

Howayek Providence Limited trading as

MARONITE COLLEGE of the HOLY FAMILY



Maronite College of the Holy Family policies have a commitment to Maronite Catholic ethos and values and, should be read in conjunction with other policies and procedures and with relevant legislation.

PRIVACY POLICY, PLAN and PROCEDURE

This policy supersedes all previous policies relating to matters contained herein.

PRIVACY POLICY, PLAN and PROCEDURE

Mission: *“Inspired by the Maronite Sisters of the Holy Family, we accompany our students in the realisation of their potential.”*

Vision: *“We challenge our community to grow in faith, strive for excellence and transform the future.”*

Motto: *Know Love Serve*

Ethos: *“The College strives to instil in students the teachings of Jesus. Emphasis is firstly given to providing a Maronite Catholic foundation through regular prayer, celebration of the Sacraments, commitment to the Word of God, and openness to grace. Secondly, all are encouraged to see the best in themselves and in one another, as Paul writes, ‘Whatever is true, whatever is honourable, whatever is just, whatever is pure, whatever is pleasing, whatever is commendable, if there is any excellence and if there is anything worthy of praise, think about these things’ (Phil 4:8). Emphasises is on treating all with dignity, service, forgiveness, justice, and love. Thirdly, the College is a community which promotes a sense of family among the Sisters, Board Members, staff, students, parents, and friends.”*

INTRODUCTION

The Maronite College of the Holy Family is committed to protecting the privacy of our stakeholders, including students, staff, parents, carers and members of the public.

The College protects the personal and health information retained in accordance with NSW privacy laws, the Privacy and Personal Information Protection Act 1998 (PPIPA) and the Health Records and Information Privacy Act 2002 (HRIPA), which require us to comply with Information and Health Privacy Principles.

This document is inclusive of;

1. Privacy Policy (pgs. 2-4)
2. Privacy Plan (pgs. 5-9)
3. Privacy Breach Protocol & Procedure (pgs. 10-12)
4. Privacy Agreement to be signed (pg. 14)

Section 1: PRIVACY POLICY

The College is bound by the Australian Privacy Principles contained in the Commonwealth *Privacy Act 1988*, articulated in this policy. In relation to health records, the College is also bound by the Health Privacy Principles which are contained in the *Health Records and Information Privacy Act 2002* (NSW). The health principles align to the twelve Australian Privacy Principles.

This Privacy Policy articulates how Maronite College of the Holy Family manages Personal and Health Information provided or collected by the College.

The information provided and collected are that of, employees, students and other stakeholder information including information about parents and carers and information obtained in the course of employment or education at the Maronite College of the Holy Family.

The Policy, Plan and Procedures resonate the embedded NSW Child Safe Standards 1, 3, 4, 5, 6, 7, 8, 9 & 10.

DEFINITIONS

What is Personal Information? Personal information is any information about an individual who is identifiable. It could be a student's name, address, class, school, family details, fingerprints or a combination of information from which a student, employee or other individual can be identified. The information can be recorded in paper files, electronic records, video recordings and photographs.

Personal information is defined as:

Information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

Health information is defined as:

Personal information that is information or an opinion about the physical, mental health or disability (at any time) of an individual.

Maronite College of the Holy Family implements the twelve Commonwealth privacy principles to protect the privacy of all members of the community and for the effective management and function of the College.

COMMONWEALTH PRIVACY PRINCIPLES

COLLECTION:

1. Lawful

The Maronite College only collects personal information for a lawful purpose which is directly related to the College function or activities and necessary for that purpose.

2. Direct

The Maronite College only collects personal information directly from you, unless you have authorised collection from someone else, or if you are under the age of 16 and the information has been provided by a parent or guardian.

3. Open

The Maronite College will inform you that the information is being collected, why it is being collected, and who will be storing and using it. You must also be told how you can access and correct your personal information, if the information is required by law or is voluntary, and any consequences that may apply if you decide not to provide it.

4. Relevant

The College must ensure that your personal information is relevant, accurate, complete, current and not excessive. The collection should not unreasonably intrude into your personal affairs.

The Maronite College of the Holy Family may record phone calls for quality assurance and training purposes.

STORAGE:

5. Secure

The College will store personal information securely, keep it no longer than necessary and dispose of it appropriately. It should also be protected from unauthorised access, use, modification or disclosure.

