

Victorian Catholic Education Authority Limited

Privacy Policy

Introduction

The purpose of this Privacy Policy is to ensure that the Victorian Catholic Education Authority Limited (**VCEA**) protects and handles individuals' personal, sensitive and health information that it collects, uses, discloses and holds in accordance with its legal obligations.

In dealing with personal and sensitive information, VCEA complies with its obligations in the Australian Privacy Principles (**APPs**) contained in the *Privacy Act 1988* (Cth) (**Privacy Act**) and the other provisions of the Privacy Act. In relation to health information, VCEA complies with its obligations in the Health Privacy Principles (**HPPs**) contained in the *Health Records Act 2001* (Vic) (**Health Records Act**) and the other provisions of the Health Records Act.

VCEA reviews and updates this Privacy Policy from time to time to ensure it remains current and compliant with all applicable laws. Any updated privacy policy will be made available on the VCEA website or can otherwise be obtained by contacting the VCEA and requesting a copy.

Our obligations

The APPs and HPPs regulate the manner in which personal, sensitive and health information are handled throughout the information life cycle, from collection to use and disclosure, security, accessibility and disposal. The Privacy Act also includes a data breach notification regime, which requires organisations to address data breaches involving personal information they hold. VCEA also complies with other more specific privacy legislation in some circumstances, such as the *Spam Act 2003* (Cth) and the *Do Not Call Register Act 2006* (Cth).

Exception in relation to employee records

Under the Privacy Act the APPs do not apply to employee records. As a result, this Privacy Policy does not apply to VCEA's treatment of an employee record, unless required by law or by another VCEA policy, where the treatment is directly related to a current or former employment relationship between VCEA and an employee. VCEA handles staff health records in accordance with the HPPs. In general, VCEA respects and protects the confidentiality of information contained in employee records.

Collection of personal information

What is personal information?

In general terms, 'personal information' is 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 or opinion is recorded in a material form or not.

What is sensitive information?

Sensitive information includes information about a person's health, race or ethnic origin, political opinions or associations, philosophical beliefs, criminal record, religious beliefs or affiliations, sexual orientation or biometric information, among other things.

What is health information?

Health information means information or opinion about an individual's physical, mental or psychological health or disability as well as their expressed wishes about the future provision of health services.

What kinds of personal information does VCEA collect and how does VCEA collect it?

VCEA collects information about individuals to assist it to perform one of more of its functions or activities related to its work of advising and supporting Victorian Catholic schools. VCEA collects, uses, discloses and holds personal, sensitive and health information about:

- Students and parents/guardians (parents) before, during and after a student's enrolment at a school
- Victorian Catholic Education related applicants and staff members
- Volunteers and contractors
- Members of VCEA Board sub-committees and the directors of VCEA
- Other people who come into contact with VCEA

In the case of student and parent information, schools collect this information on behalf of VCEA. The types of information that is collected from schools by VCEA may include:

- Name, address, contact details (including next of kin), photo, date of birth, gender, language background, previous school and religion
- Parents' education, occupation and language background
- Health information (e.g. details of disability and/or allergies and details of any assistance the student receives in relation to those disabilities)
- Student educational attainment and performance information, including National Assessment Program – Literacy and Numeracy (**NAPLAN**) and other educational data
- Conduct and complaint records, or other behaviour notes, school attendance and school reports
- Information about referrals to government welfare agencies
- Counselling and medical reports
- Any Court orders
- Information relating to visas
- Photos and videos at school events

Personal information provided by other parties

Much of the personal information that VCEA collects is provided by or to a third party, for example a report provided by a school or by a medical professional or a reference from another employer. In relation to students, VCEA collects personal information from schools which can include information provided by a parent or an opinion or professional assessment provided by a third party. VCEA does not generally collect personal information about students directly from a parent or a third party.

VCEA may also receive information about a person even where it has taken no active steps to collect information. If permitted or required by law, VCEA may keep records of this information. If not, VCEA will destroy or de-identify the information where practicable, lawful and reasonable to do so.

National program to collect data on schools and school education (Program) including on students with a disability

VCEA assists schools to meet their obligations under the Australian Education Regulations 2023 (**Regulations**) made under the *Australian Education Act 2013* (Cth) (**Act**). The Regulations require schools to provide the Commonwealth Department of Education (**Department**) with certain information under the Program on students with a disability including the category of disability and level of adjustment. Schools collect the required information at an individual student level and provide it to the relevant Catholic school proprietor and VCEA, as an approved authority under the Act. Approved authorities must comply with reporting, record keeping and data quality assurance obligations under the Program. Student information provided to the Department for the purpose of the Program does not explicitly identify any student.

