PENLEIGH AND ESSENDON GRAMMAR SCHOOL

If you require access to this policy in a language other than English, please contact the Principal's office on 9016 2000

Privacy Policy

1. Policy Statement

Penleigh and Essendon Grammar School (**PEGS**, **we**, **us**, **our, the school**) ACN 006 038 071 (which, for the purpose of this Privacy Policy includes any of its Related Bodies Corporate, as that term is defined in the *Corporations Act 2001 (Cth)*) respects your privacy and is committed to protecting the personal (including sensitive) information that we hold about you.

We are bound by the *Privacy Act 1988* (Cth) (**Privacy Act**), including the Privacy Amendment (Notifiable Data Breaches) Act 2017, and must comply with the Australian Privacy Principles (**APPs**). You can find out more information about the Privacy Act and the APPs at the Office of the Australian Information Commissioner's website at www.oaic.gov.au.

2. Purpose

The Privacy Policy outlines how the school collects, uses, discloses and manages personal information.

3. Scope

This policy applies to staff, students, parents, contractors, third-party/service providers, volunteers, visitors and school community.

4. Policy

This Privacy Policy sets out the manner in which we collect, use, disclose and manage your personal information, as is reasonably necessary to fulfil one or more of the school's functions or activities.

By:

- making an enquiry with or about the school, including as a current or prospective student, parent or guardian
- being registered, or registering your child, or other child under your care on a waiting list
- applying for a scholarship at the school
- enrolling your child or other child under your care at the school
- being enrolled as a student of the school
- visiting our website (www.pegs.vic.edu.au)
- arranging online participation in school activities

- becoming a client or debtor of PEGS
- supplying goods or services to us
- entering into an agreement with us
- applying for or accepting a job, contract or voluntary role with us

you are taken to have read, and agree to the collection, use, disclosure and handling of your personal information in accordance with this Privacy Policy.

PEGS collects and holds information about:

- students and parents before, during and after the course of a student's enrolment at PEGS
- volunteers, contractors and service providers
- job applicants and employees
- people who are nominated as emergency contacts
- other people who come into contact with the school.

We endeavour to keep your personal information highly secure, and acknowledge that you have the right to be informed about how we deal with that information, so if on reading this policy, you are unclear on any of the matters or simply want more information, please contact us by using the contact details provided at the end of this Privacy Policy.

4.1 What personal information we collect about you

We aim to collect personal information only if it is reasonably necessary to providing the service, product or information you have requested from us.

For students, parents and other clients

In the course of providing you with products and services, PEGS collects personal information in a variety of ways. For example, PEGS may collect personal information about you when you:

- make an enquiry with or about the school, including as a prospective student, parent or guardian
- are registered, or register your child, or other child under your care on a waiting list
- apply for a scholarship at the school
- enrol your child or other child under your care at our school
- are enrolled as a student of the school
- visit our website (www.pegs.vic.edu.au)
- arrange online participation in school activities
- become a client or debtor of PEGS
- supply goods or services to us
- enter into an agreement with us.

In general you can assume that we collect and hold the following personal information about you:

- your name
- your address
- your email address
- your relationship, or potential relationship with PEGS
- your telephone number.

You have the option of not identifying yourself or of using a pseudonym when dealing with us, but this may restrict the services we are able to provide to you.

If you are a **current or prospective student of PEGS**, we may also collect and hold the following personal information about you:

- age, date of birth and year level
- relationship with the school, for example, siblings currently or previously enrolled in PEGS
- Victorian Student Number
- tax file number (if applicable)
- copy of or details from your birth certificate, passport, or proof of citizenship or Visa
- if you identify as Aboriginal or Torres Strait Islander
- languages spoken at home
- emergency contact information
- academic, social, learning and behavioural information, including information collected from previous schools (if applicable)
- photographs and videos of you
- your religion
- medical information, including disabilities, medical conditions, relevant medications, psychological, behavioural or emotional conditions, as well as the name of your treating medical practitioners, dietary requirements
- family circumstances, including marital status of parents and other information in relation to custody, access or intervention orders.

