



Privacy Policy

PURPOSE

This document outlines Ballarat Grammar's approach to its uses and management of personal information of staff, students, parents and volunteers collected during the operation of the School. The School is bound by the Australian Privacy Principles contained in the *Privacy Act 1988* (Cth) and the *Health Records Act 2001* (Vic).

SCOPE

The scope of this policy applies to all members of the School community, including students, parents and guardians, staff, contractors, volunteers, and any third-party service providers engaged by the School. It includes provision for the Centre for Early Education (CEE). This policy covers all personal and sensitive information collected and managed by the School, including educational, administrative, and health information handled through the onsite Health Centre. This policy applies to information in all formats, including digital records, paper files, verbal communications, and any other form in which personal or medical information is stored or shared, and extends to all School activities, both on and off campus.

POLICY STATEMENT

Ballarat Grammar is committed to protecting the privacy and confidentiality of all personal and sensitive information entrusted to us. In accordance with applicable Victorian privacy and health records legislation, we take all reasonable steps to ensure that personal and medical information is collected, used, stored, and disclosed in a lawful, secure, and transparent manner. Access to such information is restricted to authorised personnel who require it to support the educational, wellbeing, and health needs of students. We maintain robust safeguards to prevent misuse, loss, unauthorised access, or disclosure, and we are committed to fostering a culture of respect, discretion, and accountability in all aspects of information handling within our school community.

This policy must be read in conjunction with the definitions provided in SSS-003 Student Safety Definitions & Additional Resources.

DEFINITIONS

Term	Definition
<i>Data breach</i>	Unauthorised access, disclosure or loss of personal information.
<i>Family Violence Information Sharing Scheme (FVISS)</i>	Enables the sharing of relevant information between authorised organisations to assess or manage risk of family violence.
<i>Health Information</i>	Health Information is a type of personal information. It is information or an opinion about an identifiable person's health, including an illness, disability or injury, an individual's expressed wishes about the future provision of health services to the individual or health services provided or to be provided to an individual. The sensitive nature of this information means that it has different and stronger legal protections.
<i>Information Sharing Entities (ISE)</i>	Information Sharing Entities are authorised to share and request relevant information under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme (the Schemes) and required to respond to requests from other ISEs. All ISEs are mandated to respond to all requests for information.
<i>Notifiable Data Breaches Scheme (NDB)</i>	A Commonwealth scheme that ensures any organisation covered by the Privacy Act 1988 notifies affected individuals and the Office of the Australian Information Commissioner (OAIC) when a data breach is likely to cause serious harm to an individual whose personal information is involved.
<i>Personal Information</i>	Personal information is recorded information or an opinion about a person who is identified or could be reasonably identified whether the information or opinion is true or not. Examples of personal information include a person's: • name • address





	• phone number • date of birth and/or age. De-identified information about individuals can become personal information if it is re-identified or re-identifiable. For example, if a sample size is very small or enough separate facts about a person are provided then their identity could be guessed.
<i>Sensitive Information</i>	Sensitive information is a type of personal information. It has stronger legal protections due to the risk of discrimination. Sensitive information includes information or opinion that relates to a person's: • racial or ethnic origin • political opinions or associations • religious beliefs or affiliations • philosophical beliefs • sexual orientation or practices • criminal record • membership of a trade union • health information
<i>Serious Harm</i>	Serious Harm, for the purpose of the Notifiable Data Breaches Scheme, includes serious psychological, emotional, economic and financial harm, identity theft, risk of physical harm, as well as serious harm to an individual's reputation. The School acknowledges that though individuals may be distressed or otherwise upset at an unauthorised access to or unauthorised disclosure or loss of their personal information, this would not in itself be sufficient to require notification unless a reasonable person would consider that the likely consequences for those individuals would constitute serious harm.

PRIVACY INFORMATION

Types of Information

- Ballarat Grammar collects and holds personal, sensitive and health information regarding:
 - Students and parents and/or guardians ('parents') before, during and after the course of a student's enrolment at the School;
 - Job applicants, staff members, volunteers and contractors; and
 - Other people who come into contact with the School.
- This information is collected by the following means:
 - Parents, students or members of the School community completing forms, attending face to face meetings, interviews and telephone calls.
 - 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.
- In some cases where the School requests personal information about a student or parent, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the student.

Please note: Under the Privacy Act 1988(Cth) the Australian 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 an employee.

Use of Information

- The School will use personal, sensitive and health information collected for the purpose intended, and for other related secondary purposes which might reasonably be expected, or to which consent has been obtained.
- The School may use and disclose personal, sensitive and health information to third parties for the wellbeing or safety of children in accordance with the *Child Wellbeing and Safety Act 2005* (Vic) and any Guidelines (as amended from time to time)
- The purpose in which the School may collect personal, sensitive and/or health information include but are not limited to:
 - Enabling the School to provide ongoing education and pastoral care for students
 - Fulfilling our legal obligations regarding our duty of care and child safety and protection obligations;
 - Keeping parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;





- Marketing, promotional and fundraising activities;
- Supporting the activities of School associations such as Old Grammarians;
- Supporting community-based causes and activities in connection with the School's functions or activities;
- Assisting the School in undertaking its daily operations and administration;
- School administration including insurance purposes; and
- Looking after students' educational, social and medical well-being.
- The School may collect personal information regarding job applicants, staff members and contractors for the primary purpose of assessing and (if successful) to engage the applicant, staff member or contractor. This personal information may be used for the following purposes:
 - In administering the individual's employment or contract;
 - For insurance purposes;
 - Seeking funds and marketing for the School;
 - To satisfy the School's legal obligations, for example, in relation to child protection legislation.
- The School may also collect personal information regarding direct or indirect volunteers who assist the School in its functions or conduct associated activities, to enable the School and the volunteers to work together and maintain its commitment to a child safe environment, and for medical safety and risk management purposes.

