

PRIVACY POLICY

Melbourne Montessori School is bound by and adheres to the *Australian Privacy Principles* (APP) contained in the *Commonwealth Privacy Act 1988* and *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (referred to as the *Privacy Act*), and the *Privacy Amendment (Notifiable Data Breaches) Act 2017*. In relation to health records, the School is also bound by the *Victorian Health Privacy Principles* as contained in the *Victorian Health Records Act 2001*. As such, this statement outlines how the School uses and manages personal information provided to or collected by it.

The School may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the School's operations and practices and to make sure it remains appropriate to our changing School environment.

This policy applies to all members of the School community, as well as members of the public who provide information to the School.

WHAT KIND OF PERSONAL INFORMATION DOES MELBOURNE MONTESSORI SCHOOL COLLECT AND HOW DOES THE SCHOOL COLLECT IT?

The type of information Melbourne Montessori School collects and holds includes (but is not limited to) personal information, including health and other sensitive information about:

- students and parents and/or guardians (**parents**) before, during and after the course of a student's enrolment at the School, including:
 - name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
 - parents' education, occupation and language background;
 - medical information (e.g. details of disability and/or allergies, medicines, medical reports and names of doctors);
 - results of assignments, tests and examinations;
 - conduct and complaint records, or other behaviour notes, and School reports;
 - information about referrals to government welfare agencies; - counselling reports;
 - health fund details and Medicare number;
 - any Court Orders;
 - volunteering information; and
 - photos and videos at School events;
- job applicants, staff members, volunteers and service providers, including:
 - name, contact details (including next of kin), date of birth, and religion;
 - information on job application, including work history;
 - professional development history;
 - Police Checks, WWC Check or VIT registration details;
 - proof of person's identity and professional qualifications;
 - references written and verbal;
 - salary and payment information, including superannuation details;
 - medical information (e.g. details of disability and/or allergies, and medical certificates);
 - complaint records and investigation reports;

PRIVACY POLICY

- leave details;
- photos and videos at School events;
- workplace surveillance information;
- work emails and private emails (when using work email address) and Internet browsing history; and

other people who come into contact with the School, including name and contact details and any other information necessary for the particular contact with the School.

Personal information you provide

The School will generally collect personal information held about an individual by way of forms filled out by parents or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parents and students provide personal information.

Personal information provided by other people

In some circumstances the 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.

The School does not collect personal information from their credit providers or credit reporting bodies.

Exception in relation to employee records

Under the *Privacy Act* and the *Victorian Health Record Act 2001*, the *Australian Privacy Principles* and *Health 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. The School handles Staff health records in accordance with *Victorian Health Privacy Principles* and the *Victorian Health Records Act (Vic) 2001*.

THE PURPOSE FOR WHICH AND HOW MELBOURNE MONTESSORI SCHOOL WILL USE THE PERSONAL INFORMATION YOU PROVIDE

The 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 by you, or to which you have consented.

Students and Parents

In relation to personal information of students and parents, the School's primary purpose of collection is to enable the school to provide schooling to students enrolled at the School, exercise its duty of care and perform necessary associated administrative activities which

PRIVACY POLICY

enable students to take part in all activities of the School. This includes satisfying both the needs of parents, the needs of the student and the needs of the school throughout the whole period the student is enrolled at the School.

The purposes for which the School uses personal information of students and parents include:

- to keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- day-to-day administration of the School;
- looking after students' educational, social and medical wellbeing;
- celebrating the efforts and achievements of our students;
- seeking donations and marketing for the School;
- to satisfy the School's legal obligations and allow the School to discharge its duty of care; and
- if required, parent information may be sent to legal representatives for the recovery of fees.

In some cases where the School requests personal information about a student or parent, if the information requested is not provided, the School may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

Job Applicants and Service Providers

In relation to personal information of job applicants and contractors, the School's primary purpose of collection is to assess and (if successful) to engage the applicant or service provider, as the case may be.

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

- assessing the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking donations and marketing for the School; and
- to satisfy the School's legal obligations, for example, in relation to child safety and protection legislation.

Volunteers

The School also obtains personal information about volunteers who assist in its functions or conduct associated activities, such as the Melbourne Montessori School Foundation or Parents Association, to enable the School and the volunteers to work together and to satisfy the School's legal obligations, for example, in relation to child safety and protection legislation.

PRIVACY POLICY

Marketing and Fundraising

Melbourne Montessori School treats marketing and seeking donations for its 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 students and Staff thrive. Personal information held by the School may be disclosed to an organisation that assists in its fundraising, for example, Parents Association or Melbourne Montessori School Alumni or, on occasions, external fundraising organisations.

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.

