



# Privacy Policy

## 1. PURPOSE

This Privacy Policy sets out how each of Ascham School and Ascham Foundation Ltd (respectively "Ascham", "we", "our" or "us") collects, manages and protects personal information in accordance with privacy laws, including the Commonwealth Privacy Act, the Australian Privacy Principles (APPs) contained in the Privacy Act, and the NSW Health Records and Information Privacy Act. In so far as this Policy applies to the business and operations of the Foundation, the Directors of the Foundation will be responsible for ensuring compliance.

In so far as this Policy applies to the business and operations of the School, the Governors of Ascham School will be responsible for ensuring compliance.

## 2. SCOPE

This policy outlines the types of personal information Ascham usually collects, the circumstances in which we collect it and how it is used, disclosed and stored. It also outlines how you can seek to access or correct your personal information, how you can make a privacy complaint and how we manage complaints.

All staff, volunteers and contractors of Ascham are required to handle personal information in accordance with this policy.

Under the Commonwealth Privacy Act and the NSW Health Records and Information Privacy Act, the Australian Privacy Principles and Health Privacy Principles do not apply to the handling of an employee record by an employer. As a result, this Privacy Policy does not apply to an Ascham entity's treatment of an employee record, where the Ascham entity is the employer of the employee and the treatment is directly related to a current or former employment relationship between the Ascham entity and the employee.

## 3. WHAT IS PERSONAL INFORMATION?

Personal information is information or an opinion about an identified individual or an individual who is reasonably identifiable. Depending on the circumstances, Ascham may collect personal information from the individual in their capacity as a student, parent, prospective parent, alumni, donor, contractor, volunteer, stakeholder, or job applicant or in some other capacity.

In the course of providing services, fundraising, and as part of our recruitment processes for employees, contractors and volunteers we may collect and hold the following types of personal information:

- **Personal Information** - including names, addresses and other contact details, dates of birth, next of kin details, citizenship, employment references, regulatory accreditation, media, directorships, property ownership and drivers licence information, financial information, government identifiers (such as TFNs), family court orders, photographic images and attendance records.
- **Sensitive Information** - including religious beliefs, languages spoken at home, nationality, country of birth, professional or union memberships and criminal records. Sensitive information also includes health information which is described in the next dot point.

- **Health Information** - (particularly in relation to student, prospective staff and parent records) including medical records, disabilities, immunisation details and psychological reports, individual health care plans, nutrition and dietary requirements.

## 4. COLLECTION AND USE OF PERSONAL INFORMATION

The collection of personal information depends on the circumstances in which Ascham is collecting it. If it is reasonable and practical to do so, we collect personal information directly from the individual.

Generally, we will seek consent before we collect sensitive information (including health information).

### 4.1. Solicited Information

Ascham has, where possible, attempted to standardise the collection of personal information by using specifically designed forms. However, given the nature of our operations, we often also receive personal information by email, letters, notes, over the telephone, in face to face meetings, through financial transactions and through surveillance activities such as the use of CCTV security cameras or email monitoring.

We may also collect personal information from other people (e.g. a third-party administrator, referees for prospective employees) or independent sources. However, we will only do so where it is not reasonable or practical to collect the personal information from the individual directly.

### 4.2. Information Collected From The Ascham Website

Information based on how individuals use the Ascham website may be collected. 'Cookies' and other data collection methods are used to collect information on website activity such as the number of visitors, the number of pages viewed and the internet advertisements which bring visitors to our website. This information is collected to analyse and improve our website, marketing campaigns and to record statistics on web traffic. We do not use this information to personally identify individuals.

### 4.3. Unsolicited Information

Ascham may be provided with personal information without having sought it. This is known as 'unsolicited information' and is often collected by:

- Misdirected postal mail – letters, notes and documents
- Misdirected electronic mail – emails and electronic messages
- Employment applications sent to us that are not in response to an advertised vacancy
- Additional information provided to us which was not requested

Unsolicited information obtained by Ascham will only be held, used and/or disclosed if it is considered as personal information that we could have collected if we had sought it. If that unsolicited information could not have been collected if we had sought it, then we will destroy, permanently delete or de-identify the personal information as appropriate, unless it is not lawful or reasonable to do so.

## 5. COLLECTION OF SENSITIVE AND HEALTH INFORMATION

Sensitive information is only collected if:

- the information is reasonably necessary for one or more of our functions or activities and we have the individual's consent; or
- we are otherwise legally permitted to collect the information.