Disclosure of Personal Information

- The School may disclose personal information, including sensitive information and health information, held about an individual to:
 - Another school;
 - Government departments;
 - Medical practitioners;
 - People providing services to the School, including specialist visiting teachers and sports coaches;
 - Recipients of School publications, like newsletters and magazines;
 - The legal guardians of the individual; and
 - Anyone to whom the School is authorised to disclose information.
- The School may disclose personal, sensitive and health information to third parties for the wellbeing or safety of children in accordance with the *Child Wellbeing and Safety Act 2005* (Vic) and any Guidelines (as amended from time to time). The Child Information Sharing Scheme (CISS) allows authorised organisations, including the School, to share information to support child wellbeing or safety. This Scheme is designed to help professionals work together better by making sure the right people have the right information at the right time to support children.
- Through the CISS, Ballarat Grammar is able to share information with other approved organisations (called Information Sharing Entities) if:
 - The purpose is to promote or protect the safety or wellbeing of a child (under 18); and
 - The information is relevant and necessary to that purpose
- Consent is not required to share information if these conditions are met.
 - *For further information regarding the Child Information Sharing Scheme, see Appendix E of this document*

Privacy in Education Settings

- Early childhood services are obligated by law, service agreements, and licensing requirements to comply with the privacy and health records legislation when collecting personal and health information about individuals.

Sensitive Information

- Sensitive Information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless consent is otherwise obtained, 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, loss, unauthorised access, modification or disclosure, by various methods including locked storage of paper records, campus security and password access to computerised records.





If you would like further information about the way the School manages the personal information it holds, please contact the Principal's Executive Assistant.

Requesting Personal Information

- Under the Privacy Act 1988 (Cth), an individual has the right to obtain access to personal information which the School holds about them and to advise the School of any perceived inaccuracy. There are some exceptions to this right set out in the Act.
- Students will generally have access to their personal information through their parents, but older students may seek access themselves when they are over 18.
- To make a request to access any information the School holds, please contact the Principal's Office in writing.
- The School may require identity verification and specific details of the information sought. The School may charge a fee to cover the cost of verifying the 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.

Right of Access

- Generally, the School will refer matters relating to the personal information of a 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's Office. However, there will 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 done only when the maturity of the student and/or the student's personal circumstances so warranted. For further information regarding this see the [Privacy Consent and Young People](#) document.

Privacy Breaches

- It is compulsory for schools to notify specific types of data breaches (Notifiable Data Breaches or NDBs), to individuals affected by the breach, and to the Office of the Australian Information Commissioner (OAIC).
- A data breach occurs where "personal information held by an agency or organisation is lost or subjected to unauthorised access, modification, disclosure, or other misuse or interference."
- Not all data breaches will be NDBs. A NDB 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, economic and financial harm, as well as serious harm to reputation.
- Not all instances of unauthorised access or use of personal information will come under the mandatory reporting regime. The Privacy Act refers to an "eligible data breach", while the OAIC uses the term NDB on its website.
- Under the Act a data breach must be notified where:
 - There is unauthorised access to, or unauthorised disclosure of, personal information; and
 - A reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any of the individuals to whom the personal information relates.
- Or
- Personal information is lost in circumstances where:
 - Unauthorised access to, or unauthorised disclosure of, the information is likely to occur; and
 - Assuming that unauthorised access to, or unauthorised disclosure of, the information was to occur, a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any of the individuals to whom the information relates.
- Where a data breach is suspected or believed to have occurred, the School has a process detailed in the [Standard Operating Procedures – Notifiable Data Breaches](#) document.

Examples of a data breach which may meet the definition of an eligible data breach include when: a device containing a member of the school community's personal information is lost or stolen e.g. a laptop; a database containing personal information is hacked; or personal information is mistakenly provided to the wrong person.



Complaints handling and Australian Privacy Principles (APP) breaches

- The APPs require the School to take such steps as are reasonable in the circumstances to implement practices, procedures and systems relating to the School's functions or activities that will enable it to deal with enquiries or complaints about its compliance with the APPs.
- Any complaints received will be dealt with in accordance with the School's *Compliment and Complaints Policy*.
- If the complainant does not believe the complaint was adequately dealt with by the School, that person may make a further complaint to the Privacy Commissioner and seek advice regarding any such complaint from the Privacy Hotline on 1300 363 992. Once referred to the Privacy Commissioner the complaint will be dealt with by way of conciliation or by means as deemed appropriate by the Privacy Commissioner.

Legal Proceedings

- Ballarat Grammar recognises that it is an offence to destroy or interfere with any document that is reasonably likely to be required in evidence in a legal proceeding. As 'reasonably likely' is not a defined expression, the School acknowledges that each category needs to be individually assessed. Where the school is notified of legal proceedings, the school will take reasonable steps to ensure that information is preserved.

General

- The School endeavours to ensure that the personal information it holds is accurate, complete and up to date. A person may seek to update their personal information held by the School by contacting the Principal's Executive Assistant at any time.
- The Australian Privacy Principles require the School not to store personal information longer than necessary.
- Any complaints in relation to the School's privacy management will be handled as per the School's Complaints and Compliments Handling Policy.

REVIEW

Ballarat Grammar is committed to the continuous review and improvement of all its operations, including this policy. It is the responsibility of the Principal to regularly monitor and review the effectiveness of this document and ensure it is working in practice and revise when required.