Collection and Use of Student Imagery

On occasions School students will be involved in activities that are of interest to the wider community and showcase the students, their works and the School. Personal information in the form of imagery (e.g. photographs, student movies, video/audio presentations, text, graphics) of students may be used by the School and its Agents (e.g. local sporting associations) in:

- School publications (including but not limited to newsletters, magazines, on the School intranet, website and affiliated websites);
- Social Media (such as Facebook, Instagram, LinkedIn) and video streaming sites (full names of students are never used on Social Media, only first names are used if necessary);
- Promotional materials, newspapers or other media. (We always seek permission from parents if we would like to use their child in photoshoots for advertising campaigns); and in
- Recording and broadcasting of special events, activities or meetings for educational purposes or that are of interest to the School community. (Broadcasts are only made available to the general public with prior notification).

Imagery is taken with the knowledge of the School, arranged by the Marketing Office, or by Staff responsible for a particular activity. There are also times when student work may be displayed, published or photographed for educational or promotional purposes.

If for any reason you do not wish your child's image or works to be used, please notify the School Principal in writing. In certain circumstances, such as arranged promotional photographic opportunities, specific consent will be requested from the parents.

WHO MIGHT MELBOURNE MONTESSORI SCHOOL DISCLOSE PERSONAL INFORMATION TO AND STORE YOUR INFORMATION WITH?

The School may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes. This may include to:

PRIVACY POLICY

- other schools and teachers at those schools;
- Government departments (including for policy and funding purposes);
- medical practitioners;
- people providing educational support and health services to the School, including specialist visiting teachers, (sports) coaches, volunteers and counsellors;
- providers of specialist advisory services and assistance to the School, including in the area of Human Resources, child protection and students with additional needs;
- 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);
- agencies and organisations to whom we are required to disclose personal information for education, funding and research purposes;
- people providing administrative and financial services to the School;
- recipients of School publications, like newsletters and magazines;
- outside legal representatives for non-payment of fees;
- Friends of Melbourne Montessori School (Parents and Friends Association);
- students, parents and guardians;
- anyone you authorise (in writing) the School to disclose information to; and
- anyone to whom we are required or authorised to disclose the information to by law, including child protection, safety and welfare laws.

Sending and Storing Information Overseas

The School 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 or overseas school trip.

However, 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 Australian Privacy Principles or other applicable privacy legislation.

The School may use online or 'cloud' service providers to store personal information and to provide services to the School that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may be stored in the 'cloud' which means that it may reside on a cloud service provider's server which may be situated outside Australia.

PRIVACY POLICY

Examples of such a cloud service provider is Microsoft and Google. Microsoft provides the 'Microsoft 365' group of Apps including email, and stores and processes limited personal information for this purpose. School personnel and the School and its service providers may have the ability to access, monitor, use or disclose emails, communications (e.g. instant messaging), documents and associated administrative data for the purposes of administering Microsoft 365 and ensuring its proper use.

HOW DOES MELBOURNE MONTESSORI 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, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information and biometric 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

The School's Staff are required to respect the confidentiality of students' 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, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password protected access rights to computerised records.

In accordance with the *Privacy Act*, the School is required to notify specific types of data breaches to individuals affected by the breach and to the Office of the Australian Information Commissioner (OAIC). A notifiable breach is defined as a data breach that is likely to result in serious harm to any of the individuals to whom the information relates. Serious harm could include serious physical, psychological, emotional and financial harm, as well as serious harm to reputation. The School has implemented a *Data Breach Response Plan* to provide direction to staff on the management of a data breach.

ACCESS AND CORRECTION OF PERSONAL INFORMATION

The School endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may contact the School Registrar at any time to update their personal information held by the School.

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



Responsible Officers:	Principal
Approved By:	MMS School Board
Date Approved:	18 May 2023
Next Review Date:	10 May 2024

PRIVACY POLICY

Under the *Commonwealth Privacy Act* and the *Victorian Health Records Act 2001*, an individual has the right to obtain access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy. Students will generally have access to their personal information through their parents, but older students may seek access themselves and correction themselves. There are some exceptions to these rights set out in the applicable legislation.

To make an official request to access any information the School holds about you or your child, please contact the Principal 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. If we cannot provide you with access to that information, we will provide you with written notice explaining the reason for refusal. (unless, in light of the grounds for refusing, it would be unreasonable to provide reasons).

INTERACTING WITH US ANONYMOUSLY OR BY USE OF A PSEUDONYM

You may interact with the School anonymously or by using a pseudonym (e.g. an email address that does not contain your actual name) in some circumstances, such as when you make general inquiries about enrolment or employment opportunities or an anonymous complaint (refer to our *Complaints Handling Policy* and *Whistleblower Policy*). However, we will need to know your identity before we can provide our services to you (i.e. when you wish to enrol a student or be employed by the School.)

CONSENT AND RIGHTS OF ACCESS TO THE PERSONAL INFORMATION OF STUDENTS

The 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 the student to the student's parents. The School will treat consent given by parents as consent given on behalf of the student and notice to parents will act as notice given to the student.

Parents may seek access to personal information held by the School about them or their child by contacting the Principal in writing. However, there may 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 student.

