

# Association of Independent Schools of Western Australia

## Privacy Policy

This Privacy Policy sets out how the Association of Independent Schools (AISWA) manages personal information and your rights in relation to your personal information, including how to complain and how we deal with complaints.

AISWA is bound by the Australian Privacy Principles contained in the Commonwealth *Privacy Act 1988* (**Privacy Act**).

Under the Privacy Act, the Australian Privacy Principles do not apply to certain treatment of an employee record. As a result, this Privacy Policy does not apply to AISWA's treatment of an employee record held by AISWA, where the treatment is directly related to a current or former employment relationship between AISWA and the employee.

AISWA may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to AISWA's operations and practices and to make sure it remains appropriate to the changing education services environment. The current version of this Privacy Policy is published on our website.

### Kinds of personal information we collect

AISWA provides support and advice to AISWA member schools ('schools') on matters arising from their operations. Therefore, the types of information AISWA collects include (but is not limited to) personal information, including health and other sensitive information, about:

- applicants for AISWA professional development training;
- students and parents and/or guardians ('Parents') enrolled or applying to be enrolled in a school before, during and after the course of a student's enrolment, including:
  - » 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;
  - » Family Court orders;
  - » criminal records;
  - » volunteering information; and
  - » photos and videos at School and AISWA events.
- AISWA and school job applicants, volunteers and contractors, including:
  - » name, contact details (including next of kin), date of birth, and religion;
  - » information on job application;
  - » professional development history;
  - » salary and payment information, including superannuation details;
  - » health information (e.g., details of disability and/or allergies, and medical certificates);
  - » complaint records and investigation reports;
  - » leave details;
  - » photos and videos at School and AISWA events;
  - » workplace surveillance information; and
  - » work emails and private emails (when using work email address) and Internet browsing history; and

- other people who come into contact with AISWA and schools, including name and contact details and any other information necessary for the particular contact with a school or AISWA.

## How we collect personal information

**Personal information you provide:** AISWA generally collects personal information about an individual directly from the individual (or their Parent in the case of students). This includes by way of forms, face-to-face meetings and interviews, emails, and telephone calls.

**Personal information provided by other people:** In some circumstances AISWA may be provided with personal information about an individual from a third party, for example a school may seek advice, provide a report provided by a medical professional, a reference from another school or organisation or a referee for a job applicant.

**Personal information from other sources:** We may also collect personal information through surveillance activities (such as CCTV security cameras) and email monitoring.

## Purposes for which we collect, use and disclose personal information

The purposes for which AISWA collects, uses and discloses personal information depend on our relationship with you and include the following:

AISWA:

- the administration of AISWA;
- delivery of AISWA services including professional development.

Schools:

- providing advice to schools on governance and the conduct of their activities;
- making required reports to government authorities;
- keeping schools informed about matters related to staff employment, and student education;
- supporting schools looking after students' educational, social and health wellbeing;
- to satisfy schools' legal obligations and allow principals to discharge their duty of care.

Job applicants and contractors:

- assessing and (if successful) engaging the applicant or contractor;
- administering the individual's employment or contract;
- for insurance purposes;
- satisfying AISWA's legal obligations, for example, in relation to child protection legislation.

## Who we disclose personal information to

AISWA may disclose personal information, including sensitive information, for educational, care and administrative purposes, and to seek or give support and advice. This may include to:

- schools and staff at those schools;
- government departments (including for policy and funding purposes);
- providers of specialist advisory services and assistance to AISWA, including in the area of Human Resources, legal, child protection, students with disability, and for the purpose of administering information technology services and ensuring its proper use (see further the section below 'Sending and storing information overseas');
- providers of learning and assessment tools;

- assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA), the School Curriculum and Standards Authority (SCASA) relating to student NAPLAN results 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 AISWA;
- the providers of our information management and storage system and other information technology services;
- hosts of websites publishing NAPLAN and other student results;
- recipients of AISWA publications, such as newsletters and magazines;
- students' parents or guardians;
- anyone you authorise AISWA to disclose information to; and
- anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

## How we store personal information

We store your personal information in hard copy and electronically. We use information management and storage systems provided by third party service providers. Personal information is stored with and accessible by the third party service providers for the purpose of providing services to AISWA in connection with the systems.