GOVERNANCE DOCUMENT RESPONSIBILITIES AND COMMUNICATIONS

All documentation within the Governance Document Framework will be communicated throughout the school including, but not limited to, internal communications such as Nexus posts, staff emails, staff inductions, and documentation distribution.

Document Owners are responsible for identifying and managing information-related risks and issues for their assigned information entities and for escalating these to Approval Authorities accordingly. Owners of Governance Documents are accountable for their respective procedures, manuals, and work instructions in alignment with their position descriptions.



Office Use Only

Document Control / History	
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Supporting Documents	
- ICT-002 ICT Acceptable Use - IDG-003 Privacy Policy - IDG-025 Standard Operating Procedure - Notifiable Data Breaches - SSS-001 Student Safety & Support Policy - SSS-003 Student Safety Definitions and Additional References - SSS-004 Student Safety and Wellbeing - SSS-005 Student Safety Code of Conduct - SSS-006 Student Duty of Care - SSS-007 Student Safety and Risk Management Procedure	- SSS-008 Professional Boundaries Guidelines - SSS-009 Responding to and Reporting Allegations of Abuse - SSS-010 Our Student Safeguarding Officers - SSS-014 Student Version – Student Safety & Wellbeing Policy - SSS-025 Restraint Guidelines - SSS-026 Behaviour Management Policy

Student Lifecycle / Pillars / Values / IDEALS / IB PYP Attributes					
Student Lifecycle	Student Lifecycle Subsection	Pillars	Values	IDEALS	IB PYP Attributes
- Student Recruitment - Delivery of Education Programs - Graduation & Community	- Marketing & Advertising - Enrolments & Offers - Finance - Teaching & Learning - Assessment - Experiences - Careers / Work Experience - Graduation - Old Grammarians / Alumni	- Governance & Leadership - Legislative & Regulatory Compliance - Complaints & Compliments - People & Culture - Finance - Community Engagement / Foundation - Property & Maintenance	- Integrity - Aspiration - Courage - Compassion - Responsibility - Hope	- Internationalism - Democracy - Environmentalism - Adventure - Leadership - Service	- Inquirers - Knowledgeable - Thinkers - Communicators - Principled - Open Minded - Caring - Risk Takers - Balanced - Reflective

Legislative Context
- Associations Incorporation Reform Act 2012 (Vic) - Child Safe Standards CCYP/SSR The 11 Child Safe Standards - Child Wellbeing & Safety Act 2005 (Vic) Child Wellbeing and Safety Act 2005 legislation.vic.gov.au - Education & Training Reform Act 2006 (Vic) Education and Training Reform Act 2006 legislation.vic.gov.au - Education & Training Reform Regulations 2017 (Vic) Education and Training Reform Regulations 2017 legislation.vic.gov.au - Education Services for Overseas Students (ESOS) Act 2000 Federal Register of Legislation - Education Services for Overseas Students Act 2000 - Education & Care Service National Law Act 2010 Education and Care Services National Law Act 2010 legislation.vic.gov.au - Education and Care Services National Regulations 2011 - Fair Work Act 2009 (Cth) FAIR WORK ACT 2009 - Family Violence Protection Act 2008 Family Violence Protection Act 2008 legislation.vic.gov.au - Freedom of Information Act 1982 (Vic) - Health Records Act 2001 (Vic) - Ministerial Order 1359 ministerial-order-1359-975





- National Code of Practice for Providers of Education & Training to Overseas Students 2018 (National Code 2018) [Federal Register of Legislation - National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)
- National Quality Standard (NQS) [National Quality Standard | ACECQA](#)
- Notifiable Data Breaches Scheme [About the Notifiable Data Breaches scheme | OAIC](#)
- Occupational Health & Safety Act 2004 (Vic) [Occupational Health and Safety Act 2004](#)
- Privacy Act 1988 (Cth) [Federal Register of Legislation - Privacy Act 1988](#)
- Worker Screening Act 2020 [Worker Screening Act 2020 | legislation.vic.gov.au](#)

Regulatory Context				
VRQA	CRICOS / National Code / ESOS Act	ACECQA / Department of Education	International Baccalaureate	Other
• Child Wellbeing & Safety Act 2005 (Vic) • Victorian Child Safe Standards • Ministerial Order 1359 • Education & Training Reform Act 2006 (Vic)	• Education Services for Overseas Students (ESOS) Act 2000 • National Code of Practice for Providers of Education & Training to Overseas Students 2018 (National Code 2018) – Standard 5, Standard 6	• Education & Care Services National Law Act 2010 (Vic) • Education & Care Services National Regulations 2011 Regulation 181 - 184 • National Quality Framework – QA7; QA2	• IB Standards & Practices	• Privacy Act 1988 (Cth) • Australian Privacy Principles (APPs) • Privacy & Data Protection Act 2014 (Vic) • Health Records Act 2001 (Vic) • Health Privacy Principles (HPPs) • Child Information Sharing Scheme (CISS) • Family Violence Information Sharing Scheme (FVISS) • National Quality Standard, Quality Area 7: Leadership and Service Management • Occupational Health & Safety Act 2004 (Vic) • Fair Work Act 2009 (Cth) • Working with Children Act 2005 (Vic)



Appendix A - Consent and Young People

Plain English Version of guidance from the Association of Independent Schools

The Privacy Act does not distinguish between adults and children as such, young people have rights in respect of their privacy. However, the Australian Privacy Principles (APPs) do not distinguish between children of different ages, so it is difficult to determine when it is appropriate to seek consent from students.

The below is a plain English version of guidance from the Association of Independent Schools regarding consent and young people.

