



1. Introduction

Girton Grammar School GGS is bound by the Australian Privacy Principles contained in the *Privacy Act 1981 (Cth)* (Privacy Act). In relation to health records, GGS is also bound by the Health Privacy Principles which are contained in the *Health Records Act 2001 (Vic)* (Health Records Act).

GGS 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 the changing school environment.

2. Purpose

This policy sets out the approaches used by GGS in the management of personal information and the steps to be taken to seek to be compliant with the relevant legislation.

3. Definitions

Child Information Sharing Scheme (CISS): The CISS was established by the Victorian Government in 2018 and applies to all Victorian schools and early childhood education and care services. The Scheme enables organisations to share confidential information (defined as health and personal information) to promote the wellbeing and safety of children. Schools can request and/or disclose confidential information which meets all of the threshold requirements.

Family Violence Information Sharing Scheme (FVISS): The FVISS enables organisations to share information for the purpose of assessing or managing family violence risk. If GGS suspects that a child is at risk of family violence, GGS may be required to share information with other organisations in compliance with both the FVISS and the CISS.

Office of the Australian Information Commissioner (OAIC): The Office of the Australian Information Commissioner is an independent agency within the Attorney-General's portfolio whose purpose is to promote and uphold privacy and information access rights. The OAIC has a range of regulatory responsibilities and powers under the Privacy Act, the *Freedom of Information Act 1982* (FOI Act) and other legislation.

Parents and caregivers: In this policy, the terms parents, caregivers and/or guardians are used interchangeably and include people or entities who are not parents or guardians but who are party to the enrolment contract by which a student is enrolled at GGS.

Privacy Impact Assessment (PIA): PIA means a systematic assessment of a project that identifies the impact that the project might have on the privacy of individuals and sets out recommendations for managing, minimising or eliminating that impact.

Privacy and confidentiality: The terms "privacy" and "confidentiality" are understood differently.

- **Privacy** is regulated by the Privacy Act and the Australian Privacy Principles ("APPs"). States and Territories have their own legislation also. These privacy laws govern the handling of



personal information about individuals and how it is collected, held, used and disclosed.

- **Confidentiality** means the passing or holding of information which has been conveyed in confidence, which is not readily available publicly. There is no specific confidentiality legislation in Australia. Confidentiality, and breaches thereof, are beyond the scope of this Policy. Issues pertaining to confidentiality can be raised with any member of the School's Executive Team. Confidentiality and privacy do overlap. In these instances, the Privacy Policy should be applied.

Staff: Staff includes teaching, administration and support staff, permanent and casual staff, contractors, coaches, volunteers, teacher candidates, trainees and work experience students.

4. Scope

This policy applies to all members of the school community including staff, students, parents, caregivers, school board members, volunteers, contracted parties and third-party providers.

5. Collection of Personal Information

5.1 Collection and holding of personal information

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

- 5.1.1 Students, parents, caregivers and/or guardians. GGS will collect and hold personal information, including sensitive information, relating to the above parties before, during and after the course of a student's enrolment at GGS.
- 5.1.2 Prospective students and families.
- 5.1.3 Past students.
- 5.1.4 Job applicants, staff members and volunteers.
- 5.1.5 Suppliers and independent contractors.
- 5.1.6 Parties/businesses who donate funds or gifts towards GGS fundraising ventures/events.
- 5.1.7 Other people who come into contact with GGS.

The personal information GGS collects and holds depends on the type of dealings a party has with the school. It may include sensitive personal information. The information includes (but is not limited to):

- Name, contact details (including next of kin), date of birth, previous school and religion.
- Medical/health information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors).
- 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.
- Photos and videos at GGS events.
- Job applicants, staff members, 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
 - Medical information (e.g. details of disability and/or allergies, and medical certificates)
 - Complaint records and investigation reports
 - Leave details.
- Workplace surveillance information; work emails and private emails (when using work email address) and Internet browsing history.

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

It is the policy of GGS to remain compliant with Australian Privacy Principles at all times.

At times, GGS may collect additional information in order to reduce specific risks that arise.

The information referred to above may include sensitive personal information. Sensitive personal information will only be collected where it is necessary to do so and will be used, held and disclosed in the circumstances referred to above where:

- Consent has been provided (which may be implied in certain circumstances), or
- Such use, holding and disclosure is reasonably to be expected or is necessary to enable the School to satisfy its legal obligations or is otherwise permitted by law.