## 6. HOW DO WE USE PERSONAL INFORMATION?

Ascham only uses personal information for the primary purpose for which we collect it, for a related (or *directly* related in respect of sensitive and health information) secondary purpose that would be reasonably expected by the individual, for an activity or purpose to which the individual has consented, or as otherwise required or permitted by law.

Ascham's uses of personal information include but are not limited to:

- Providing education, pastoral care, extra-curricular and health services
- Satisfying our legal obligations including our duty of care and child protection obligations
- Keeping parents informed as to school community matters through correspondence, newsletters and magazines
- Marketing, promotional and fundraising activities
- Supporting the activities of school associations such as Ascham Old Girls Union (AOGU)
- Supporting the activities of both Ascham School and Ascham Foundation Ltd
- Supporting community-based causes and activities, charities and other causes in connection with Ascham's functions or activities
- Helping us to improve our day to day operations including training our staff
- Systems development; developing new programs and services; undertaking planning, research and statistical analysis
- Administration including for insurance purposes
- The employment of staff
- The engagement of volunteers.

Ascham may also disclose personal information for these purposes. Disclosures are further explained in section 9 of this Privacy Policy.

## 7. STORAGE AND SECURITY OF PERSONAL INFORMATION

Ascham stores personal, sensitive and health Information in a variety of formats including, but not limited to:

- Systems and Databases
- Hard copy files
- Personal devices, including laptop computers
- Third party 'as-a-service' providers or storage providers such as cloud storage facilities
- Paper-based files
- Mobile phones, cameras and other recording devices
- Multifactor authentication is required for all staff access offsite
- Geographic restrictions are enabled

Ascham takes all reasonable steps to protect the personal, sensitive and health information we hold from misuse, interference, loss, unauthorised access, modification, or disclosure.

These steps include, but are not limited to:

- Restricting access and user privilege of information by staff depending on their role and responsibilities
- Ensuring staff do not share personal passwords
- Ensuring hardcopy files are stored in lockable filing cabinets in lockable rooms. Staff access is subject to user privilege
- Implementing physical security measures on Ascham premises to prevent break-ins
- Ensuring our IT and cyber security systems, policies and procedures are implemented and up to date
- Ensuring staff comply with internal policies and procedures when handling the information
- Undertaking due diligence with respect to third party service providers who may have access to personal information, including customer identification providers and cloud service providers, to ensure as far as practicable that they are compliant with the Australian Privacy Principles or a similar privacy regime

- The destruction, deletion or de-identification of personal information we hold that is no longer needed or required to be retained by any other laws

Our public website may contain links to other third-party websites outside of Ascham. Ascham is not responsible for the information stored, accessed, used or disclosed on such websites and we cannot comment on their privacy policies.

## 8. RESPONDING TO DATA BREACHES

Ascham will take appropriate, prompt action if we have reasonable grounds to believe that a data breach may have, or is suspected to have occurred. Depending on the type of data breach, this may include a review of our internal security procedures, taking remedial internal action, notifying affected individuals, notifying the Office of the Australian Information Commissioner (OAIC), and/or publishing a statement on our website and taking reasonable steps to publicise the contents of this statement.

## 9. DISCLOSURE OF PERSONAL INFORMATION

Personal information is disclosed for the primary purposes for which we collect it, for a related (or *directly* related in respect of sensitive and health information) secondary purpose that would be reasonably expected by the individual, for an activity or purpose to which the individual has consented, or as otherwise required or permitted by law.

For these purposes (which are further explained in section 6 of this Privacy Policy), personal information may be disclosed to government agencies, other parents, other schools, recipients of school publications, visiting teachers, counsellors and coaches, our service providers, agents, contractors, business partners, related entities, and other recipients from time to time.

Personal information may be shared between Ascham School and Ascham Foundation Ltd for fundraising purposes and to otherwise support the activities of both Ascham School and Ascham Foundation Ltd. Ascham School may also share personal information with the following entities connected with Ascham School:

- Ascham Old Girls Union, for the alumni program; and
- Ascham Parents Association, to assist it performing its functions as the parent body.

## 10. DISCLOSURE AND STORAGE OF PERSONAL INFORMATION OVERSEAS

Limited personal information about an individual may be disclosed to an overseas organisation in the course of providing our services, for example to facilitate a student exchange program.

Where appropriate, Ascham may use cloud service providers, including learning websites, that store data outside of Australia.