Key Points

- The Privacy Act applies to all individuals, including children.
- As the Privacy Act doesn't specify an age when students can make their own privacy decisions, schools must decide case-by-case if a student under 18 can consent to sharing their personal information.

Default Rule

- As a general rule, students aged 15 or over are presumed to be capable of giving consent unless proven otherwise.
- Students under 15 are presumed not capable, and parental consent is required.

In Practice

- Schools generally act based on the contract with parents.
- If a student (especially 15+) provides personal information (e.g., in an interview), the school may not need parental consent.
- Routine school activities (e.g., team sign-ups, classroom discussions) do not require explicit consent.
- Students cannot block schools from sharing reports with parents, as this aligns with the original purpose of collecting the information however schools can exercise discretion to restrict disclosure of personal information.

Confidentiality Issues

- Staff, including counsellors, should consider age, maturity, and legal responsibilities when handling confidential student disclosures.



Appendix B – Privacy Principles in Action

Ballarat Grammar has legal obligations regarding the following Privacy Principles:

Privacy Principles	Ballarat Grammar Context
Australian Privacy Principles (APPs)	The Australian Privacy Principles are legal obligations that apply to Ballarat Grammar, governing how we collect, use, and protect personal information. They are legal obligations under federal Privacy laws.
Victorian Information Privacy Principles (IPPs)	The IPPs apply when we work with state government agencies – for example, within the funded kindergarten program
Health Privacy Principles (HPPs)	The HPPs apply to any health-related data, such as medical forms or student wellbeing records that Ballarat Grammar and the CEE hold

The table below is a reference tool that identifies how all three sets of Principles can work together and how it may look in practice:

Australian Privacy Principles	Information Privacy Principles	Health Privacy Principles	Principles in action
APP 1 – Open and transparent management of personal information	IPP 5- Openness	Principle 5 - Openness	Ballarat Grammar has a <i>Privacy Policy</i> that clearly sets out how we collect, use, disclose and store personal and health information. Stakeholders have access to this policy at any time, upon request.
APP 2 – Anonymity and pseudonymity	IPP 8 - Anonymity	Principle 8 - Anonymity	Wherever it is lawful and practicable, individuals and families will have the option of not identifying themselves when entering into transactions with Ballarat Grammar. This may include surveys, suggestion boxes, QIP feedback.
- APP 3 - Collection of solicited personal information - APP 4 – Dealing with unsolicited personal information	- IPP 1 - Collection - IPP 10 - Sensitive information	Principle 1- Collection	Ballarat Grammar will only collect the personal, sensitive and health information needed, and for which there is a purpose that is legitimate and related to the School's functions, activities and/or obligations. Personal, sensitive and health information about students and parents/guardians either in relation to themselves or a student enrolled at the service, will generally be collected via forms filled out by parents/guardians. This can include but not limited to Enrolment Records, Enrolment Application Forms, Medical Management Plans, Risk Minimisation Plans, Communication Plans, Attendance Records, Staff Records, Direct Debit Application Forms, Visitors Logbook. Other information may be collected from job applications, face-to-face interviews and telephone calls. Individuals from whom personal information is collected will be provided with a copy of the School's <i>Privacy Statement</i>. When Ballarat Grammar receives personal information from a source other than directly from the individual or the parents/guardians of the student concerned, the person receiving the information will notify the individual or the parents/guardians of the student to whom the information relates to. Ballarat Grammar will advise that individual of their right to share or not share this information with the source. Sensitive information will be collected only for the purpose of enabling the School to provide for the education and care of the student attending the School. CISS & FVISS: Information sharing entities are not obliged to collect personal or health information about an individual directly



			from that person if they are collecting the information from another information sharing entity under the scheme. If an information sharing entity collects personal or health information about a person from another information sharing entity under the scheme, it will not be obliged to take reasonable steps to notify that person that their information has been collected if doing so would be contrary to the promotion of the wellbeing or safety of a child. Information sharing entities will not be obliged to obtain consent from any person before collecting information under the scheme, including 'sensitive information' if they are sharing in accordance with the scheme.						
• APP 5 – Notification of the collection of personal information • APP 6 – Use or disclosure of personal information	• IPP 2 - Use and disclosure	• Principle 2 - Use and Disclose	Upon enrolment, commencement of employment, or any other time personal, sensitive or health information is collected, Ballarat Grammar will take reasonable steps to ensure individuals or families understand why this information is being collected, used, disclosed and stored. Individuals or families will be informed of the following: • Ballarat Grammar contact details; • The facts and circumstances of why personal, sensitive and health information is being collected; • What information is required by authorised law; • The purposes of collection; • The consequences if personal information is not collected; • Ballarat Grammar’s usual disclosures of personal information; if applicable; and • Information about Ballarat Grammar’s Privacy Policy. The following table identifies the personal, sensitive and health information that will be collected by Ballarat Grammar, the primary purpose for its collection and some examples of how this information will be used. <table><tr><th><i>Personal, sensitive and health information collected in relation to:</i></th><th><i>Primary purpose of collection:</i></th><th><i>Examples of how the service will use personal and health, (including sensitive) information include:</i></th></tr><tr><td> • Students and parents/ guardians </td><td> • To enable the service to provide for the education and care of the child attending the School • To promote the service </td><td> • Day-to-day administration and delivery of service. • Provision of a place for their child in the School. • Duty rosters. • Looking after children’s educational, care and safety needs. • For correspondence with parents/guardians relating to their child’s attendance. </td></tr></table>	<i>Personal, sensitive and health information collected in relation to:</i>	<i>Primary purpose of collection:</i>	<i>Examples of how the service will use personal and health, (including sensitive) information include:</i>	• Students and parents/ guardians	• To enable the service to provide for the education and care of the child attending the School • To promote the service	• Day-to-day administration and delivery of service. • Provision of a place for their child in the School. • Duty rosters. • Looking after children’s educational, care and safety needs. • For correspondence with parents/guardians relating to their child’s attendance.
<i>Personal, sensitive and health information collected in relation to:</i>	<i>Primary purpose of collection:</i>	<i>Examples of how the service will use personal and health, (including sensitive) information include:</i>							
• Students and parents/ guardians	• To enable the service to provide for the education and care of the child attending the School • To promote the service	• Day-to-day administration and delivery of service. • Provision of a place for their child in the School. • Duty rosters. • Looking after children’s educational, care and safety needs. • For correspondence with parents/guardians relating to their child’s attendance.							