5.2 How GGS collects personal information

GGS collects personal information in ways that include (but are not limited to) information obtained:

- 5.2.1 In the course of the enrolment process.
- 5.2.2 From face-to-face meetings.
- 5.2.3 Over the telephone and internet (including email).
- 5.2.4 During the school year by way of forms filled out electronically or manually by parents and/or guardians and students.
- 5.2.5 Through the School's intranet portal.
- 5.2.6 From third persons such as medical practitioners and health professionals, lawyers and other legal personnel.
- 5.2.7 From prospective employees through the recruitment process, at interviews, from past employers and referees, or from a prospective employee's recruitment agent.
- 5.2.8 When taking photographs, films or other digital visual images.
- 5.2.9 From volunteers and contractors through our engagement process.



5.2.10 Incidentally in the operating of the school.

5.3 Personal information derived from students

There may be occasions when GGS collects personal information about students directly from them, such as when a student attends a school counsellor, teacher, or pastoral care provider.

6. Use of Personal Information

GGS 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.

6.1. Students and Parents

In relation to personal information of student and parents, GGS'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 will enable student to take part in all the activities of GGS. This includes satisfying the needs of parents, the needs of the student and the needs of GGS throughout the whole period the student is enrolled at GGS.

The purposes for which GGS uses personal information of student and parents include:

- 6.1.1 To keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines.
- 6.1.2 Day-to-day administration of GGS.
- 6.1.3 Looking after students educational, social and medical wellbeing.
- 6.1.4 Seeking donations and marketing for GGS.
- 6.1.5 To satisfy GGS legal obligations and allow GGS to discharge its duty of care.

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

6.2. Prospective students and families

The purposes for collecting, holding, using and disclosing personal information of prospective students and families include (but are not limited to):

- 6.2.1 Reviewing an application for a student's enrolment.
- 6.2.2 Assisting with the administration of GGS operations.
- 6.2.3 Communicating and engaging with members of GGS community, past and present.
- 6.2.4 Preparing for the education of students.

6.3. Job applications and staff members (including contractors)

The purposes for collecting, holding, using and disclosing personal information of job applicants and staff members include (but are not limited to):

- 6.2.1 Maintaining historical records of GGS past and present staff.
- 6.2.2 Assessing applicants for prospective employment or engagement as contractors.



- 6.2.3 Administering the individual's employment or contract, as the case may be.
- 6.2.4 Providing a reference.
- 6.2.5 Assisting with the administration of GGS operations.
- 6.2.6 Enabling GGS to comply with its legal obligations as an educational institution and to discharge its duty of care to its students.
- 6.2.7 For insurance purposes, such as public liability or Workcover.
- 6.2.8 Fundraising or promotion of GGS.
- 6.2.9 Investigating incidents or defending legal claims about GGS, its services or staff
- 6.2.10 Satisfying GGS legal obligations, for example, in relation to child protection legislation.

6.4. Volunteers

GGS also obtains personal information about volunteers who assist GGS in its functions or conduct associated activities, such as (alumni associations), to enable GGS and the volunteers to work together.

6.5. Marketing and fundraising

GGS 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 provide a quality learning environment in which both students and staff thrive.

Personal information held by GGS may be disclosed to organisations that assist in the school's fundraising, for example, the school's Foundation or alumni organisation (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. GGS publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

7. Disclosure of Personal Information

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

- Other schools and teachers at those schools.
- Government departments.
- Medical practitioners.
- People providing educational, support and health services to GGS, including specialist visiting teachers, (sports) coaches, volunteers, counsellors and providers of learning and assessment tools.
- Assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority.
- People providing administrative and financial services to GGS.
- Recipients of School publications, such as newsletters and magazines.
- Students' parents or guardians.



- Anyone you authorise GGS to disclose information to.
- Anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

7.1 Child Information Sharing Scheme and Family Violence Information Sharing Scheme

The Child Information Sharing Scheme (CISS) and Family Violence Information Sharing Scheme (FVISS) apply to all Victorian schools.

GGS will request access to and disclose confidential information with other information sharing entities (ISEs), providing it meets the threshold requirements.

All of the threshold requirements must be met before sharing confidential information. These include:

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

The process for disclosing information under the CISS or FVISS is set out in Appendix A.

7.2 Mandatory Reporting

The School will disclose personal information where it is required to fulfil Mandatory Reporting obligations.

7.3 Sending and storing information overseas

GGS may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, GGS will not send personal information about an individual outside Australia without:

- 7.3.1 Obtaining the consent of the individual (in some cases this consent will be implied).
- 7.3.2 Otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

7.4 Cloud Service Providers

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

An example of such a cloud service provider is Google. Google provides the 'Google Apps for Education' (GAFE) including Gmail, and stores and processes limited personal information for this



purpose. School personnel 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 GAFE and ensuring its proper use.

7.5 Exception in relation to employee records

Under the Privacy Act, the Australian Privacy Principles do not apply to an employee record.