If you are a **current or prospective parent of PEGS**, we may also collect and hold the following personal information about you:

- bank account (including credit card) details
- tax file number
- occupation and employer
- relationship with the school, for example, if you are a past student of PEGS.

If you are an **applicant for a scholarship** at the school, we will collect your name, address, age, current school, statement of abilities and your test scores. This may include information from Australian Council for Educational Research (**ACER**) or other providers, NAPLAN results and school reports. The school also records information about personal achievements, for instance in the areas of drama, music or sport. Also we collect some of this information from all students entering the school.

If you are a **graduating student**, we may collect and hold information about your activities after school, including your year of graduation, address and contact information, tertiary courses and institutions in which you are enrolled, employment and career aims.

4.2 How we collect personal information

Unless it is unreasonable or impracticable to do so, we collect your personal information from you directly, including by using cookies on our Website.
In many cases, however, the information that we collect about students or prospective students is collected from a parent or legal guardian of that student.

In some cases we may collect personal information from third parties such as:

- people other than parents who are related to students such as grandparents or guardians
- medical and health practitioners such as psychologists, speech therapists, occupational therapists (however we will only collect this information with your or your parent or guardian's consent)

- external examination agencies
- the legal system including courts (for example, in relation to intervention orders or court proceedings)
- credit reporting bodies such as VEDA (please see our Credit Reporting Policy)
- Victorian Curriculum and Assessment Authority (**VCAA**)
- Victorian Tertiary Admissions Centre (**VTAC**).

In relation to enrolling students, PEGS may collect personal information from the student's previous school (including from the student's teacher) to obtain information about the student's academic progress and any other information that may help the student's transition. This information is requested by PEGS and is provided subject to the permission of the parent/guardians and the other school.

In some cases we will be required or authorised by Australian law, or the order of a court or tribunal to collect personal information about you.

In some cases, PEGS may receive unsolicited personal information about you (for example, from a previous school or other provider). When unsolicited information is received, we will assess whether we are permitted by law to collect that information. If not, the information will be destroyed or de-identified.

We will take such steps as are reasonable in the circumstances to notify you that we have collected personal information about you and of any matters relevant to the collection, as soon as practicable after we have collected it, unless it is obvious from the circumstances that you would know or would expect us to have the information.

4.3 How We Use Cookies

We may use cookies on some areas of our Website. A cookie is a small file saved on your computer's hard drive. When you return to our website, the data saved in the cookie is sent back to the website. These details would be encrypted. We use cookies to gauge visitor traffic, trends and to help us serve you more efficiently if you revisit the Website. The cookies we use in no way give us access to your computer or any information about you, other than the information you choose to share with us. You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the Website.

4.4 Purpose of collection

We collect personal information about students, parents and guardians primarily to enable the provision of education services for students.
If you are a **student, parent or guardian**, (including a prospective parent, guardian or student) and it is reasonable to expect that we would use or disclose personal information in relation to you, your child or other child for whom you are responsible for the provision of education services, we may also use or disclose that information to:

- keep parents informed about matters relating to their child's schooling, including the issue of academic reports
- promote a student's education and social and medical well-being
- contact you in the case of an emergency involving your child
- provide you with goods, services and information that you request from us
- provide you with information about PEGS' products and services and to promote, advertise and market our products and services
- develop and improve our services
- provide you with information about, and administer a scholarship program

- invite you to events hosted by PEGS and inform you of developments at PEGS and other services that we can provide
- assist you with enquiries or complaints.

With reference to associations affiliated with the school like Friends of PEGS, the Former Students' Association and PEGS Business Network, we will use your personal information to keep you connected with the school, including inviting you to events hosted by PEGS and inform you of developments at PEGS and other services that we can provide to you.

Information collected through our Website about visitors to that site may be used by PEGS for the purpose of gauging visitor traffic, trends and delivering personalised content to you while you are at our Website.

If you are a student, parent or guardian (past, present or future), we may otherwise collect and use your personal information to comply with any law, including the VRQA regulations for school registration, regulations imposed by the Victorian and Commonwealth Governments from time to time, regulations administered by VCAA from time to time in relation to NAPLAN and VCE, and to comply with any lawful request of a law enforcement agency or government authority.

