

## Privacy Policy and Appendices

Southern Montessori Education Centre Inc.

Version	Approved By	Date	Maintained By	Next Review
3	Board of Governors	August 2021	Governance	Aug 2024

### Policy Statement

Southern Montessori Education Centre Inc (the Centre) is bound by the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth). The APPs cover the collection, use, disclosure, integrity and security of, and access to, personal information.

The Centre is committed to protecting privacy and confidentiality, in accordance with Australian privacy laws. This Privacy Policy sets out how the Centre manages personal information provided to or collected by it.

### What Information is Covered by the APPs?

The following types of information are covered by the APPs:

- Personal information
- Sensitive information
- Health information

#### What is Personal Information?

Personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

Personal information collected by the Centre about students, staff, volunteers, contractors and other persons may include, as relevant: names, addresses and other contact details, date of birth, next of kin, marital status, primary language used at home, level of schooling attained, occupation, billing details, financial information, photographic or video images, attendance records, personal references and Working with Children Checks.

The APPs apply to the collection of personal information for The Centre's inclusion in a record or a generally available publication, but apart from this, the APPs only apply to personal information that the Centre has collected and that it holds as a record.

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## What is Sensitive Information?

Sensitive information is personal information that includes information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a professional, trade or political association or union, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices or criminal record. We only collect sensitive information where it is reasonably necessary for, or directly related to, our functions or activities and either:

- the individual has consented; or
- we are required or authorised by or under law, including under the APPs, to do so.

Sensitive information collected by The Centre may include, where relevant:

- National Police Record Check from job applicants, volunteers and contractors
- sexual orientation of students, if disclosed by the student, to assist with any welfare concerns.

## WHAT IS 'HEALTH INFORMATION'?

Health information is a subset of sensitive information. It is information or opinion about the health or disability of an individual, the individual's expressed wishes about the future provision of health services, or a health service provided to the individual, currently or in the future. Health information also includes personal information collected in the course of providing a health service.

Health information collected by The Centre about students, staff and other individuals may include:

- Information about physical or mental health
- Medical assessments and referrals
- Health fund details, ambulance subscription and Medicare number
- Medical background, including any conditions, treatments, or special reports and test results
- Immunisations
- Nutrition, dietary requirements
- Diagnosis of disorders and the treatment given.

## Exemption in Relation to Employee Records

Under the Privacy Act, the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the Centre's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the Centre and employee. The Centre will however, handle employee records with appropriate discretion and confidentiality.

## What Kinds of Personal Information Does the Centre Collect and How Does the Centre Collect It?

The Centre collects and holds (but is not limited to) personal information, including sensitive and health information, about:

- students and parents and/or guardians before, during and after the course of a student's enrolment at the Centre. This includes information for unsuccessful applicants for enrolment.
- job applicants, staff members, volunteers and contractors
- other people who come into contact with the Centre.

## Personal Information Collected by The Centre

The Centre will generally collect personal information about an individual by way of:

Application forms, enrolment form, medical form, school reports, students' portfolios, library record, family and financial records, past students and parents records, potential student records, counsellor's notes, attendance records, absentee notes, accident forms, exclusion records, IEPs, meeting and interview notes with parents, incident reports, observation records, photos and videos, potential staff records.

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When individuals complete enrolment forms and at other times when they are asked to provide personal information to the Centre, the forms will contain a Privacy Statement or Collection Notice.

### Personal Information Provided by Other People

In some circumstances the Centre may be provided with personal information about an individual from a third party, for example:

- a report provided by a medical professional
- a reference from another School
- from a referee or prior employer of a job applicant

### How Will the Centre Use the Personal Information You Provide?

The main purposes for which we collect, hold and use personal information are set out below:

#### Students and Parents

The primary purpose of collection includes:

- to provide an effective educational experience for students
- to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters, any electronic means which may include, for example the School Star app, Facebook and/or the Centre web-site
- to carry out the day-to-day administration of the Centre
- to support students' health and wellbeing
- to request their involvement in capital expansion (fundraising) initiatives
- to satisfy the Centre's legal and compliance obligations and allow the Centre to discharge its duty of care
- other purposes as outlined on individual forms, for example, camps and excursions
- maintaining an archival record of the Centre and its community for historic purposes.