The School may, at its discretion, on the request of a student grant that student access to information held by the School about them, or allow a student to give or withhold consent to the use of their personal information, independently of their parents. This would normally be

PRIVACY POLICY

done only when the maturity of the student and/or the student's personal circumstances so warranted.

COLLECTION, USE AND STORAGE OF FINANCIAL DETAILS

The use of the School's online payment system indicates acceptance by users of our Privacy and Security policies in regard to the collection and use by the School of any information provided for payment purposes.

Identifiable information collected through online payments will be used only for the purpose of processing that individual payment transaction. Non-identifying information may be used for statistical, reporting and research purposes.

The School may store parent credit card or bank account details for the purposes of fee payment for the duration of the student's enrolment at the School.

ENQUIRIES AND COMPLAINTS

If you would like further information about the way Melbourne Montessori School manages the personal information it holds or wish to complain that you believe that the School has breached the *Australian Privacy Principles* please contact the Principal via email. The School will investigate any complaint and will notify you of the making of a decision in relation to your complaint as soon as is practicable after it has been made.

APPENDIX 1

Standard Collection Notice

In respect of collecting information of a personal or sensitive nature the following Standard Collection Notice shall apply: -

1. Melbourne Montessori School collects personal information, including sensitive information, about students and parents or guardians before and during the course of a student's enrolment at the School. This may be in writing, through technology systems or in the course of conversations. The primary purpose of collecting this information is to enable the School to provide schooling to students enrolled at the School, exercise its duty of care and perform necessary associated administrative activities which enable students to take part in all the activities of the School.
2. Some of the information we collect is to satisfy the School's legal obligations, particularly to enable the School to discharge its duty of care.
3. Laws governing or relating to the operation of schools require that certain information be collected and disclosed. These include relevant Commonwealth and State Education Acts, Child Protection laws and Public Health laws. You may contact the School if you have a question about this.

PRIVACY POLICY

4. Health information about students is sensitive information within the terms of the *Australian Privacy Principles* (APP's) under the *Privacy Act 1988*. We require medical reports about students from time to time. If you do not consent to us obtaining this information you must advise us.
5. A student's enrolment may be delayed or prevented if the School cannot collect certain personal information. This is particularly so where the information is relevant to the health and safety of the student, other students and/or Staff.
6. The School may disclose certain personal information and sensitive information for administrative and educational purposes.

This may include to:

- other schools and teachers at those schools, including facilitating the transfer of a pupil to another school;
 - government departments (including for policy and funding purposes);
 - medical practitioners;
 - people providing educational, support and health services to the School, including specialist visiting teachers, outdoor education professionals, (sports) coaches, volunteers and counsellors;
 - 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);
 - agencies and organisations to whom we are required to disclose information for education and research purposes;
 - people providing administrative and financial services to the School;
 - anyone you authorise the School to disclose information to;
 - anyone the School is required or authorised to disclosed information to by law, including child protection laws; and
 - to legal representatives in order to recover outstanding school fees. The School does not collect personal information from their credit providers or credit reporting bodies.
7. Personal information collected from students is regularly disclosed to their parents and guardians.
 8. The School may use online or 'cloud' service providers to store personal information and to provide services to the School that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may reside on a cloud service provider's server which may be situated outside Australia. Further information about the School's use of on online or 'cloud' service providers is contained in the School's *Privacy Policy*.
 9. The School's *Privacy Policy*, accessible on the School's website, sets out how parents or students may seek access to and correction of their personal information which the School

PRIVACY POLICY

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, where access may result in a breach of the School's duty of care to the student, where students have provided information in confidence or where the School is otherwise required or authorised by law to refuse access. Any refusal will be notified in writing with reasons (unless, given the grounds for refusal, it would be unreasonable to provide reasons).

10. The Melbourne Montessori School *Privacy Policy* also sets out how parents and students may make a complaint about a breach of the APP's and how the complaint will be handled.
11. The School may engage in fundraising activities. The information received from you may be used to make an appeal to you. (It may also be disclosed to organisations that assist in the School'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.
12. On occasions information such as academic and sporting achievements, student activities or their works and similar news is published in School newsletters, magazines and on our intranet, social media and website or otherwise shared with the School community. This may include photographs and videos or other imagery of student activities such as sporting events, concerts and plays, school camps and school excursions. As a condition of enrolment the School obtains permission for publication from the students' parent or guardian. Parents/guardians who do not wish their child's image to be used are required to notify the School Principal in writing. In certain circumstances, such as arranged promotional photographic opportunities, specific consent will be requested from the parent/guardian.
13. We may include students' and students' parents contact details in a class list and School directory.
14. If you provide the School 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 School and why.
15. The School is obligated under the *Privacy Amendment (Notifiable Data Breaches) Act 2017* to notify specific types of data breaches to individuals affected by the breach and to the Office of the Australian Information Commissioner (OAIC). The School has implemented a *Data Breach Response Plan* to provide direction to Staff on the management of a data breach.