Where reasonably possible, we will provide you with a choice to opt-out of any of the above. We will disclose any use of personal information for direct marketing purposes and will respect your request to decline to receive these marketing communications, however by doing so, you may miss out on opportunities made available to the school community.

4.5 Disclosure of your personal information

We will only use personal information for the purposes for which it was given, or for the purposes which are related (or directly related in the case of sensitive information) to one or more of the functions or activities as listed. We may disclose personal information to government agencies, other parents, other schools, recipients of school publications, visiting teachers, counsellors, coaches, service providers, contractors, business partners and other recipients from time to time, only if one or more of the following apply:
a) consent has been received
b) it would be reasonably expected by us to use or disclose the personal information in this way
c) we are authorised or required to do so by law
d) disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety
e) where another permitted general situation or permitted health situation exception applies
f) disclosure is reasonably necessary for a law enforcement related activity.

As a **student or past student**, if you use PEGS as a referee in an application for employment or further education including residential college placing, we will confirm that you attended PEGS and the years of attendance, your academic record and any other information that is requested in this process.

4.6 Legal requirements for sharing information

The school may be legally required to share information with authorised agencies.

Under the Child Information Sharing Scheme (CISS), the school may be required to share information with other Information Sharing Entities (ISEs) for the purpose of promoting the wellbeing or safety of a child or group of children.

Subject to the requirements of the Child Information Sharing Scheme (CISS) and when certain threshold conditions are met, the school will share confidential health and personal information with other Information Sharing Entities, including family services, within a reasonable period of time.

The conditions include:

- the purpose of sharing the information is to promote the wellbeing and safety of a child or group of children
- the information may assist the organisation to make a decision, assessment or plan; start or conduct an investigation; provide a service; and/or or manage any risk in relation to a child or group of children
- the information is not 'excluded information' under the CISS.

The school does not require consent from any person to share information under the CISS, however will take into account the views of the child and their relevant family member where it is appropriate, safe and reasonable to do so.

Under the Family Violence Information Sharing Scheme (FVISS), the school may be required to share information requested by a Risk Assessment Entity (RAE) for the purposes of family violence assessment or family violence protection.

The school is not required to obtain the consent from an alleged perpetrator under the FVISS.

The school will seek the consent of adult victim survivor or third party before sharing their information under the FVISS.

Students and parents or guardians will be notified about the request for information if it is appropriate, safe and reasonable to do so and views expressed in relation to the request will be considered. Records of the correspondence concerning information sharing will be kept.

Consent of a parent or guardian is not required in order to share personal and health information about a student with members of the school staff in order to support the education and social and emotional wellbeing and health of the student.

Where requested, and if required or permitted by law, we may also provide information to Victoria Police and Australian Federal Police and Department of Veteran Affairs.

The privacy and collection practices of entities to which we disclose personal information are governed by their own privacy policies and collection notices.

4.7 Disclosure of personal information to overseas recipients

We will disclose your personal information overseas if you request us to do so, for example, in the case of an international exchange program. If you travel on a school trip, your information may also be disclosed overseas where relevant (usually for medical reasons). In both cases, it should be obvious to which country the information is being disclosed.
We are not otherwise likely to disclose your information to overseas recipients unless it is with your consent, or the disclosure is required or authorised by law. We will only disclose to overseas recipients if we reasonably believe that the recipient is subject to a law or scheme or contractual obligation that will protect your personal information in a way that is substantially similar to the way the APPs protect your personal information, or we have your consent.

4.8 Quality of your personal information

We aim to ensure that your personal information is accurate, complete, relevant, up to date and not misleading. To assist us in this, you need to provide true, accurate, current and complete information about yourself and your child(ren) to us as requested and properly update the information to keep it true, accurate, current and complete. We will ask you periodically to review and update the personal information that we hold about you and your children, however we request that you let us know immediately when personal information (particularly sensitive information, including family circumstances) changes.
If you believe that the information we hold is inaccurate or incomplete, please contact us and we will take steps to correct the information.

In the event that we do not believe the information to be incorrect, we will take reasonable steps to add a statement to the information claiming that you believe the information is inaccurate, incomplete or out of date.

