicable to notify the affected individuals separately, the PMSA School will publish a copy of the statement on its website, or publicise it in another manner.

An exception to the requirement to notify exists if there is a data breach and immediate remedial action is taken, and as a result of that action:

- there is no unauthorised access to, or unauthorised disclosure of, the information; and
- there is no serious harm to affected individuals, and as a result of the remedial action, a reasonable person would conclude the breach is not likely to result in serious harm.

Access and Correction of Personal Information

Under the APPs, an individual has the right to seek and obtain access to any Personal Information which PMSA or a PMSA School holds about them and to advise of any perceived inaccuracy. There are some exceptions to this right set out in the APPS. Students will generally be able to access and update their Personal Information through their Parents, but older Students may seek access and correction themselves.

To make a request to access or to update any Personal Information the PMSA School holds about a person or their child, the school's Principal should be contacted in writing. PMSA or the PMSA School may require that person to verify their identity and specify what information they require. PMSA or the PMSA School may charge a fee to cover the cost of verifying their application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the likely cost will be advised in advance. If PMSA or a PMSA School cannot provide the person with access to that information, it will provide that person with written notice explaining the reasons for refusal.

PMSA and the PMSA School will take reasonable steps to ensure that any Personal Information is accurate, up to date, complete, relevant and not misleading.

Consent and Rights of Access to the Personal Information of Students

The PMSA and PMSA Schools respect every Parent right to make decisions concerning their child's education. Generally, the PMSA School will refer any requests for consent and notices in relation to the Personal Information of a Student to the Student's Parents. The PMSA 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 PMSA School about them or their child. There will be occasions when access is denied due to the exceptions set out in the Apps. This includes 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 PMSA School's duty of care to a Student.

PMSA and PMSA Schools may at their discretion, on the request of a Student grant that Student access to information held by the PMSA 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 warrant it.

Enquiries and Complaints

Further information about the way the PMSA and PMSA Schools manage the Personal Information which they hold, or to make a complaint about the breach of the APPs contact the PMSA School Principal or PMSA office. The PMSA or PMSA School will investigate any complaint and will notify the complainant regarding all decisions in relation to their complaint as soon as is practicable.

AMENDMENTS

Issue No	Date of Issue	Page No	Details of and reason for amendment
01	27 August 2018	All	Consolidated from the privacy policies of each PMSA School and updated drawing on a recommended template from ISO; amendments to the Privacy Act (Notifiable Data Breach scheme), and specialist information security and risk management advice.