#### Job Applicants and Contractors

The Centre's primary purpose of collection is to assess and, if successful, to engage the applicant or contractor in order:

- to administer the individual's recruitment, employment or contract, as the case may be
- to meet insurance obligations
- to protect the security of our students, staff, visitors, buildings and property held on our premises
- to comply with the Centre's legal obligations, for example, in relation to child protection legislation

#### Volunteers

The Centre also obtains personal information about volunteers or members of parent groups who assist the Centre in its functions or conduct associated activities - such as Parents' & Friends' Association - to enable the Centre and the volunteers/parent groups to work together.

#### Marketing and Community Engagement Initiatives

The Centre treats marketing and seeking donations for the future growth and development of the Centre as an important part of ensuring that the Centre continues to be a quality learning environment in which both students and staff thrive. Personal information held by the Centre may be disclosed to an organisation that assists in the Centre's fundraising. Parents, staff, contractors and other members of the wider School community may from time to time receive fundraising information. Centre publications, like newsletters, magazines and the Centre's website, which include personal information, may be used for marketing purposes.

#### Sharing of Parent Contacts

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At the start of the year the Centre distributes a Parent Contact list to the Parent Class Representative for each class containing the names of all parents and children enrolled in that class. This allows the Parent Class Representatives to organise social events for each class. Parents have the option of sharing their email address and mobile number.

## Who Might the Centre Disclose Personal Information To?

The Centre may disclose personal information, including sensitive information, held about an individual to:

- another school or centre
- government departments
- medical practitioners and specialists
- people providing services to the Centre, including specialist visiting teachers and sports coaches and volunteers
- providers of learning and assessment tools
- 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, IT and financial services to the Centre
- recipients of Centre publications, like newsletters and magazines
- parents or guardians
- anyone you authorise the Centre to disclose information to
- and anyone to whom we are required to disclose the information to by law, including child protection laws.

## Sending Information Overseas

The Centre 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 Centre 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 or other applicable privacy legislation.

The Centre may use online or 'cloud' service providers to store personal information and to provide services to the Centre that involve the use of personal information, such as services relating to email, web sites, instant messaging, 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 in the 'cloud' which means that it may reside on a cloud service provider's servers which may be situated outside Australia.

## What If We Are Not Provided With Personal Information

Wherever it is lawful and practicable, individuals have the option of not identifying themselves, by using a pseudonym. For example, you can access our website and make general phone queries without having to identify yourself.

However, if the information that the Centre requests is not provided, the main consequence may be that the Centre cannot:

- assess a student for enrolment or continue to enrol a student
- properly assess the suitability of an applicant for future employment, as a volunteer or as a contractor
- allow a student to participate in a school activity or to provide or allow services to be provided to the student, including medical or first aid services, or provide the full range of educational and support services offered by the Centre
- ensure the safety and welfare of a student
- communicate fully with the parents or guardians of a student
- comply with any lawful obligation of the centre including its duty of care.

## How Does the Centre Treat 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 you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

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## Management and Security of Personal Information

The Centre's staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals. The Centre has in place steps to protect the personal information the Centre holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerised records.

### Access and correction of personal information

Under the APPs an individual may request access to any personal information which the Centre holds about them, and access will be provided within a reasonable time, unless the Centre is entitled or obliged to refuse access.

Students will generally be able to access and update their personal information through their parents while they are attending the Centre.

To make a request to access or update any personal information the Centre holds about you or your child, please contact the Centre in writing. The Centre may require you to verify your identity and specify what information you require. The Centre may charge a fee to cover the cost of verifying your application and locating, retrieving, reviewing, updating and copying any material requested. If the information sought is extensive, the Centre will advise the likely cost in advance. If we cannot provide you with access to that information, we shall provide you with written notice explaining the reason(s) for refusal.