					- To satisfy the service's legal obligations and to allow it to discharge its duty of care. - Visual displays in the service. - Newsletters. - Promoting the School through external media, including the School's website
			The Board of Directors	For the management of the service	- For communication with, and between, the Board members, employees and members of the association. - To satisfy the School's legal obligations.
			Job applicants, employees, contractors, volunteers and students	- To assess and (if necessary) to engage the applicant, employees, contractor, volunteers or students, as the case may be - To administer the employment, contract or placement	- Administering the individual's employment, contract or placement. - Ensuring the health and safety of the individual. - Insurance. - Promoting the School through external media, including the School's website
			The School may disclose some personal and/or health information held about an individual to: - Government departments or agencies, as part of its legal and funding obligations; - Local government authorities, in relation to enrolment details for planning purposes; - Organisations providing services related to staff entitlements and employment; - Insurance providers, in relation to specific claims or for obtaining cover; - Law enforcement agencies; - Health organisations and/or families in circumstances where the person requires urgent medical assistance and is incapable of giving permission; - Anyone to whom the individual authorises the service to disclose information. - Sensitive information will be used and disclosed only for the purpose for which it was collected, unless the individual agrees otherwise, or where the use or disclosure of this sensitive information is allowed by law.		



			The School may use and disclose personal, sensitive and health information to third parties for the wellbeing or safety of children in accordance with the Child Wellbeing and Safety Act 2005 (Vic) and any Guidelines (as amended from time to time) including through the Child Information Sharing Scheme (CISS).
APP 7 – Direct marketing	N/A	N/A	The School must not use or disclose personal information it holds for the purpose of direct marketing. Direct marketing involves the use or disclosure of personal information to communicate directly with an individual to promote goods and services.
APP 8 – Cross-border disclosure of personal information	IPP 9 - Transborder data flows	Principle 9 - Transborder Data Flows	Ballarat Grammar will only transfer personal of health information outside Victoria in certain circumstances, for example, if the individual consents, or if the recipient of the personal information is subject to a law or binding scheme.
APP 9 – Adoption, use or disclosure of government related identifiers	IPP 7- Unique identifiers	Principle 7- Identifiers	Ballarat Grammar will not adopt, use or disclose a government related identifier unless an exception applies. The School will collect information on the following identifiers including but not limited to: - Information required to access the <i>Kindergarten Fee Subsidy</i> for eligible families; - Tax file number for all employees, to assist with the deduction and forwarding of tax to the Australian Tax Office – failure to provide this would result in maximum tax being deducted; - Medicare number: for medical emergencies; - For childcare services only: Customer Reference Number (CRN) for children attending childcare services to enable the family to access the Commonwealth Government's Child Care Subsidy (CCS) – failure to provide this would result in parents/guardians not obtaining the benefit.
APP 10 – Quality of personal information	IPP 3 - Data quality	Principle 3 - Data quality	Ballarat Grammar will take reasonable steps to ensure that the personal and health information it collects is accurate, up-to-date and complete, as outlined in this Privacy policy. Ballarat Grammar will ensure any updated or new personal and/or health information is promptly added to relevant existing records and will send timely reminders to individuals or families to update their personal and/or health information to ensure records are up to date at all times. This can include but not limited to emergency contact details, authorised nominees, medical management plans, banking details, Working with Children Checks, VIT registration.
APP 11 – Security of personal information	IPP 4 - Data security	Principle 4 - Data Security and Data Retention	Ballarat Grammar takes active measures to ensure the security of personal, sensitive and health information it holds, and takes reasonable steps to protect the stored information from misuse, interference and loss, as well as unauthorised access, modification or disclosure. Ballarat Grammar will also take reasonable steps to destroy personal and health information and ensure it is de-identified if it no longer needs the information for any purpose as described in the relevant regulations. In disposing of personal, sensitive and/or health information, those with authorised access to the information will ensure that it is either shredded or destroyed in such a way that the information is no longer accessible. Ballarat Grammar will ensure that, in relation to personal, sensitive and health information:



