

Privacy Policy

Last Review: 18 th June 2025	Constructed / Reviewed by: The Knox School with Russell Kennedy Lawyers
Next Review: 18 th June 2027 (at least every two years (thereafter or more frequently after a significant student safety incident))	Approval Required: Board
Document Date: 18 th June 2025	Board Sign Off Date: 18 th June 2025

1 Collection of personal information

The Knox School ABN 16 0295 158 222 (the **School**) (“the School”, “we”, “us”, “our”) complies with the Australian Privacy Principles (**APPs**) which are part of the *Privacy Act 1988* (Cth). The APPs require the School to have a readily available Privacy Policy that describes how the School collects, uses, discloses and manages the personal information it holds.

The School is also bound by other relevant legislation, including:

- *Education Services for Overseas Students Act 2000* (Cth)
- *Australian Education Act 2013* (Cth)
- *Australian Education Regulations 2023* (Cth)
- *Disability Discrimination Act 1992* (Cth)
- *Education and Training Reform Act 2006* (Vic)
- *Health Records Act 2001* (Vic)
- *Privacy and Data Protection Act 2014* (Vic)
- *Surveillance Act 1999* (Vic)
- *Child Wellbeing and Safety Act 2005* (Vic)

The School recognises that protecting individuals’ privacy is of fundamental importance and required by law. This Privacy Policy explains:

- what sorts of personal information the School collects;
- how the School may use that personal information and to whom it may be disclosed;
- how the School protects the personal information we hold from unauthorised use or disclosure; and
- how you can access and correct the personal information we hold about you, and your options to complain if you believe we have breached our privacy obligations to you.

The School reserves the right (at its discretion) to modify, amend or replace this Privacy Policy from time to time to take account of new laws and technology, changes to the School's operations and practices and to make sure it remains appropriate to the changing school environment. The modified, amended or replaced policy will be posted by the School to its website in place of the older Privacy Policy and notified to students, parents and/or guardians.

2 Scope

This Privacy Policy applies to students, parents and/or guardians (**Parents**), job applicants, alumni, volunteers, contractors, labour hire workers, secondees, homestay providers, service providers, visitors, website users and other people with whom the School ordinarily interacts.

This Privacy Policy does not apply to employees or employee records, as the handling of employee records by a private sector employer is exempt from the Privacy Act if it is directly related to the employee's current or former employment relationship.

However, if you do have questions regarding the handling of your employee records, you can contact our Privacy Officer on the details below for assistance.

The School handles health records in accordance with the Health Privacy Principles in the *Health Records Act 2001* (Vic).

3 Definitions

Personal information is defined by the Privacy Act as information or an opinion about an identified individual, or a reasonably identifiable individual.

Sensitive information is defined by the Privacy Act as personal information relating to a person's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, membership of a trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices, or criminal record. It also includes health or genetic information about an individual or biometric information used for specific purposes.

We will only:

- collect sensitive information where you agree and it is reasonably necessary for the School's functions and activities;
- use and disclose sensitive information for the purpose for which it was collected or a directly related secondary purpose that you would reasonably expect unless you otherwise agree; or
- otherwise collect, use and disclose sensitive information as authorised or required by law.

4 Types of personal information we collect and hold

The School collects and holds a range of personal information, including some health and other sensitive information, about students, parents and/or guardians ("Parents"), volunteers, contractors, labour hire workers, secondees, service providers,

homestay providers, job applicants, visitors and website users, which may include the following:

Students: Before, during and after a student's enrolment at the School we may collect the following information about the student:

- full name, date of birth, gender, contact details including emergency contacts and next of kin;
- nationality, languages spoken;
- details of previous schooling;

- health fund and Medicare details;
- school reports, attendance records, behaviour and complaint reports and/or notes;
- immunisation records and counselling reports;
- information regarding referrals to government welfare agencies;
- details of any relevant court orders;
- photos and/or videos (taken at School events or by closed-circuit television cameras (“CCTV”));
- photos and/or videos of student’s artwork or assessment pieces;
- residency, visa status/citizenship;
- passport number, expiry date and copies of relevant pages;
- visa number, expiry date and copy of grant document; and
- dietary information for catering.

We may also collect the following types of sensitive information about students only where necessary or appropriate, or the student / Parent has otherwise consented:

- racial or ethnic origin (including if students identify as Aboriginal or Torres Strait Islander);
- religious background;
- criminal record;
- health information (disabilities/allergies / medical certificates, etc. – includes mental health); and
- biometric information to the extent used by the School to recognise staff, student and alumni faces in photos or videos to ensure all necessary consents are obtained before use.