## Consent and Rights of Access to the Personal Information of Students

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

Generally, the Centre will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. The Centre 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 Centre about them or their child by contacting the Centre. However, there may be occasions when access is denied. Such occasions may 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 Centre's duty of care to a student.

The Centre may, at its discretion, on the request of a student grant that student access to information held by the Centre 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 warrant.

### Enquiries and complaints

If you would like further information about the way the Centre manages the personal information it holds, or wish to make any inquiry related to the Centre's compliance with the Australian Privacy Principles, please contact the Administration Manager who acts as the Centre's Privacy Officer.

A complaint must be made in writing and addressed to the Administration Manager. The Centre will investigate any complaint and report back to the complainant on its decision in relation to your complaint as soon as practicable after it has been made.

## References

1. This policy is to be read in conjunction with the "Australian Privacy Principles" version March 2014 to be found at:

<http://www.oaic.gov.au/privacy/privacy-resources/privacy-guides/australian-privacy-principles-and-national-privacy-principles-comparison-guide>

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2. Also see: Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth) – notice about collection of information by the Centre.

3. Appendices

- General Collection Notice
- Alumni / Old Scholars Collection Notice
- Employment Application Collection Notice
- Contractors and Volunteers

Document History and Version Control Table			Based on the Legal Liabilities Guidelines 2011
Version	Date Approved	Approved By	Brief Description
1	March 2014	Board of Governors	Creation of original document
2	Nov 2017	Board of Governors	Review ratified at Board
3	Aug 2021	Board of Governors	Review ratified at Board

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## General Collection Notice

1. The Centre collects personal information, including sensitive information about students and parents or guardians before and during the course of a student's enrolment at the Centre. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the Centre to provide schooling to students enrolled at the Centre, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all the activities of the Centre.
2. Some of the information we collect is to satisfy the Centre's legal obligations, particularly to enable the Centre to discharge its duty of care.
3. Laws governing or relating to the operation of a school require certain information to be collected and disclosed. These include relevant Education Acts, and Public Health and Child Protection laws.
4. Health information about students is sensitive information within the terms of the Australian Privacy Principles (APPs) under the Privacy Act 1988. We may ask you to provide medical reports about pupils from time to time.
5. The Centre may disclose personal and sensitive information for educational, administrative and support purposes. This may include to:
  - other schools or centres and teachers at those schools;
  - government departments (including for policy and funding purposes);
  - medical practitioners and specialists
  - people providing educational, support and health services to the Centre, including specialist visiting teachers, coaches and volunteers
  - providers of learning and assessment tools;
  - 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, IT and financial services to the Centre;
  - anyone you authorise the Centre to disclose information to; and
  - anyone to whom the Centre is required or authorised to disclose the information to by law, including child protection laws.
6. Personal information collected from pupils is regularly disclosed to their parents or guardians.
7. The Centre may use online or 'cloud' service providers to store personal information and to provide services to the Centre that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications.
 

The security of your data is important to the Centre. The Centre utilises protection measures to safeguard against the loss, abuse, and modification of the individual data under our control. Your data is kept in a secure database.
8. The Centre's Privacy Policy, accessible on the Centre's website, sets out how a person may seek access to and correction of the data which the Centre has collected and holds about them. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the Centre's duty of care, or where access may result in a breach of confidentiality.
9. The Centre's Privacy Policy also sets out how parents and pupils can make a complaint about a breach of the APPs and how the complaint will be handled.
10. The Centre may engage in fundraising activities. Information received from you may be used to make an appeal to you. It may also be disclosed to organisations that assist in the Centre's fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.