			- Access will be limited to authorised staff, the Approved Provider or other individuals who require this information in order to fulfil their responsibilities and duties; - Information will not be left in areas that allow unauthorised access to that information; - All materials will be physically stored in a secure cabinet or area; - Computerised records containing personal or health information will be stored safely and secured with a password for access; - There is security in transmission of the information via email, telephone, mobile phone/text messages, as detailed below: - Emails will only be sent to a person authorised to receive the information; - Faxes will only be sent to a secure fax, which does not allow unauthorised access; and - Telephone – limited and necessary personal information will be provided over the telephone to persons authorised to receive that information; and - Transfer of information interstate and overseas will only occur with the permission of the person concerned or their parents/guardians.
- APP 12 – Access to personal information - APP 13 – Correction of personal information	IPP 6 - Access and correction	Principle 6 - Access and Correction	Individuals or families have the right to seek access to their own personal information and to make corrections to it if necessary. Upon request Ballarat Grammar will give an individual or families access to their personal or health information it holds are part of School operations in a timely manner. Ballarat Grammar must be satisfied through identification verification, that a request for personal or health information is granted. <u>Process for considering access requests</u> A person may seek access, to view or update their personal or health information: - If it relates to their child, by contacting the Nominated Supervisor; - For all other requests, by contacting the Approved Provider/secretary. - Personal information may be accessed in the following way: - View and inspect the information; - Take notes; - Obtain a copy (scanned or photographed). Individuals requiring access to, or updating of, personal information should nominate the type of access required and specify, if possible, what information is required. The Approved Provider will endeavour to respond to this request within 45 days of receiving the request. The Approved Provider and employees will provide access in line with the privacy legislation. If the requested information cannot be provided, the reasons for denying access will be given in writing to the person requesting the information. In accordance with the legislation, the School reserves the right to charge for information provided in order to cover the costs involved in providing that information.



			The privacy legislation also provides an individual about whom information is held by the service, the right to request the correction of information that is held. The service will respond to the request within 45 days of receiving the request for correction. If the individual is able to establish to the service's satisfaction that the information held is incorrect, the service will endeavour to correct the information. There are some exceptions set out in the <i>Privacy and Data Protection Act 2014</i>, where access may be denied in part or in total. Examples of some exemptions are where: • The request is frivolous or vexatious; • Providing access would have an unreasonable impact on the privacy of other individuals; • Providing access would pose a serious threat to the life or health of any person; • The School is involved in the detection, investigation or remedying of serious improper conduct and providing access would prejudice that.
		• <i>Principle 10 -Transfer or closure of the practice of a health service provider</i>	
		• <i>Principle 11- Making information available to another health service provider</i>	



Appendix C – Privacy Statement

Privacy Statement

We believe your privacy is important. Ballarat Grammar has developed a *Privacy Policy* that illustrates how we collect, use, disclose, manage and transfer personal information, including health information. This policy is available on request.

To ensure ongoing funding and licensing, our service is required to comply with the requirements of privacy legislation in relation to the collection and use of personal information. If we need to collect health information, our procedures are subject to the *Health Records Act 2001*.

The Child Information and Family Violence Information Sharing Scheme allows Early Childhood Services to freely request and share relevant information with Information Sharing Entities to support a child or group of children's wellbeing and safety when the threshold test has been met.

Purpose for which information is collected

The reasons for which we generally collect personal information are given in the table below:

Personal information and health information collected in relation to:	Primary purpose for which information will be used:
Children and parents/guardians	To enable us to provide for the education and care of the child attending the School. To manage and administer the service as required.
The Board of Directors	For the management of the service. To comply with relevant legislation requirements.
Job applicants, employees, contractors, volunteers and students	To assess and (if necessary) to engage employees, contractors, volunteers or students. To administer the individual's employment, contracts or placement of students and volunteers.

Please note that under relevant privacy legislation, other uses and disclosures of personal information may be permitted, as set out in that legislation.

Disclosure of personal information, including sensitive and health information

Some personal information, including health information, held about an individual may be disclosed to:

- Government departments or agencies, as part of our legal and funding obligations
- Local government authorities, for planning purposes
- Organisations providing services related to employee entitlements and employment
- Insurance providers, in relation to specific claims or for obtaining cover
- Law enforcement agencies
- Health organisations and/or families in circumstances where the person requires urgent medical assistance and is incapable of giving permission
- Anyone to whom the individual authorises us to disclose information; and/or
- Information sharing entities to support a child and a group of children's wellbeing and safety.

Laws that require us to collect specific information

The *Education and Care Services National Law Act 2010* and the *Education and Care Services National Regulations 2011*, *Associations Incorporation Reform Act 2012 (Vic)* and employment-related laws and agreements require us to collect specific information about individuals from time-to-time. Failure to provide the required information could affect:

- A child's enrolment at the School;
- A person's employment with the School; and/or
- The ability to function as an incorporated association.

Access to information

Individuals about whom we hold personal, sensitive or health information can gain access to this information in accordance with applicable legislation. The procedure for doing this is set out in our *Privacy Policy*, which is available on request.

For information on the *Privacy Policy*, please refer to Nexus, the School's website, or contact the School directly.





Appendix D – Permission Form for Photographs and Videos

Background information

Photographs and videos are classified as ‘personal information’ under the *Privacy and Data Protection Act 2014*.

The purpose of this permission form is to:

- Notify parents/guardians as to who will be permitted to take photographs/videos, where these will be taken and how they will be used.
- Comply with the privacy legislation in relation to all photographs/videos taken at the service, whether by the Approved Provider, Nominated Supervisor, Persons in Day-to-Day Charge, educators, staff, parents/guardians, volunteers or Students on placement.
- Enable photographs/videos of students to be taken as part of the program delivered by the service, whether group photos, videos or photos at special events and excursions etc.

The Marketing and Communication team at Ballarat grammar always obtains explicit written permission from both the student and their parents prior to any media or communications activity that is not owned by the School, for example, press interviews or content for external publications. For School-owned media (digital or print), Ballarat Grammar utilises a Synergetic permissions check.

Photographs/videos taken by staff?

Staff at the service may take photographs/videos of children as part of the program. These may be displayed at the service, on the Ballarat Grammar website/social media platforms or placed in the School’s publications or promotional material to promote the School, or for any other purpose aligned to the School’s business operations. Some staff may use learning journals in which photographs are included.