The exemption applies if GGS act or practice is directly related to:

- 7.4.1 Either a current or former employment relationship between the employer and the individual; or
- 7.4.2 An employee record held by the organisation relating to the individual.

8. Sensitive Information

In referring to 'sensitive information', GGS means:

- Racial or ethnic origin
- Political opinions
- Religion
- Trade union or other professional or trade association membership
- Philosophical beliefs
- Sexual orientation or practices
- Criminal record (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.

9. Security of Personal Information

GGS staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals.

GGS 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 access rights to computerised records. Please refer to 4.02 Notifiable Data Breach Policy.

10. Access and Correction of Personal Information

Under the Privacy Act and the Health Records Act, an individual has the right to seek and obtain access to any personal information which GGS holds about them and to advise the school of any perceived inaccuracy. 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 or to update any personal information GGS holds about you or your child, please contact the Principal by telephone or in writing. GGS may require you to verify your identity and specify what information you require. GGS 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, GGS 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 reasons for refusal.

11. Consent

GGS respects every parent's right to make decisions concerning their child's education. Generally, GGS will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. GGS 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 GGS about them or their child by contacting the Principal by telephone or 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 GGS duty of care to the student.

GGS 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 done only when the maturity of the student and/or the student's personal circumstances warrant it.

12. Third Parties

School's use of third parties

Where the School uses a third party to collect personal information, the School will take all reasonable steps to satisfy itself that the third party is compliant with Australian Privacy Principles and other relevant legislation.

Staff engagement with third parties

Where the School requires staff, students or parents to engage with a third party for a school related purpose, the School will take all reasonable steps to satisfy itself that the third party is compliant with Australian Privacy Principles and other relevant legislation.

Privacy Impact Assessment (PIA)

When engaging with a third party or implementing a new system through which personal information is collected, the School will take all reasonable steps to undertake a PIA, as recommended by the OAIC. See: [OAIC - Guide to undertaking privacy impact assessments](#).



13. Online Payments and Financial Details

The use of GGS Credit Card Sweep or Direct Debit payment system requires users to accept the Privacy and Security policies in regard to the collection and use by GGS of any information provided for payment purposes. Identifiable information collected through GGS Credit Card Sweep or Direct Debit payment system will be used only for the purpose of processing the regular payments as agreed. Payments received by credit card over the phone will only be used for the individual payment transaction unless express authorisation has been given for a future use.

Non-identifying information may be used for statistical, reporting and research purposes.

GGS may store parent credit card or bank account details for the purposes of fee payment for the duration of a student's enrolment at GGS. GGS may also store bank account details for the purposes of salary payment or reimbursements for the duration of a staff member's employment at GGS.

14. Enquiries and Complaints

If you would like further information about the way GGS manages the personal information it holds, or wish to complain that you believe that GGS has breached the Australian Privacy Principles please contact the Principal by writing or telephone at Principal@girton.vic.edu.au / 5441 3114.

GGS 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.

15. Further Guidance

- 14.1 [Independent Schools Council of Australia – Privacy Compliance Manual – November 2019.](#)
- 14.2 [The Australian Privacy Principles](#)
- 14.3 [The Privacy Act 1988](#)
- 14.4 [OAIC - Australian Government - Office of the Australian Information Commissioner \(Employee Records Exemption\)](#)
- 14.5 [OAIC - Guide to undertaking privacy impact assessments](#)

16. Policy Status / Document Control

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4.01 Privacy Policy

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Appendix A

PROCESS TO FOLLOW WHEN A REQUEST TO SHARE INFORMATION HAS BEEN RECEIVED

- Step 1:** Check that the organization seeking the information is an 'Information Sharing Entity' (ISE) referred to in the [ISE List](#). If the organisation is not an ISE, that organisation is not entitled to receive the information requested under the CISS.
- Step 2:** Assess whether the information meets all of the threshold requirements. If the information meets the threshold requirements, the school **must** share that information securely (eg by using password protection) and within a reasonable time period.
- Step 3:** Notify the child and the parents/guardians about the request for information if it is appropriate, safe and reasonable to do so. This should be done each time an information sharing request is received by the school.
- Step 4:** Consider any views expressed by the child and parents/guardians in relation to the information sharing request.
- Step 5:** Comply with all applicable reporting obligations which will continue to apply.
- Step 6:** Keep detailed written records.

Liability of staff members

Staff members who are authorised to share information under the CISS (all GGS Staff with access to relevant pastoral information about students) and who act in good faith and with reasonable care when sharing information will:

- not be held liable for any criminal, civil or disciplinary action for sharing information; and
- not be in breach of any code of professional ethics or considered to have departed from any accepted standards of professional conduct. [*Child Wellbeing and Safety Act 2006* (Vic) s 41ZB].