ACCESS AND ACCURACY:

6. Transparent

Maronite College of the Holy Family will provide you with details regarding the personal information it is storing, why the College is storing it and what rights you have to access it.

7. Accessible

An agency must allow you to access your personal information without excessive delay or expense.

8. Correct

Maronite College of the Holy Family must allow you to update, correct or amend your personal information when necessary.

USEAGE:

9. Accurate

The College must ensure that your personal information is relevant, accurate, current and complete before using it.

10. Limited

Maronite College of the Holy Family can only use your personal information for the purpose for which it was collected unless you have given consent, or the use is directly related to a purpose that you would expect, or to prevent or lessen a serious or imminent threat to any person's health or safety.

DISCLOSURE:

11. Restricted

Maronite College of the Holy Family can only disclose your information in limited circumstances if you have consented or if you were told at the time, they collected it that they would do so. An agency can also disclose your information if it is for a directly related purpose and it can be reasonably assumed that you would not object, if you have been made aware that information of that kind is usually disclosed, or if disclosure is necessary to prevent a serious and imminent threat to any person's health or safety.

12. Safeguarded

Maronite College of the Holy Family cannot disclose your sensitive personal information without your consent, for example, information about ethnic or racial origin, political opinions, religious or philosophical beliefs, sexual activities or trade union membership. It can only disclose sensitive information without consent in order to deal with a serious and imminent threat to any person's health or safety.

Section 2: PRIVACY PLAN

When collecting personal information, the Maronite College of the Holy Family will take reasonable steps to ensure that the person to whom it relates is made aware of certain matters including the purpose for which it is being collected, the intended recipients of the information and the person's right to access and correct the information.

This Privacy Plan articulates the context and type of information collected and held by the College under the headings of the Australian Privacy Principles.

This Privacy Plan has the embedded implemented NSW Child Safe Standards 1, 3, 4, 5, 6, 7, 8 and 10.

1. COLLECTION

The information the College collects and holds includes but not limited to, personal information including health and other sensitive information.

Collection of students and parents and/or guardians ('Parents') information before, during and after a pupil's enrolment at the College, includes:

- Name, contact details (including next of kin), date of birth, gender, language background, previous College and religion.
- Parent's education, occupation and language background.
- Medical information (e.g., details of disability and/or allergies, absence notes, medical reports and names of doctors).
- Results of assignments, tests and examinations.
- Conduct and complaint records, or other behaviour notes, and College reports.
- Information about referrals to government welfare agencies.
- Counselling reports.
- Health fund details and Medicare number.
- Court orders.
- Volunteering information; and
- photos and videos at College 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.
- Photos and videos at College events.
- Workplace surveillance information.
- Work emails and private emails (when using work email address) and Internet browsing history.

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

2. PERSONAL INFORMATION YOU PROVIDE

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

3. PERSONAL INFORMATION PROVIDED BY OTHER PEOPLE

In some circumstances the College 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.

4. EXCEPTION IN RELATION TO EMPLOYEE RECORDS

Under the Privacy Act and the Health Records Act, 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 College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the College and employee.

5. USAGE

The College 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 to which is reasonably expected, or to which you have consented.

5.1 Phone Conversations

Maronite College of the Holy Family may record phone calls for quality assurance and training purposes.

5.2 Students and Parents

In relation to personal information of students and parents, the College's primary purpose of collection is to enable the College to provide schooling to pupils enrolled at the College, exercise its duty of care, and perform necessary associated administrative activities, which will enable pupils to take part in all the activities of the College. This includes satisfying the needs of parents, the needs of the student and the needs of the College throughout the whole period the student is enrolled at the College.

The purposes for which the College 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 College.
- Looking after pupils' educational, social, and medical wellbeing.
- Seeking donations and marketing for the College.
- To satisfy the College's legal obligations and allow the College to discharge its duty of care.

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

5.3 Job Applicants and Contractors

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

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

1. Administering the individual's employment or contract, as the case may be for insurance purposes.
2. Seeking donations and marketing for the College.
3. Satisfying the College's legal obligations, for example, in relation to child protection legislation.

5.4 Volunteers

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

5.5 Marketing and Fundraising

The College treats marketing and seeking donations for the future growth and development of the College as an important part of ensuring that the College continues to provide a quality learning environment in which both pupils and staff thrive. Personal information held by the College may be disclosed to organisations that assist in the College's fundraising, for example, the College's Foundation or alumni organisation or, on occasions, external fundraising organisations.