Personal information you provide

While VCEA will generally collect personal information from schools and third-party organisations which are authorised to collect and share this personal information with us, VCEA may also collect personal information directly from individuals. This includes through forms filled out by the individual (including online), from face-to-face meetings and interviews, in emails and from telephone calls.

Information collected by VCEA's website

When you look at the VCEA website, VCEA's Internet Service Provider makes a record of your visit and logs the following information:

- Your server address
- Your top-level domain name (for example .com, .gov, .au, .uk, etc.)
- The date and time of your visit to the site
- The pages accessed and the documents downloaded
- The previous site you have visited
- The type of browser you are using

VCEA does retain records to comply with the requirements of government authorities and similar organisations

VCEA collects information in relation to persons undertaking activities relating to VCEA via its website, as well as capturing communications from external parties dealing with VCEA.

Personal information collected by VCEA may be used to facilitate payment of persons associated with VCEA programs.

Access to information collected by VCEA's website

VCEA uses and discloses this information in de-identified, aggregated form only, for purposes including statistical analysis and to assist us to improve the functionality and usability of our website. While users are not individually identified, VCEA reserves the right to use or disclose this information to try to locate an individual where it reasonably believes that the individual may have engaged in any unlawful or inappropriate activity in connection with our website, or where it is otherwise required or authorised by law to do so.

Use of information collected by VCEA's website

VCEA will only record your email address if you send VCEA a message via our website. Your email address will only be used for the purpose for which you have provided it, and it will not be added to a mailing list or used for any other purpose without your consent.

VCEA's website does not provide facilities for the secure transmission of information across the Internet. Users should be aware that there are inherent risks transmitting information across the Internet.

VCEA uses information in relation to persons undertaking activities relating to VCEA to administer the programs and may be used for reporting and research purposes. Data may be aggregated or referred to individually within program documentation and reporting.

Cookies

A cookie is a small string of information that a website transfers to your browser for identification purposes. The cookies VCEA uses do not identify individual users, although they do identify the user's internet browser. VCEA uses cookies to hold anonymous session information. This information is used to personalise your current visit to the website, for example to allow the website to remember who you are by keeping server variables linked to your session. VCEA only uses non-persistent cookies. That is, they are held on your browser's memory only for the duration of your session.

Most internet browsers are set to accept cookies. If you prefer not to receive them, you can adjust your internet browser to reject cookies, or to notify you when they are being used. There are also software products available that can manage cookies for you. Rejecting cookies can, however, limit the functionality of our website.

How will VCEA use and disclose the personal, sensitive or health information it collects?

VCEA will use personal, sensitive or health information it collects for the primary purpose of the provision of high quality education to students and for ongoing improvement of the educational outcomes of students. VCEA may also use personal, sensitive or health information where you have consented, or for reasonably expected secondary purposes that are related, or in the case of sensitive information, are directly related to the primary purpose of collection.

Students and parents

VCEA uses the personal, sensitive and health information of students and parents to:

- Identify student needs and implement reasonable adjustments to assist with students' learning and wellbeing
- Satisfy VCEA's responsibilities, accountabilities and legal obligations

Job applicants and contractors

In relation to the personal, sensitive and health information of job applicants and contractors, VCEA's primary purpose of collection is to assess and engage a suitable applicant or contractor. In addition, VCEA uses personal information of job applicants and contractors for the purpose of:

- Administering the individual's employment or contract
- Insurance purposes
- Satisfying VCEA's legal obligations, for example, in relation to child protection legislation.

Volunteers

VCEA may use the personal, sensitive or health information it collects about volunteers who assist VCEA in its functions or to conduct associated activities to enable VCEA to conduct its functions and to confirm their suitability.

Marketing

VCEA undertakes marketing activities to promote the future growth and development of Victorian Catholic schools. VCEA may receive personal information held by schools for VCEA's marketing purposes. Photographs or recordings in print and online may be used for promotional, marketing, media, and educational materials.

Who might VCEA disclose personal information to and store your information with?