When the photographs/videos are no longer being used, the School will destroy them if they are no longer required or otherwise store them securely at the School. It is important to note that while the School can nominate the use and disposal of photographs they organise, the School has no control over those photographs taken by parents/guardians of children attending the program or activity.

Group photographs/videos taken by parents/guardians?

Parents/guardians may take photographs/videos of their own child/children at special service events such as birthdays, excursions and other activities. Parents must ensure that they do not capture photographs/videos that include other children at the service as this is sensitive material. This is also respectful to the privacy of those children and families in using and disposing of the photographs/videos.

Photographs taken by a photographer engaged by the School?

A photographer may be engaged by the service to take individual and/or group photographs of students. Information will be provided in written form to parents/guardians prior to the event and will include the date disclosure of an external photographer being utilised.

Photographs/videos for use in newspapers, Ballarat Grammar website and other external publications?

The permission of parents/guardians of students will, on every occasion, be obtained prior to a student’s photograph being taken to appear in any newspaper/media or external publication, including the School’s newsletter, publications and website.

Photographs/videos taken by Students on placement?

Students at the School may take photographs/videos of student as part of their placement requirements.

Access to photographs/videos?

Access to any photographs or videos, like other personal information, is set out in the service’s *Privacy Policy*, which is displayed at the service and available on request.

Confirmation of consent

I consent/do not consent to the arrangements for the use of photographs and/or videos, as stated in this permission form.





Parent / Guardian Name:			
Student Name:			
Signature (Parent / guardian):		Date:	

Appendix E – Child Information Sharing Scheme

- The Child Information Sharing Scheme (CISS) allows authorised organisations, including the School to share information to support child wellbeing or safety. This Scheme is designed to help professionals work together better by making sure the right people have the right information at the right time to support children.
- Through the CISS, Ballarat Grammar is able to share information with other approved organisations (called Information Sharing Entities) if:
 - The purpose is to promote or protect the safety or wellbeing of a child (under 18); and
 - The information is relevant and necessary to that purpose
- Consent is not required to share information if these conditions are met.

Ballarat Grammar is able to share information with other approved organisations such as:

- Other schools or early childhood services
- Child protection or family services
- Victoria Police
- Health professional (e.g. General practitioners, child psychologists)

The School's Role

As part of CISS, Ballarat Grammar must:

- Share Information when it is appropriate and lawful to do so
- Respond to requests from other Information Sharing Entities
- Keep records of what information was shared and why
- Only share what is needed – not more than necessary
- Consider the best interests of the child at all times

Staff Role

Staff must ensure that we do not share information with anyone unless authorised to do so. If the School is asked to share information, the request must be taken seriously and actioned in accordance with our obligations if appropriate to do so.

If staff are unsure as to whether they are able to share information, they should speak with the Principal or the Senior Student Safeguarding Officer.



Appendix F – Responsibilities within CEEd

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators, and all other staff	Parents/guardians	Contractors, volunteers, and students
R indicates legislation requirement					
Ensuring all records and documents (including images and videos) are maintained and stored in accordance with Regulations 177, 181 and 183 of the Education and Care Services National Regulations 2011 and National Law 175	R	✓	✓		✓
Ensuring the service complies with the requirements of the <i>Health Privacy Principles</i> as outlined in the <i>Health Records Act 2001</i> , the <i>Information Privacy Principles</i> as outlined in the <i>Privacy and Data Protection Act 2014 (Vic)</i> and, where applicable, the <i>Australia Privacy Principles</i> as outlined in the <i>Privacy Act 1988 (Cth)</i> and the <i>Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)</i> , by taking proactive steps to establish and maintain internal practices, procedures, and systems that ensure compliance with privacy legislations	R	✓			
Ensuring a copy of this policy, including the Privacy Statement, is provided to all stakeholders, is prominently displayed at the service and/or electronically accessible, is up to date and available on request	R	✓			
Reading and acknowledging they have read the <i>Privacy and Confidentiality Policy</i> , including the Privacy Statement	R	✓	✓	✓	✓
Maintaining the management of privacy risks at each stage of the information lifecycle, including collection, use, disclosure, storage, destruction or de-identification	R	✓	✓		
Protecting personal information from misuse, interference, loss and unauthorised access, modification or disclosure, as well as unauthorised access, modification or disclosure.	R	✓	✓		
Identifying and responding to privacy breaches, handling access and correction requests, and receiving and responding to complaints and inquiries	R	✓			
Providing regular staff training and information on how the privacy legislation applies to them and the service	R	✓			
Ensuring appropriate supervision of staff who regularly handle personal, sensitive, and health information	R	✓			
Ensuring that personal, sensitive, and health information is only collected by lawful and fair means, and is accurate and complete	R	✓	✓		
Teaching children what personal information is and why they should be very careful about sharing this information online	R	✓	✓	✓	✓
Ensuring parents/guardians know why personal, sensitive and health information is being collected and how it will be used, disclosed and managed and are provided with the service's Privacy Statement and all relevant forms	R	✓	✓		
Ensuring that an individual or family can have access to their personal, sensitive and health information at any time, to make corrections or update information	R	✓	✓	✓	✓
Providing adequate and appropriate secure storage for personal (including photos and videos), sensitive, and health information collected by the service, including electronic storage	R	✓			