Parents, staff, contractors and other members of the wider College community may from time to time receive fundraising information. College publications, like newsletters and magazines, which includes personal information and maybe used for marketing purposes.

6. DISCLOSURE

The College may disclose or collect personal information, including sensitive information, held about an individual for educational, administrative and support purposes.

This may include:

- Other colleges/schools and teachers at those colleges/schools.
- Government departments (including for policy and funding purposes).
- The College's local parish.
- Medical practitioners.
- People providing educational, support and health services to the College, including specialist visiting teachers, sports coaches, volunteers, 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 College.
 - Recipients of College publications, such as newsletters and magazines.
 - Students' parents or guardians.
 - Anyone you authorise the College to disclose information to.
 - Anyone to whom we are required or authorised to disclose the information to, by law, including child protection laws.

6.1 Sending and Storing Information Overseas

The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a College exchange. However, the College 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 College may use online or 'cloud' service providers to store personal information and to provide services to the College that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications. This 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 providers servers which may be situated outside Australia.

The College uses Microsoft Office 365 to store and process personal information. College personnel and its service providers may have the ability to access, monitor, use or disclose emails, communications, documents and associated administrative data for the purposes of administering Microsoft Office 365 and ensuring its proper use.

7. SENSITIVE INFORMATION

In referring to 'sensitive information', the College 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.

8. MANAGEMENT AND SECURITY

Maronite College members are required to respect the confidentiality of individual staff, students and Parents' personal information and their privacy. All staff read, understand and sign an acknowledgment complying with the Privacy Policy, Plan and Breach Procedure annually (Acknowledgement page 13).

The College has in place, steps to protect the personal information the College 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.

9. ACCESS AND ACCURACY

Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to seek and obtain access to any personal information which the College holds about them and to advise the College of any perceived inaccuracy. Students will generally be able to access and update their personal information through their parents however, older students may seek access and correction themselves.

There are some exceptions to this right, set out in the applicable legislation.

To make a request to access or to update any personal information the College holds about you or your child, please contact the College Administration by telephone or in writing. The College may require you to verify your identity and specify what information you require. The College 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 College 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 (unless, in the light of the grounds of refusing, it would be unreasonable to provide reasons).

9.1 Content and Right of Assess Personal Information of STUDENTS

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

The College may, at its discretion, on the request of a student grant that student access to information held by the College 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 pupil and/or the pupil's personal circumstances warrant it.

10. COMPLAINTS

The College will investigate the complaint and will notify you of the findings as soon as practicable after the investigation has concluded.

Refer to the College '*Privacy Breach Protocols and Procedures*' in this document.

11. INQUIRIES

If you would like further information about the way the College manages the personal information retained, please contact the College.

Email: Admin@mchf.nsw.edu.au

Phone: 9633 66 00

Section 3: PRIVACY BREACH PROTOCOL & PROCEDURE

INTRODUCTION

This protocol sets out the procedure to manage the College's response to the actual or suspected misuse, interference, loss, or unauthorised access, modification or disclosure of personal information (**Privacy Breach**). It is intended to enable the College to contain, assess and respond to a Privacy Breach. The College may also seek guidance from Catholic Schools New South Wales (CSNSW).

RESPONSE PROTOCOL

In the event of a Privacy Breach, College personnel must adhere to the following four phase process (as described in the Office of the Australian Information Commissioner's (**OAIC**) guide *Data breach notification: a guide to handling personal information security breaches*).

Phases 1- 3 should occur in quick succession and may occur simultaneously.

It is important that appropriate records are kept of the response to the Privacy Breach, including the assessments of the risks associated with the Privacy Breach and decisions made as to the appropriate action/s to take as a result and in response to, the Privacy Breach.