VCEA may disclose personal, sensitive and health information held about an individual to:

- Parents of students (subject to the other provisions of this policy)
- Medical practitioners and other health service professionals
- External training and assessment providers of additional training for pre-service teaching students
- Victorian Catholic schools and their proprietor companies
- Commonwealth and State education regulators and government departments, and other regulators or departments if required or permitted by law
- Third party service providers that provide educational support or pastoral care services to schools and school systems including the Integrated Catholic Online Network system (ICON)
- Anyone who VCEA is required or authorised to disclose the information to by law

VCEA uses the services of third-party online service providers (including for the delivery of services and third-party online applications (apps)). These online service providers may be located in or outside Australia.

VCEA makes reasonable efforts to be satisfied about the protection and security of any personal, sensitive or health information processed and stored in the cloud. VCEA will also take steps to ensure the overseas recipients of such information do not breach the APPs and HPPs, including by endeavouring to ensure that international recipients are located in countries which have substantially similar protections as the APPs and HPPs.

Management and security of personal information

VCEA uses various methods to protect the personal, sensitive and health information it holds from misuse, interference, loss, unauthorised access, modification or disclosure. These include, but are not limited to, locked storage of paper records, access protocols, password protected computerised records, high level security measures and encryption.

While VCEA strives to protect the personal, sensitive and health information and privacy of users of our website, it cannot guarantee the security of any information that you disclose online. If you are concerned about sending your information over the internet, you can contact us by telephone, email or post.

VCEA will respond to any incidents which may affect the security of the personal, sensitive or health information it holds in accordance with our legal obligations. If you believe any of your personal information held by VCEA has been compromised, please let us know immediately.

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

Access, updating and correction of personal information

Under the Privacy Act and the Health Records Act an individual has the right to:

- Obtain access to any personal information which VCEA holds about them and may request updating or correction of the information. 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, correct or update any personal information VCEA holds about you or your child, please refer to the contact details below.
- VCEA may require you to verify your identity before processing any access or correction requests, to make sure that the personal information it holds is properly protected.

If VCEA cannot provide you with access to the information sought, it will provide you with a written notice explaining the reasons for refusal.

The APPs require VCEA not to store personal information longer than necessary and to take such steps as are reasonable to destroy the information nor to ensure that the information is de-identified.

Consent and rights of access to the personal, sensitive or health information of students

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

Generally, VCEA will refer any requests for consent and notices in relation to the personal, sensitive or health information of a student to the student's parents. VCEA 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.

While parents may seek access to personal, sensitive and health information held by VCEA about them or their child by contacting VCEA (see contact details below) there will be occasions when access is denied. Such occasions would include where the release of the information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of VCEA's duty of care or other legal obligations to a staff member or student.

VCEA may, on the request of a student, grant that student access to information held by VCEA about them, or allow a student to give or withhold consent to the use of their personal, sensitive or health information, independently of their parents. Normally this would be done only when the maturity of the student and/or the student's personal circumstances warrant it.

Under the APPs an individual may request access to any personal information which VCEA holds about them, and access will be provided within a reasonable time. However, there are some exceptions where VCEA may refuse to provide an individual with access to his or her personal information, including to the extent that:

- VCEA reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety
- giving access would have an unreasonable impact on the privacy of others
- giving access would be unlawful
- denying access is required or authorised by or under an Australian law or a court or tribunal order
- giving access would be likely to prejudice an enforcement related activity conducted by an enforcement body, such as Victoria police.

Enquiries and complaints

If you would like further information about the way VCEA manages the personal information it holds, or wish to complain that you believe that VCEA has breached the APPs, please contact VCEA using the details below.

Privacy Officer

Victorian Catholic Education Authority Limited
PO Box 4220,
Fitzroy VIC 3065
Email secretary@vcea.catholic.edu.au
Telephone (03) 8417 9382

VCEA will investigate any complaint and will notify you of a decision in relation to your complaint as soon as practicable after the decision has been made.

If you are not satisfied with VCEA's decision concerning personal information, you may make a complaint to the Office of the Australian Information Commissioner, whose contact details are:

www.oaic.gov.au
GPO Box 5288, Sydney, NSW 2001
Telephone: 1300 363 992

If you are not satisfied with VCEA's decision concerning health information, you may make a complaint to the Health Complaints Commissioner, whose contact details are:

www.hcc.vic.gov.au
Level 26, 570 Bourke Street, Melbourne VIC 3000
Telephone: 1300 582 113

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