## 11. PERSONAL INFORMATION OF STUDENTS

The Privacy Act does not differentiate between adults and children and does not specify an age after which individuals can make their own decisions with respect to their personal information.

At Ascham we take a common sense approach to dealing with a student's personal information and generally will refer any requests for personal information to a student's parents/carers. We will treat notices provided to parents/carers as notices provided to students and we will treat consents provided by parents/carers as consents provided by a student.

We are, however, cognisant of the fact that children do have rights under the Privacy Act, and that in certain circumstances (especially when dealing with older students and especially when dealing with sensitive information), it will be appropriate to seek and obtain consents directly from students.

We also acknowledge that there may be occasions where a student may give or withhold consent with respect to the use of their personal information independently from their parents/carers.

There may also be occasions where parents/carers are denied access to information with respect to their children, because to provide such information would breach our privacy obligations, would have an unreasonable impact on the privacy of others, or result in a breach of Ascham's duty of care to the student.

When on Ascham School campus parents and carers must respect the privacy of all students. The taking or publishing of photos or videography of students who are not their child is not allowed. At events and concerts the School will provide opportunities for parents and carers to take photos of their own children; or will make available images the School has taken of the event.

At School events off campus, we ask parents and carers to be respectful and always seek permission when taking photos or videography of Ascham students who are not their child.

## 12. THE QUALITY OF PERSONAL INFORMATION

Ascham takes all reasonable steps to ensure the personal information we hold, use and disclose is accurate, complete, up to date and relevant, including at the time of using or disclosing the information.

If we become aware that the Personal Information is incorrect or out of date, we will take reasonable steps to rectify the incorrect or out of date information.

## 13. ACCESS AND CORRECTION OF PERSONAL INFORMATION

Individuals may submit a request to Ascham for access to the personal information we hold, or request that we change the personal information. Upon receiving such a request, we will take steps to verify the individual's identity before granting access or correcting the information.

If Ascham rejects the request, you will be notified accordingly. We will provide the reason/s for our decision, unless it is unreasonable to do so. If the rejection relates to a request to change personal information, an individual may request that we associate with the information a statement that the information is incorrect and we will take reasonable steps to action this request.

## 14. COMPLAINTS

An individual can make a complaint about how Ascham manages personal information by notifying us in writing. We may need to verify the individual's identity. We will respond to the complaint within a reasonable time (usually no longer than 30 days) and we may seek further information in order to provide a full and complete response.

Ascham does not charge a fee for the handling of complaints.

If the individual is not satisfied with Ascham's response, they may refer the complaint to the OAIC using the OAIC online [Privacy Complaint form](#) or by mail, fax or email.

## 15. HOW TO CONTACT US

Ascham can be contacted about this Privacy Policy or about your personal information generally by:

- [Completing the online Form](#)
- Emailing: [privacy@ascham.nsw.edu.au](mailto:privacy@ascham.nsw.edu.au)
- Calling: 02 8356 7000
- Writing to our Privacy Officer at 188 New South Head Road, Edgecliff NSW 2027

If practical, you can contact Ascham anonymously (i.e. without identifying yourself) or by using a pseudonym. However, if you choose not to identify yourself, we may not be able to give you the information or provide the assistance you might otherwise receive if it is not practical to do so.

## 16. CHANGES TO THE ASCHAM PRIVACY AND INFORMATION HANDLING PROCEDURES

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 the changing School environment. The current version of this Privacy Policy is published on our website. Please check [www.ascham.nsw.edu.au](http://www.ascham.nsw.edu.au) regularly for any changes.

## 17. RELEVANT LEGISLATION

- Privacy Act, 1988 (Commonwealth)
- Health Records and Information Privacy Act 2002 (NSW)
- Online Safety Act 2021 (Cth)

## 18. KEY RELATED DOCUMENTS

- Ascham ICT Acceptable Use Policy
- Ascham Information Security Policy
- Ascham Complaints Handling Policy

## 19. POLICY INFORMATION

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|-------------------|---|
| Policy Number     | AS22  |
| Version           | Version 2   |
| Policy Owner      | Business Manager  |
| Authorised By     | Head of School  |
| Past Review Dates | 2020   Term 2<br>2022   Term 4 (additions to Sections 11)<br>2023   Term 3 (minor amendments) |
| Review Date       | 2024   Term 4   |
| Next Review Date  | 2026   Term 4   |