PHASE 1: Contain the Privacy Breach and Preliminary Assessment

1. The College personnel who become aware of the Privacy Breach must immediately notify the Executive Principal. This notification should include (if known at this stage) the time and date the suspected Privacy Breach was discovered, the type of personal information involved, the cause and extent of the Privacy Breach, and who may be affected by the Privacy Breach.
2. The Executive Principal must take any immediately available steps to contain the Privacy Breach (e.g., contact the Business Manager, IT department if practicable), to shut down relevant systems or remove access to the systems).
3. In containing the Privacy Breach, evidence should be preserved that may be valuable in determining the cause of the Privacy Breach. This is particularly relevant if there is a Privacy Breach involving information security.
4. The Executive Principal must consider if there are any other steps that can be taken immediately to mitigate the harm an individual may suffer from the Privacy Breach.
5. The Executive Principal must make a preliminary assessment of the risk level of the Privacy Breach. This will involve an analysis of the risks involved. The following table sets out examples of the different risk levels.

HIGH	Large sets of personal information or highly sensitive personal information (such as health information) have been leaked externally.
MEDIUM	Loss of some personal information records and the records do not contain sensitive information. Low Risk Privacy Breach, but there is an indication of a systemic problem in processes or procedures.
LOW	A few names and College email addresses accidentally disclosed to trusted third party (e.g., where email accidentally sent to wrong person). Near miss or potential event occurred. No identified loss, misuse or interference of personal information.

6. In the event that the Executive Principal receives multiple reports of Privacy Breaches of different datasets, this may be part of a related incident. The Executive Principal must consider upgrading the risk level if this situation arises.
7. Where a *high-risk* incident is identified, the Executive Principal must consider if the affected individuals should be notified immediately to mitigate the risk of serious harm to the individuals.
8. The Executive Principal must escalate High Risk and Medium Risk Privacy Breaches to the response team (whose details are set out at the end of this protocol).
9. If the Executive Principal believes a *low-risk* Privacy Breach has occurred, she may determine that the response team does not need to be convened. In this case, she must undertake Phases 2 and 3 below.
10. If there could be media or stakeholder attention as a result of the Privacy Breach, it must be escalated to the response team.
11. If appropriate, the response team should pre-empt media interest by developing a communications or media response and strategy that manages public expectations.

PHASE 2: Evaluate Risks Associated with the Privacy Breach

1. The response team is to take any further steps (i.e., those not identified in Phase 1) available to contain the Privacy Breach and mitigate harm to affected individuals.
2. The response team must evaluate the risks associated with the Privacy Breach by:
 - i. Identifying the type of personal information involved in the Privacy Breach.
 - ii. Identifying the date, time, duration, and location of the Privacy Breach.
 - iii. Establishing the extent of the Privacy Breach (number of individuals affected).
 - iv. Establishing who the affected, or affected, individuals are.
 - v. Identifying what is the risk of harm to the individual/s and the extent of the likely harm (e.g., what was the nature of the personal information involved)
 - vi. Establishing what the likely reoccurrence of the Privacy Breach is.
 - vii. Considering whether the Privacy Breach indicates a systemic problem with practices or procedures.
 - viii. Assessing the risk of harm to the College and CSNSW.
 - ix. Establishing the likely cause of the Privacy Breach.
3. The response team should assess priorities and risks based on what is known.
4. The response team does not need to consider a particular matter as stated previously if this will cause significant delay in proceeding to Phase 3.
5. The response team should regularly update each other and other relevant stakeholders regarding incident status.

PHASE 3: Privacy Breach Notifications

1. Where appropriate, having regard to the seriousness of the Privacy Breach (based on the evaluation above), the response team must determine whether to notify the following stakeholders of the Privacy Breach:
 - a. Affected individuals.
 - b. Parents
 - c. The OAIC; and/or
 - d. Other stakeholders (e.g., if information which has been modified without authorisation is disclosed to another entity, that entity may need to be notified).
2. In general, if a Privacy Breach creates a real risk of serious harm to the individual, the affected individuals (and their parents if the affected individuals are pupils) the OAIC will be notified.
3. The response team will facilitate ongoing discussion with the OAIC as required.

PHASE 4: Take Action To Prevent Future Privacy Breaches

1. The response team must complete any steps in phase 2 above that were not completed because of the delay this would have caused in proceeding to Phase 3. The cause of the Privacy Breach must be fully investigated.
2. The Business Manager must enter details of the Privacy Breach and response taken into a Privacy Breach log. The Business Manager every year, will review the Privacy Breach log to identify any reoccurring Privacy Breaches.
3. The Business Manager must conduct a post-breach review to assess the effectiveness of the College's response to the Privacy Breach and the effectiveness of the Privacy Breach Response Protocol.
4. The Business Manager in conjunction with members of the Executive team must, if necessary, make appropriate changes to policies, procedures and staff training practices, including updating this Privacy Breach Response Protocol.
5. The Business Manager in conjunction with members of the Executive team must, if appropriate, develop a prevention plan to address any weaknesses in data handling that contributed to the Privacy Breach and conduct an audit to ensure the plan is implemented.