Parents: Before, during and after a student’s enrolment at the School we may collect the following information about their Parents:

- full name, date of birth/age, contact details;
- nationality, languages spoken;
- occupation and educational history;
- health fund details and Medicare number
- court orders (such as intervention and restraining orders) and parenting plans; and
- financial information (particularly if requesting alternative fee arrangements due to financial hardship), such as employment details, salary and income, assets and liabilities, and supporting documents.

Job applicants, alumni, volunteers, homestay providers, service providers, contractors, labour hire workers and secondees: The School may collect the following types of personal information about other people who interact with the School:

- full name, date of birth/age, contact details, emergency contact/next of kin.
- languages spoken;

- resumes, employment histories and qualifications, training records and competency assessments, references, and professional development history;
- salary and payment information, including superannuation details;
- complaint records and investigation reports;
- leave details;
- willingness to mentor and assist at events;
- photos and videos at School events;
- workplace surveillance records;
- work emails and internet browsing history when using the School email address or resources;
- event attendance records; and
- details of those involved in community groups such as, Parent Ambassadors.

We may also collect the following types of sensitive information only where necessary or appropriate, or you have otherwise consented:

- racial or ethnic origin (including if students identify as Aboriginal or Torres Strait Islander);
- religious background;
- medical information (e.g. details of disability and/or allergies, and medical certificates); and
- criminal record and police checks.

Website Users

We may also collect information about you when you access our website using a technology called 'cookies'. That information includes the pages viewed and the information downloaded, the IP address of the computer or mobile used to visit our website, the page from where the individual visited our website, the type of browser used, unique device identifiers and information about websites visited before the individual visited our website. You can configure your browser to disable cookies, but some parts of our website may not function properly (or at all) if cookies are disabled.

5 Purpose of collecting personal information

The School's primary purpose for collecting personal information is to support the functions and activities of the School, including:

- generating statistical data and reports for policy and funding purposes;
- organising and managing events/functions;
- for insurance purposes, internal accounting and administration;
- for publications such as magazines and newsletters, including publication of that material (both physically and online);
- seeking donations and marketing for the School;
- enabling the Victorian Department of Education to comply with their reporting requirements; and
- reporting to educational and Government authorities.

Students and Parents

The School's primary purpose for collecting personal information about students and Parents is to enable the School to provide schooling to students enrolled at the School, exercise its duty of care, and perform all the associated activities that are necessary to enable students to take part in all the activities of the School, including:

- supporting students' social and emotional wellbeing and health;
- fulfilling legal requirements including:
 - taking reasonable steps to reduce the risk of harm to students, staff and visitors;
 - making reasonable adjustments for students with disabilities; and
 - ensuring, as far as reasonably practicable, the health and safety of people in the School workplaces; and
- communicating with Parents,

and in particular with regard to international students:

- complying with the School's obligations under Australian laws (such as the *Education Services for Overseas Students Act 2000* (Cth) and the National Code of Practice for Providers of Education and Training to Overseas Students); and
- organising hospital, medical, transport, catering, homestay and tutoring services.

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

Job applicants, volunteers, service providers, contractors, labour hire workers and secondees:

The School's primary purpose for collecting personal information regarding other people who interact with the School is to assess their suitability and manage the relationship, including:

- fulfilling legal requirements, including:
 - taking reasonable steps to reduce the risk of harm to students, staff and visitors;
 - make reasonable adjustments for individuals with disabilities; and
 - complying with child protection legislation; and
- assessing an applicant's suitability for employment or a volunteer position and enabling the School and the applicant or volunteer to work together.

6 How does the School collect personal information?

The School collects personal information about an individual directly from that individual, where reasonable and practicable to do so. We collect the information in a variety of ways, including:

- electronic or paper documents (including forms, letters and invoices), face-to-face meetings and interviews, emails and telephone calls;
- through financial transactions;
- from our website using various technologies, including 'cookies';
- online tools (including apps or other software used by the School);
- photographs, video or other recordings;

- polls, surveys and/or questionnaires;
- from other parties (such as education agencies, counsellors, medical practitioners or other schools) to enable the School to discharge its duty of care;
- from medical forms, incident reports, documents about occupational health and safety requirements (including capacity to work certificates), and Victorian Institute of Teaching or Working with Children clearance requirements, provided by the applicant, or any other third party authorised by the applicant;
- from other parties (such as recruiters, job applicants, representatives or referees, or social media sites); and
- from publicly available sources.