AISWA may use online or 'cloud' service providers to store personal information and to provide services to AISWA that involve the use of personal information. See further the section below 'Sending and storing information overseas.'

## Sending and storing information overseas

AISWA may disclose personal information about an individual to overseas recipients in certain circumstances.

AISWA may use online or 'cloud' service providers to store personal information and to provide services to AISWA 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 and provide technical support.

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.

AISWA personnel and our 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 our information technology platforms and ensuring their proper use

## Marketing

AISWA treats marketing as a means of publicising our services to allow us to expand our services to as many schools and staff as possible to support staff development and student learning and wellbeing.

Your personal information may be used to contact you about AISWA services. It may also be disclosed to organisations that assist in our marketing.

If you do not want to receive fundraising communications from us, please contact us.

## Security of personal information

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

These steps include:

- Restricting access to information on AISWA databases on a need-to-know basis with different levels of security being allocated to staff based on their roles and responsibilities and security profile.
- Ensuring all staff are aware that they are not to reveal or share personal passwords.
- Ensuring where personal and health information is stored in hard copy files that these files are stored in lockable filing cabinets in lockable rooms. Access to these records is restricted to staff on a need-to-know basis.
- Implementing physical security measures around AISWA buildings and grounds to prevent break-ins.
- Implementing ICT security systems, policies and procedures, designed to protect personal information storage on our computer networks.
- Implementing human resources policies and procedures, such as email and internet usage, confidentiality and document security policies, designed to ensure that staff follow correct protocols when handling personal information.
- Undertaking due diligence with respect to third party service providers who may have access to personal information, including cloud service providers, to ensure as far as practicable that they are compliant with the Australian Privacy Principles or a similar privacy regime.

## Access and correction of personal information

Under the Commonwealth Privacy Act an individual has the right to seek access to, and/or correction of, any personal information which AISWA holds about them. Students will generally be able to access and update their personal information through their Parents, but older students may seek access and correction themselves.

There are some exceptions to these rights set out in the applicable legislation.

To make a request to access, update or correct any personal information AISWA holds about you or your child, please contact our Privacy Officer by email, post or telephone at [privacy@ais.wa.edu.au](mailto:privacy@ais.wa.edu.au) or **9441 1687**. AISWA may require you to verify your identity and specify what information you require. AISWA may charge a reasonable fee for giving access to your personal information (but will not charge for the making of the request or to correct your personal information). If the information sought is extensive, AISWA will advise the likely cost in advance.

If we decide to refuse your request, we will provide you with written notice explaining the reasons for refusal (unless, in light of the grounds for refusing, it would be unreasonable to provide reasons) and how to complain.

## Consent and rights of access to the personal information of students

AISWA respects every Parent's right to make decisions concerning their child's education. Generally, AISWA will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. Generally, AISWA 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 AISWA about them or their child by contacting our Privacy Officer by telephone or in writing (details in the section above 'Access and correction of personal information').

However, there may be occasions when access is denied. Such occasions may include (but are not limited to) where AISWA believes the student has capacity to consent and AISWA is not permitted to disclose the information to the Parent without the student's consent, 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 AISWA's duty of care to the student.

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

## **Enquiries and complaints**

If you would like further information about the way AISWA manages the personal information it holds, or wish to complain that you believe that AISWA has breached the Australian Privacy Principles please contact the Privacy Officer by email, post, or telephone at [privacy@ais.wa.edu.au](mailto:privacy@ais.wa.edu.au) or **9441 1687**. AISWA 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.

If you are not satisfied with our response, you may complain to the Office of the Australian Information Commissioner (OAIC) via the OAIC website, [www.oaic.gov.au](http://www.oaic.gov.au).