RESPONSE TEAM

Role	Responsibilities and authorities	First contact person	Second contact person
Executive Principal	Responsible for Leadership in guiding the College to better teaching and learning Responsible for communicating with the Business Manager and ICT Committee.	Sr Margaret Ghosn	Elie Asmar Head of College
Business Manager including IT responsibilities	Responsible for Business Financial, Operational and Administration functions of the school. Responsible for communicating with the Business Manager and ICT Committee.	Rupa Bala	Sr Margaret Ghosn Executive Principal
Head of College	Leverage existing media relationships and cultivate new contacts within the Education sector, College community and media.	Elie Asmar	Sr Margaret Ghosn Executive Principal
HR and Compliance Manager	Ensure functional link between the College and CSNSW.	Judy Slattery	Rupa Bala Business Manager

REFERENCES

- Privacy Compliance Manual November 2019
- Commonwealth Privacy Act 1988.
- Health Records and Information Privacy Act 2002 (NSW)
- OAIC's Data breach notification: a guide to handling personal information security breaches
- OAIC's Guide to developing a data breach response plan
- OAIC's website at www.oaic.gov.au

MCHF RELATED DOCUMENTATION

- Staff Code of Conduct Policy
- Complaints Handling Policy and Procedures for All Stakeholders
- Employment Relation Policy and Procedures
- ICT Policy
- Child Protection Policy and Procedures
- Critical Incident and Emergency Management Plan
- Risk Management Policy & Procedure
- Volunteers Handbook & Induction
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USEFUL CONTACTS

National Computer Emergency Response Team (CERT)

Report Privacy Breaches to CERT via email (info@cert.gov.au) or telephone 1300 172 499

Office of the Australian Information Commissioner (OAIC)

Report Privacy Breaches to OAIC via email (enquires@oaic.gov.au) or telephone 1300 3

POLICY DATES			
Implemented	August 2013	Reviewed	26/2/2020; 9/02/2022; 28/02/2023; 12/06/2024
Next Policy Review Due	February 2028		
POLICY AUTHORISATION			
EXECUTIVE PRINCIPAL Sr Margaret Ghosn	SIGNATURE 	DATE: 16/02/2022	
POLICY DETAILS			
Policy Number: 0033 Policy Version: 0002 Version Update: 26/2/20, 0003 Version Updated 9/2/2022, 0004 Version Updated 28/03/2023 Tracked Changes: 2023 Version 0004: Leadership titles updated. Inclusion of College Mission, Vision, Motto and Ethos. Inclusion of NSW Child safe Standards. 2024 Version 0005: Mission & Vision updated. Inclusion for phone recordings for quality assurance & training purposes. Updated Policy, Plan & Procedure Agreement with more specified agreement details. Attachment: Privacy Policy, Plan & Procedure Agreement.			

MARONITE COLLEGE OF THE HOLY FAMILY



PRIVACY POLICY, PLAN and PROCEDURE

AGREEMENT

I, _____ acknowledge that I have received and read the College's Privacy Policy, Plan and Procedure. I understand that it is my responsibility to adhere to the guidelines outlined in the Policy and Plan and to follow Privacy Breach Procedure to ensure the protection of sensitive information and data.

By signing this agreement, I agree to the following:

1. I will only access and use confidential information for legitimate Maronite College of the Holy Family purposes and will not disclose this information to unauthorised individuals.
2. I will follow all security protocols and procedures to safeguard sensitive data from unauthorised access or disclosure.
3. I will report any potential security breaches or violations of the Privacy Policy and/or Plan to the appropriate College authorities.
4. I understand that failure to comply with the College's Privacy Policy, Plan and Procedure may result in disciplinary action, up to and including termination of relationship with Maronite College of the Holy Family, Harris Park.

I acknowledge that I have read and understood the College's Privacy Policy, Plan and Breach Procedure and agree to abide by its terms and conditions.

Signature: _____

Date: _____