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11. On occasions information such as academic and sporting achievements, student activities and similar news is published in Centre newsletters, on our website, SchoolStar App and school social media sites. This may include photographs and videos. The Centre will obtain permissions [annually] from student's parent or guardian (and from the student if appropriate) if we would like to include such photographs or videos [or other identifying material] in our promotional material or otherwise make this material available to the public. We may include students' and parents' contact details in a class list and Centre directory.
12. If you provide the Centre with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the Centre and why.

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## Alumni / Old Scholars Collection Notice

1. The Centre may collect personal information about you from time to time. The primary purpose of collecting this information is to enable us to inform you about our activities and the activities of the Centre and to keep alumni members informed about other members.
2. We must have the information referred to above to enable us to continue your membership of the Centre's Alumni.
3. As you know, from time to time we engage in fundraising activities. The information received from you may be used to make an appeal to you. (It may also be used by the Centre to assist in its fundraising activities.)
4. The Centre may publish details about you in our Newsletter and the Centre's website. If you do not agree to this you must advise us now.
5. The Centre's Privacy Policy, accessible on the Centre's website, contains details of how you may seek access to and correction of your personal information which the Centre has collected and holds, and how you may complain about a breach of the Australian Privacy Principles.
6. The Centre may use online or 'cloud' service providers to store personal information and to provide services to the Centre that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications.

The security of your data is important to the Centre. The Centre utilises protection measures to safeguard against the loss, abuse, and modification of the individual data under our control. Your data is kept in a secure database.

7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the Centre and why.

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## Employment Application Collection Notice

1. In applying for a position you will be providing the Centre with personal information. We can be contacted at [admin@southernmontessori.sa.edu.au](mailto:admin@southernmontessori.sa.edu.au) or 8384 7233.
2. If you provide us with personal information, for example, your name and address or information contained on your resume, we will collect the information in order to assess your application for employment. We may keep this information on file if your application is unsuccessful in case another position becomes available, subject to your agreement. In all other instances, your information will be destroyed following appointment of the position.
3. The Centre's Privacy Policy, accessible on the Centre's website, contains details of how you may complain about a breach of the Australian Privacy Principles and how you may seek access to and correction of your personal information which the Centre has collected and holds. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others. Any refusal will be notified in writing with reasons if appropriate.
4. We will not disclose this information to a third party without your consent unless otherwise permitted. / We usually disclose this kind of information to the following types of organisations [insert list eg support vendors that provide services around staff administration systems].
5. The Centre may use online or 'cloud' service providers to store personal information and to provide services to the Centre that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications.

The security of your data is important to the Centre. The Centre utilises protection measures to safeguard against the loss, abuse, and modification of the individual data under our control. Your data is kept in a secure database.

6. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the Centre and why.

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## Contractors and Volunteers Collection Notice

1. In offering, applying or agreeing to provide services to the Centre, you will be providing Southern Montessori with personal information. We can be contacted at [admin@southernmontessori.sa.edu.au](mailto:admin@southernmontessori.sa.edu.au) or 8384 7233.
2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information in order to assess your application. We may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information for 7 years from the time of completion of volunteer work or contract.
4. The Centre's Privacy Policy, accessible on the Centre's website, contains details of how you may complain about a breach of the Australian Privacy Principles and how you may seek access to and correction of your personal information which the Centre has collected and holds. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others. Any refusal will be notified in writing with reasons if appropriate.
5. We will not disclose this information to a third party without your consent unless otherwise permitted to.
6. The Centre may use online or 'cloud' service providers to store personal information and to provide services to the Centre that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications.

The security of your data is important to the Centre. The Centre utilises protection measures to safeguard against the loss, abuse, and modification of the individual data under our control. Your data is kept in a secure database.

7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the Centre and why.

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## Website Collection Notice

Our Website Collection Notice governs the privacy terms of our website, sub-domains, and any associated web-based and mobile applications (collectively, “the website”), as owned and operated by Southern Montessori Education Centre Inc.

