

# 1.071

## MERCY EDUCATION POLICY 1.071 STANDARD COLLECTION NOTICE

### Collection of personal information

1. Mercy Education Ltd (Mercy Education) is the governing body of thirteen schools and collects personal information, including sensitive information about students and parents or guardians before and during the course of a student's enrolment at a Mercy Education School. This may be in writing, through digital technology or during conversations that may be directly from the individual or from another source. The primary purpose of collecting this information is to enable Mercy Education, its schools, Catholic Education Offices (CEOs) and Catholic Education Commissions (CECs) to meet educational, administrative and duty of care responsibilities to enable the student to participate in all activities offered by the School.
2. Some of the information collected by Mercy Education is to discharge the School's duty of care and satisfy the legal obligations of the School, its governing body, government and other education regulators including diocesan authorities.
3. Laws governing or relating to the operation of a School require certain information to be collected and disclosed. These include but are not limited to, relevant Education Acts, Public Health Acts, Child Protection, and immigration laws.
4. Health information about students (which includes information about any disability defined by the *Disability Discrimination Act 1992 (Cth)* is classed as sensitive information and defined by *Australian Privacy Principles (APPs)* under the *Privacy Act 1988 (Cth)*. The School may request medical reports about students from time to time and may collect other sensitive information about students and their families.

### Consequences if information is not collected

5. If personal information requested by the School is not provided, the consequences for the student may include an inability to complete enrolment, respond to enquiries, provide the student with education and support services, allow a person to attend or visit the School, or participation in its events and activities.

### Use and disclosure of personal information

6. The School may disclose personal or sensitive information for administrative, educational and student support purposes (or may permit the information to be directly collected by third parties). Other entities, bodies, or persons to which disclosure of personal information of the kind collected by the School may include:
  - i. School service providers such as the CEC, Catholic Education Offices, school governing bodies, education regulators and other diocesan authorities

- iii. third party service providers that provide online educational and assessment support services, document, and data management services, training, and support services, hosting services, and software-as-a service applications.
  - iv. Mercy Education, CECs, and Catholic Education Offices to discharge their responsibilities under the *Australian Education Regulation 2013* (Regulation) and the *Australian Education Act 2013* (Cth) (AE Act) relating to visa sub-class, students with a disability, including audit requirements and NCCD quality assurance processes
  - v. Mercy Education, CECs, Catholic Education Offices, and other diocesan authorities that support the School by undertaking assessments of students for the purpose of education programs or external providers of health services such as counsellors, psychologists, school nurse service, dental van, etc. Specific consent is obtained to collect and disclose sensitive or health information which may include the release of relevant medical or allied health reports, education plans and evaluation documents including personalised learning/behaviour/medical management plans
  - vi. Mercy Education to support the training of selected staff in the use of the Schools' data systems
  - vii. another school to facilitate the transfer of a student
  - viii. Federal and State government departments and agencies acting on behalf of the government e.g., for compliance or audit purposes, or data collections e.g., February and August census, census audits, NAPLAN, and Australian Early Development Census
  - ix. people and organisations providing instructional services such as sports coaches, external training providers, guest speakers, volunteers, counsellors and providers of learning and teaching consulting, and student assessment services
  - x. assessment and education authorities including the Australian Curriculum, Assessment and Reporting Authority (ACARA)
  - xi. people providing administrative and financial services to the School
  - xii. anybody authorised by the School to disclose information to; and
  - xiii. anyone to whom the School is required or authorised to disclose the information to by law, including the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS) child protection and mandatory reporting laws.
7. The School is required by the operation of the *Australian Education Regulation 2013* (Cth) and *Australian Education Act 2013* (Cth) (AE Act) to collect and disclose information to assess the Students with Disability (SwD) loading per the *Nationally Consistent Collection of Data* (NCCD). The School provides the required information about an individual student to the relevant Catholic Education Office and the CEC, as the approved authority. Approved authorities must comply with reporting, record keeping, data quality assurance and audit obligations under the AE Act. Student information provided to the federal government for the purpose of the NCCD does not explicitly identify a student.
  8. Personal information collected from students is regularly disclosed to their parents or guardians.
  9. If you lodge an enrolment application with another school, personal information including health information provided during the application process may be collected from, or shared with, the other school.
  10. The School may disclose limited personal information to the School parish to facilitate religious and sacramental programs, and other activities such as fundraising.
  11. The School may engage in fundraising activities. Information received from you may be used to make an appeal to you. The information may also be disclosed to organisations that assist in the School's fundraising activities solely for that purpose. The School will not disclose your personal information to third parties for their own marketing purposes without your consent.

12. On occasions, information such as academic and sporting achievements, student activities and similar news is published in school newsletters and magazines, on the School intranet and on the School website. This may include digital images and videos of student awards, ceremonies and activities such as sporting events, school camps and school excursions. The School will obtain permissions from the student's parent or guardian (and from the student if appropriate) prior to publication to enable the school to include images or other identifying material, in the promotional material or otherwise make this material available to the public. The School may obtain permission annually, or as part of the enrolment process. Permission obtained at enrolment may apply for the duration of the student's enrolment unless the School is notified otherwise in writing. Annually, the School will remind parents and guardians to notify the School if they wish to vary the permission previously provided. The School may include student and parent/guardian/carers contact details in a class list and school directory
13. The School may use online or 'cloud' service providers to store personal information and to provide services to the School that involve the use of personal information such as services relating to email, instant messaging and assessment applications. This personal information may reside on a cloud service provider's server which may be situated outside of Australia.

#### **Access to your personal information**

14. The School's Privacy Policy, accessible on the School's website and at <https://www.mercy.edu.au>, which may be updated from time to time, contains information about how parents or students may access the personal information held by Mercy Education or the School and seek the correction of such information.

#### **Disclosure to overseas recipients**

15. The School may disclose personal information about an individual to overseas recipients, for example, to facilitate a school exchange or a student overseas tour.
1. Where personal information is held by a cloud computing service provider on behalf of the School for education and administrative purposes, it may be stored on servers located within or outside Australia.

The countries in which the servers of cloud service providers and other third-party service providers are only located within Australia.

16. Otherwise, it is not practicable to specify in this Notice the countries in which overseas recipients of personal information are likely to be located.

#### **Complaints**

17. The School's Privacy Policy contains information about how parents and students may lodge a complaint involving an alleged breach of the Australian Privacy Principles (APPs) and how the School will respond to such a complaint.

#### **Details of the School and Mercy Education contacts:**

18. The School

Principal: Jennifer Oaten  
School: Santa Maria College  
Address: 18 Stoneham Road, Attadale  
Telephone: 08 6330 0200  
Correspondence: Locked Bag 1, Melville WA 6156  
Email: [smc@santamaria.wa.edu.au](mailto:smc@santamaria.wa.edu.au)

Mercy Education  
Address: 720 Heidelberg Road, Alphington Vic 3078  
Telephone: (+613) 9977 3870  
Correspondence: PO Box 5091, Alphington Vic 3078  
Email: [contact@mercy.edu.au](mailto:contact@mercy.edu.au)