4.9 Securing your personal information

We are committed to maintaining the security and confidentiality of your personal information and we will take all reasonable precautions to protect your personal information from unauthorised access, disclosure, use, alteration or loss.
We will take all reasonable steps to guard your information against potential exposure resulting from a data breach that is likely to result in serious harm.
Should a data breach occur the School will enact its Data Breach Response Plan.

Confidentiality is regularly discussed with staff, and access to personal information is only shared on a "need to know" basis. In addition, we have the following security measures in place to protect your personal information:

- all data systems are protected by a combination of ICT security measures including permission-based password protected access to information and appropriate firewall and other intrusion protection systems
- our offices and filing cabinets are securely locked
- in many cases, sensitive information is stored separately from other personal information and access is limited to specific personnel
- our offices are monitored regularly by a security service
- our Website and servers are protected by a firewall
- our employees agree to the statement on confidentiality as published on the Website when they begin employment at PEGS and this agreement is ongoing. Action is also taken to maintain appropriate protection of personal information associated with use of ICT and social media by employees.

We will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed. In the case of student files however, in many cases this information may be securely archived indefinitely.

4.10 Additional information for staff members, contractors and volunteers

We aim to collect personal information only if it is reasonably necessary to your work performance and we acknowledge your right to keep certain information to yourself.
Collection of information

In general employees can assume that we collect and hold the following personal information:

- your name
- your address
- your email address
- your telephone number
- your qualifications

- your skills
- your approval for working with children
- the terms of your employment
- details of banking, taxation and superannuation related to payment of your salary
- details of your performance, your conduct relating to work, and your capacity to perform duties.

The school has rights and obligations to collect information about your capacity to perform duties.

- During the course of a job application we may collect information from prior employees and educational institutions
- During the course of your employment information may be collected by monitoring your work practices. Monitoring will always occur fairly, respectfully and lawfully and only after you have been told that it will occur. Information collected in this manner will be used for legitimate purposes only.

As an employee, if you use PEGS as a referee in an application for employment or further education, we will confirm your record of service and provide any other information that is requested in this process.

4.11 Maintaining the privacy of others

Personal information about students, their parents and members of staff should never be shared inappropriately. You must ensure that in all communications, including via electronic and social media, your conduct does not breach privacy expectations and is not offensive, derogatory or damaging to the school or individuals. This includes statements shared on social media outside the workplace and on personal devices as well as at work.

4.12 Changes to this Privacy Policy

PEGS reserves the right to make amendments to this Privacy Policy at any time for any reason. We will publish any updated Privacy Policy on our Website.

4.13 Closed Circuit Television (CCTV) systems

The school has a CCTV surveillance system installed at each campus and fitted in PEGS-owned buses, to support the safety and security of all students, staff and visitors; deter inappropriate behaviour such as vandalism or theft; after-hours monitoring; and to support the investigation of incidents on school grounds.

The school is committed to ensuring the privacy of students, staff and visitors by ensuring:

- The location and placement of cameras at entrances, exits and common areas only
- No cameras are placed in areas where privacy would be expected (e.g. First aid rooms, bathrooms, changerooms, counselling offices)
- Signage is installed at entrances/exits of each campus to indicate CCTV surveillance is in place
- Video-only footage is recorded, no audio recording is enabled
- The CCTV system is only accessible to key personnel (e.g Leadership, ICT and Facilities teams) with appropriate data protection and cyber security systems in place to prevent unauthorized access
- CCTV cameras are visibly displayed, with no covert or hidden cameras installed
- Cameras are not used for the purpose of monitoring staff or student performance or behaviour
- CCTV recordings are automatically deleted every 3 weeks

- Incidents are investigated in accordance with the Incident, Injury and Hazard Reporting and Investigation Procedure

4.14 Accessing and correcting your personal information

You have a right to request access to, or the correction of, personal information that we hold about you, or your child, or other child under your care, subject to exceptions allowed by law. If you would like to do so, please let us know. You may be required to put your request in writing for security reasons.
We will give you access to, or correct, your personal information unless there is a lawful reason for refusing your request for access or correction. If we refuse your request we will give you a written notice explaining our reasons for that refusal and how you may complain about that refusal.