Ensuring that records and documents are kept in accordance with <i>Regulation 183</i>	R	✓	✓		
Taking reasonable steps to securely destroy or de-identify personal information (including images and videos) when it is no longer required. Hard copy records should be shredded, and electronic records permanently deleted from all systems, including backups and offsite storage	R	✓			
Establishing processes for the safe and secure disposal of broken or unused devices	R	✓			
Notifying an individual or family if the service receives personal sensitive and health information about them from another source as soon as practicably possible	R	✓			
Ensuring that if personal (including photos and videos), sensitive and health information needs to be transferred outside of Victoria, that the individual or family that it applies to has provided consent, or if the recipient of the personal information is subject to a law or binding scheme	R	✓			
Ensuring the unique identifiers are not adopted, used or disclosed unless lawfully required to	R	✓			
Ensuring reasonable steps to destroy personal (including photos and videos), and health information and ensure it is de-identified if the information is no longer required for any purpose as described in <i>Regulations 177, 183, 184</i>	R				
Complying with the Notifiable Data Breaches Scheme (<i>refer to Definitions</i>) which imposes an obligation to notify individual whose personal information (including photos and videos), is in a data breach that is likely to result in serious harm.	R	✓			
Developing a data breach (<i>refer to Sources</i>) response plan that sets out the roles and responsibilities involved in managing a data breach, the steps taken if a data breach occurs (<i>refer to Sources</i>) and notifying the <i>Office of the Australian Information Commission</i> as appropriate	R				
Promoting awareness and compliance with the Child Safe Standards, and disclosing information to promote the wellbeing and safety of a child or group of children by using the Child Information Sharing Scheme, and /or the Family Violence Information Sharing Scheme	R	R	R		
Abiding by the National Model Code to promote a child safe culture when it comes to taking, sharing and storing images or videos of children in early childhood education and care	✓	✓	✓		✓
Ensuring that parents/guardians are informed at the time of enrolment about how photos and videos of children will be used, and that appropriate permission is sought	R	✓	✓		✓
Asking children for permission before taking their photo or video and explain how it will be used. Respecting the child when they say no	✓	✓	✓		✓
Providing notice to children and parents/guardians when photos/video recordings are going to be taken at the service	✓	✓	✓		✓
Ensuring that images of children are treated with the same respect as personal information, and as such are protected by privacy laws in the same way	R	R	R	R	R
Ensuring the appropriate use of images of children, including being aware of cultural sensitivities and the need for some images to be treated with special care	✓	✓	✓	✓	✓
Being sensitive and respectful to parents/guardians who do not want their child to be photographed or videoed	✓	✓	✓	✓	✓
Being sensitive and respectful of the privacy of other children and parent/guardian in photographs/videos when using and disposing of these photographs/videos	R	✓	✓		
Establishing procedures to be implemented if parents/guardians request that their child's image is not to be taken, published, or recorded, or when a child requests that their photo not be taken	R	✓	✓		
Ensuring that geotagging is disabled when taking images or videos of children	R	R			✓
Including a confidentiality clause relating to appropriate information handling in the agreement or contract between a photographer and the service.	R	✓			✓



Appendix G – Responsibilities within CEE: Child Information and Family Violence Sharing Schemes

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators, and all other staff	Parents/guardians	Contractors, volunteers, and students
R indicates legislation requirement					
Ensuring information sharing procedures abide by the <i>Child Information Sharing Scheme (CISS) Ministerial Guidelines and Family Violence Information Sharing (FVISS) Ministerial Guidelines (refer to Source)</i> and exercising professional judgment when determining whether the threshold for sharing is met, what information to share and with whom	R	R	R		
Identifying which staff should be authorised point of contact in relation to the CISS and the FVISS (<i>refer to Definitions</i>)	R	✓			
Ensuring the authorised point of contact undertakes appropriate training and is aware of their responsibilities under the CISS and FVISS (<i>refer to Definitions</i>)	R	✓			
Being aware of who the point of contact at the service under the CISS and FVISS, and supporting them (if applicable) to complete the threshold test		R	R		
Communicating to staff about their obligations under the Information Sharing Schemes, and ensure they have read this policy	R	✓			
Providing opportunities for identified ISE staff to undertake the appropriate Information Sharing and MARAM online Learning System training (<i>refer to Sources</i>)	R	✓			
Engaging in training about Information Sharing and MARAM online Learning System training (<i>refer to Sources</i>)	✓	✓	✓		
Ensuring information sharing procedures are respectful of and have regard to a child's social, individual, and cultural identity, the child's strengths and abilities, and any vulnerability relevant to the child's safety or wellbeing	✓	✓	✓		
Ensuring any requests from ISE's are responded to in a timely manner and provide relevant information if the requirements for sharing under CISS or FVISS (<i>refer to Definitions</i>) are met	R	R	R		
Promoting a child's cultural safety and recognise the cultural rights and familial and community connections of children who are Aboriginal, Torres Strait Islander or both when sharing information under the CISS and FVISS (<i>refer to Definitions</i>)	R	R	R		
Giving precedence to the wellbeing and safety of a child or group of children over the right to privacy when sharing information under the CISS and the FVISS	R	R	R		
Ensuring confidential information is only shared to the extent necessary to promote the wellbeing or safety of a child or group of children, consistent with the best interests of that child or those children	R	R	R		
Maintaining record keeping processes that are accurate and complete as set by <i>Child Wellbeing and Safety (Information Sharing) Regulations</i> concerning both written and verbal sharing of information and or complaints	R	R	R		
Ensuring actions are taken when an ISE becomes aware that information recorded or shared about any person is incorrect, and is corrected in a timely manner	R	R	R		



Working collaboratively with services that are authorised and skilled (including those located within The Orange Door) to determine appropriate actions and promote collaborative, respectful practice around parent/guardian and children	R	R	R		
Seeking and taking into account the views and wishes of the child and the child's relevant family members, if it is appropriate, safe and reasonable to do so when sharing information under the CISS and the FVISS (<i>refer to Definitions</i>)	R	R	R		