### Your Privacy is Very Important to Us

The primary purpose of collecting this information is to enable the Centre to provide services to parents, students or others. Some of the information collected may be used to satisfy the Centre’s legal obligations. The Centre’s Privacy Policy is available on the website. The Centre website collects the information that is voluntarily supplied, by yourself or your delegate. The information supplied includes personal information to register for a Centre event; contact details to receive further information about the Centre, including booking a tour; information to facilitate payment of fees and any other information that you may specify from time to time.

By using the website, you agree to the collection and use of information in accordance with this Collection Notice.

### Your Privacy

The Centre follows all legal requirements to protect your privacy. Our Collection Notice is a legal statement that explains how we may collect, use, communicate, disclose and make use of personal information from you including sensitive information about students, school employees, prospective families and others who interact with the Centre. We utilise the data you offer in a way that is consistent with our Privacy Policy. You will see terms in our Collection Notice are capitalized. These terms have meanings as described in the Definitions section below.

### Definitions

“Non Personal Information” is information that is not personally identifiable to you and that we automatically collect when you access our website. It may also include publicly available information that is shared between you and others.

“Personal Information” is non-public information that is personally identifiable to you and obtained in order for us to provide you access to a service. Personally Identifiable Information may include information such as your name, email address, and other related information that you provide to us or that we obtain about you.

### Computer Information Collected

When you use our website, we automatically collect certain computer information by the interaction of your mobile phone or web browser. Such information is typically considered Non Personal Information. We also collect the following:

#### *Cookies*

Our website uses “Cookies” to identify the areas of our website that you have visited. A Cookie is a small piece of data stored on your computer or mobile device by your web browser. Most web browsers can be set to disable the use of Cookies. However, if you disable Cookies, you may not be able to access functionality on our website correctly or at all. We never place Personally Identifiable Information in Cookies.

#### *Automatic Information*

We automatically receive information from your web browser or mobile device. This information includes the name of the website from which you entered our website, if any. This information also includes the IP address of your computer/proxy server that you use to access the Internet, your Internet provider name, web browser type, type of mobile device, date and time of your visit to the website, the pages you accessed and documents downloaded, the authentication credentials entered by you if accessing a restricted site or application and computer operating system.

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### Log Data

Like many website providers, we collect your visits and logs that your browser sends whenever you visit our website (“Log Data”) for statistical purposes. This Log Data may include information such as your computer’s Internet Protocol (“IP”) address, browser type, browser version, the pages of our website that you visit, the time and date of your visit, the time spent on those pages, the previous site visited and other statistics. No attempt will be made to identify individual users or their browsing activities except, in the unlikely event of an investigation, where a law enforcement agency may exercise a warrant to inspect our web server logs. This information may be analysed periodically to determine the website’s usage statistics.

### Email Addresses

The Centre retains the email addresses of people who send emails through any online forms or via any email addresses published on the site, for the purpose of sending a response. They are stored securely on the Centre’s web servers, and in cloud based servers and will not be used for any other purpose nor disclosed to a third party without your consent.

### Hyperlinks

External sites that are linked from the AISSA’s website are generally not under our control or responsibility and you are advised to inform yourself of the privacy statements of those external sites.

### Cloud Storage and Security

The Centre may store Non Personal Information and Personally Identifiable information in the ‘cloud’ which may mean that it resides on servers which are situated outside of the AISSA. The AISSA may use these ‘cloud’ service providers to provide services that involve the use of personal information, such as services relating to email, instant messaging and education applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. The security of your data is important to AISSA. The AISSA utilises practical protection measures to safeguard against the loss, abuse, and modification of the individual data under our control. Your data is kept in a secured database.

### Rights of Access and Correction

The Centre’s Privacy Policy sets out how a person may seek access to data collected about them.

### Enquiries and Complaints

The Centre’s Privacy Policy also sets out how you may register a complaint about a breach of privacy and how the AISSA will deal with a complaint.

### Privacy Policy Updates

We reserve the right to modify this Collection Notice from time to time.

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