



## PRIVACY POLICY

This statement and policy outlines how Ballarat Steiner School and Kindergarten uses and manages personal information provided to or collected by the school.

Ballarat Steiner School and Kindergarten contend that when children, young people or adults make disclosures of child sexual abuse, or disclose that they suspect child sexual abuse of another person has been perpetrated, written records need to immediately be created by people who receive these disclosures to record their content, precisely and accurately. Given the potential implications for these records in subsequent police investigation and prosecution of perpetrators, as well as other legal proceedings, detail should be as comprehensive as possible. This includes using direct quotes (or, preferably, voice recordings to be appended to written records, where disclosers consent to this). Whilst we acknowledge that disclosers' phrasing when describing their abuse may be graphic and disturbing in nature, it is important that people composing written records documenting disclosures do not paraphrase, omit or add any statements on behalf of the discloser out of a sense of social propriety at the risk of compromising subsequent investigation/prosecution. Ballarat Steiner School and Kindergarten use critical incident reports to document disclosures of child sexual abuse, sexual assault and sexual exploitation, and the steps we take to respond to and manage these (including reporting to Child Protection and police, and other appropriate actions to keep children and others safe, and promote their wellbeing and resilience (such as referrals for sexual assault counselling, etc.)).

Ballarat Steiner School, is bound by the National Privacy Principles contained in the Commonwealth Privacy Act.

Ballarat Steiner 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 practices and to make sure it remains appropriate to the changing school environment.

### **What kind of personal information does Ballarat Steiner School collect and how does the School collect it?**

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

- ◆ pupils and parents and/or guardians ('Parents') before, during and after the course of a pupil's enrolment at the School;
- ◆ job applicants, staff members, volunteers and contractors; and
- ◆ other people who come into contact with the School.

**Personal Information you provide:** Ballarat Steiner School will generally collect personal information held about an individual by way of forms filled out by Parents or pupils, face-to-face meetings and interviews, and telephone calls. On occasions people other than Parents and pupils provide personal information.

**Personal Information provided by other people:** In some circumstances Ballarat Steiner 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.

**Exception in relation to employee records:** Under the Privacy Act the National Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the School's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the School and employee.

## How will Ballarat Steiner School use the personal information you provide?

Ballarat Steiner 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, or to which you have consented.

**Pupils and Parents:** In relation to personal information of pupils and Parents, Ballarat Steiner School primary purpose of collection is to enable the School to provide schooling for the pupil. This includes satisfying both the needs of Parents and the needs of the pupil throughout the whole period the pupil is enrolled at the School.

The purposes for which the school uses personal information of pupils and Parents include:

- ◆ to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and articles;
- ◆ day-to-day administration;
- ◆ looking after pupils' educational, social and medical wellbeing;
- ◆ seeking donations and marketing for the School;
- ◆ to satisfy the School's legal obligations and allow the School to discharge its duty of care.

In some cases where Ballarat Steiner School requests personal information about a pupil or Parent, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the pupil.

**Job applicants, staff members and contractors:** In relation to personal information of job applicants, staff members and contractors, the School's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

The purposes for which the School uses personal information of job applicants, staff members and contractors include:

- ◆ In administering the individual's employment or contract, as the case may be.
- ◆ For insurance purposes.
- ◆ Seeking funds and marketing for the School.
- ◆ To satisfy the School's legal obligations, for example, in relation to child protection legislation.

**Volunteers:** The School also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, such as Parents' and Friends' Associations, to enable the School and the volunteers to work together.

**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 be a quality learning environment in which both pupils and staff thrive. Personal information held by the School may be disclosed to an organisation that assists in the School's fundraising, for example, the School's Foundation or alumni organisation.

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.

## Who might Ballarat Steiner School disclose personal information to?

Ballarat Steiner School may disclose personal information, including sensitive information, held about an individual to:

- ◆ another school;
- ◆ government departments;
- ◆ medical practitioners;
- ◆ people providing services to the School, including specialist visiting teachers and sports coaches;
- ◆ recipients of School publications, like newsletters and magazines;

- ◆ parents; and
- ◆ anyone you authorise the School to disclose information to.

**Sending information overseas:** The School 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 National Privacy Principles.

## **How does Ballarat Steiner School treat sensitive information?**

In referring to 'sensitive information', the School means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record, that is also personal information; and health information about an individual.

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.

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

Ballarat Steiner School staff are required to respect the confidentiality of pupils' and parents' personal information and the privacy of individuals.

The School has in place steps to protect the personal information the School holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and passworded access rights to computerised records.

In regard to recordkeeping, teachers and staff members need to be informed of their right, in accordance with privacy and health records law, to request access to their personal information contained in organisational records and to seek its correction (note: in accordance with this law, access may sometimes be lawfully declined under particular circumstances, such as when allowing access might pose a threat to someone's safety).

Records must be kept in a safe and secure place. They must be kept for the period of time specified in the National Regulations. Records may be kept in hard copy or electronic form, provided that they are accessible as required. Information that is kept in a record as required by the National Regulations must not be communicated (either directly or indirectly) with anyone other than: • educators who require the information for the education and care of the child • medical personnel who require the information for medical treatment of the child • the parent of the child that the record relates to (except for a staff record), or • the regulatory authority or an authorised officer. It may also be communicated if authorised or required under any Act or Law, or if the person who provided the information gives written permission. For example, a parent may give written permission for the service to share information about their child with a support agency such as Inclusion Support.

## **Updating personal information**

Ballarat Steiner School endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by the School by contacting the Business Manager of the School at any time.

The National Privacy Principles require the School not to store personal information longer than necessary.

## **You have the right to check what personal information Ballarat Steiner School holds about you**

Under the Commonwealth Privacy Act, an individual has the right to obtain access to any personal information which Ballarat Steiner School holds about them and to advise the School of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Pupils will generally have access to their personal information through their Parents, but older pupils may seek access themselves.

To make a request to access any information Ballarat Steiner School holds about you or your child, please contact the School Business Manager in writing.

The School may require you to verify your identity and specify what information you require. The School 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, the School will advise the likely cost in advance.

## **Consent and rights of access to the personal information of pupils**

Ballarat Steiner School respects every Parent's right to make decisions concerning their child's education.

Generally, the School will refer any requests for consent and notices in relation to the personal information of a pupil to the pupil's Parents. The School will treat consent given by Parents as consent given on behalf of the pupil, and notice to Parents will act as notice given to the pupil.

Parents may seek access to personal information held by the School about them or their child by contacting the School Business Manager. However, 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 pupil.

The School may, at its discretion, on the request of a pupil grant that pupil access to information held by the School about them, or allow a pupil 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 pupil and/or the pupil's personal circumstances so warranted.

## **Enquiries**

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