If you make a request for access to personal information about a student and you are not that student's parent or legal guardian, we will require the consent of the student or their parent or legal guardian before providing you with access to that information.

4.15 Change in control of PEGS

If we sell or otherwise transfer part or the whole of PEGS or our assets to another organisation (including in the course of a transaction like a sale, merger or acquisition or as part of a dissolution, liquidation, administration, receivership or other form of insolvency), you agree that your personal information that is collected by PEGS may be disclosed to a third party, prospective buyer, transferee or insolvency practitioner and that this is reasonable to enable that party to continue or manage the business.

4.16 Complaints

If you have a complaint about our collection, use or disclosure of your personal information, or you wish to make a complaint about a breach of the APPs, please contact our Privacy Officer at the details set out below.
In your complaint, please set out the details of your complaint and your contact details. Our Privacy Officer will contact you to acknowledge your request and ask for any other applicable information. Our Privacy Officer will then investigate the issue and advise you in writing of the outcome.

You can also make a complaint to the Office of the Australian Information Commissioner (or any statutory successor). Further information is available at www.oaic.gov.au.

4.17 Contacting us

PEGS welcomes your comments regarding this Privacy Policy. If you have any questions about this Privacy Policy and would like further information, please contact us by any of the following means.
Post:
Privacy Officer
Penleigh and Essendon Grammar School
PO Box 417
Niddrie VIC 3042

Email:
tim.watson@pegs.vic.edu.au

5. Definitions

Term	Meaning
Personal information	**Personal information** has the meaning given to that term in the Privacy Act and includes information or an opinion (whether true or not) about an identified individual, or an individual who is reasonably identifiable.
Sensitive information	In this Privacy Policy, 'personal information' also includes **sensitive information**, which is defined in the Privacy Act to include information or an opinion about an individual's racial or ethnic origin, religious beliefs or affiliations, sexual orientation or practices, health information, or genetic information that is not otherwise health information.
Health information	Information about physical or psychological health of an individual, including relating to a disability, use of health services, medical history, medications or health care plans.
Parent	Encompasses parents, caregivers and legal guardians of prospective and current students.
Privacy Officer contact details	Post: Privacy Officer Penleigh and Essendon Grammar School PO Box 417 Niddrie VIC 3042 Email: tim.watson@pegs.vic.edu.au

6. Related Legislation, Regulations and Standards

- Education and Training Reform Act 2006 (Vic)
- Education and Training Reform Regulations 2017 (Vic)
- Privacy Act 1988 (Cth) and Australian Privacy Principles (APPs)
- Privacy and Data Protection Act 2014 (Vic)
- Health Records Act 2001 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Child Safe Standards (Vic)
- Ministerial Order 1359 Implementing the Child Safe Standards – Managing the risk of child abuse in schools and school boarding premises
- Child Information Sharing Scheme (CISS) and Family Violence Information Sharing Scheme (FVISS)
- Surveillance Devices Act 1999 (Vic)

7. Related Documents

- Child Safety Policy
- Code of Conduct for Staff and others who interact with students
- Code of Conduct for Visitors and others who have incidental contact with students
- Duty of Care Policy
- Enrolment Policy and Agreement
- ICT and Acceptable Use Policy
- Incident, Injury and Hazard Reporting and Investigation Procedure
- Procedures to Protect Children from Abuse
- Safe Use of Digital Technology and Online Environments Policy (Kindergarten)

- Student Health Support Policy
- Use of Personal Devices Policy (Kindergarten)

8. **References and Resources**

- https://www.vic.gov.au/department-of-education-privacy-policy
- https://www2.education.vic.gov.au/pal/privacy-information-sharing/policy
- https://www.vic.gov.au/schools-privacy-collection-notice
- www.oaic.gov.au
- https://www.vic.gov.au/information-sharing-schemes-and-the-maram-framework
- https://www.vic.gov.au/maram-practice-guides-and-resources
- https://www.vic.gov.au/frequently-asked-questions-about-information-sharing-and-maram