7 Collection of personal information through CCTV

The School installs uses and maintains CCTV cameras around the campus in accordance with relevant surveillance laws. Where installed, CCTV cameras are appropriately sign-posted at all School entrances and exits, as well as in hallways and other open areas.

The School will only use or disclose CCTV footage in accordance with applicable legislation which includes the *Surveillance Act 1999* (Vic), *Child Wellbeing and Safety Act 2005* (Vic) and *Privacy Act 1988* (Cth) as necessary to:

- ensure the care, safety and welfare of staff and students;
- manage relationships between members of the School community (including staff, students, Parents and alumni); and
- to protect the School's lawful interests in a legal or disciplinary proceeding.

The School will exercise discretion and will not:

- disclose CCTV footage to Parents unless compelled by the relevant laws; or
- use or disclose records of private conversations or activities in situations where it is reasonably evident that the parties did not intend for the conversation or activity to be heard or observed by others.

Collection of sensitive information through facial recognition software

The School uses facial recognition software to identify students, staff and alumni in photos and videos. This enables the School to ensure they have appropriate consent from all individuals before the photos or videos in question are shared or published. The biometric information used by the software is regarded as 'sensitive information' under the Privacy Act. This data is securely stored in accordance with this Privacy Policy and accessible only to authorised School personnel.

8 How do we use and disclose the personal information we collect?

As a general principle, and in accordance with our statutory obligations, we only use and disclose personal information for:

- the primary purpose for which the information was collected;
- a secondary purpose that is related to the primary purpose and for which you would reasonably expect us to use the collected information;
- a secondary purpose that is directly related to the primary purpose where it is sensitive information; or
- as otherwise required or authorised by law, including the APPs.

We will take reasonable steps to make individuals aware of the purpose for which the information collected may be used or disclosed, including by reference to this Privacy Policy.

In particular, we may disclose personal information to the following people, where appropriate:

- people providing educational, support and health services to the School (either on or off campus) including specialist visiting teachers, sports coaches, volunteers and counsellors;
- third-party service providers who provide online educational and assessment support services, document and data management services, training and support services, hosting services, software-as-a-service application, migration, administration, financial or educational services to the School;
- state and federal Department of Education to manage the School's responsibilities under the *Australian Education Regulation 2023* and the *Australian Education Act 2013* (Cth) relating to students with a disability. ;
- assessment and educational authorities, including the Victorian Curriculum and Assessment Authority (**VCAA**), 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);
- another school or staff at another school;
- government departments (both state and federal such as the Department of Home Affairs);
- health service providers, such as counsellors, psychologists and School nursing services.
- homestay providers;
- third parties providing educational or pastoral care services;
- recipients of the School's publications, such as newsletters and magazines;
- students' or Parents and their emergency contacts;
- third parties to whom you authorise us to disclose personal information;
- where authorised or required by law or court order, or other governmental order or process, such as where we believe in good faith that the law compels us to disclose information to:
 - lessen or prevent a serious threat to your life, health or safety or public health or safety, where it is impractical to obtain your consent;
 - take appropriate action in relation to suspected unlawful activity or serious misconduct;
 - to locate a person reported as missing;
 - to assert a legal or equitable claim; or
 - to conduct an alternative dispute resolution process; and
- where we are required to do so as a result of any obligations we owe under a contract.

Information Sharing Schemes

We are a prescribed organisation under both the Family Violence Information Sharing Scheme and the Child Information Sharing Scheme.

The Child Information Sharing Scheme operates under Part 6A of the *Child Wellbeing Safety Act 2005* (Vic). The Scheme allows organisations and services prescribed by regulation as

information sharing entities to share confidential information to support child wellbeing or safety. The Scheme is designed to improve early identification of risks to children's safety and wellbeing, increase collaboration between services involved in supporting children and families, promote earlier and more effective intervention and integrated service provision, and improve outcomes for children and families.

The Family Violence Information Sharing Scheme operates under Part 5A of the *Family Violence Protection Act 2008* (Vic). The Scheme allows organisations and services prescribed by regulation as information-sharing entities (key organisations and services) to share information related to assessing or managing family violence risk. The Scheme is designed to minimise the legislative barriers that had previously prevented the timely and effective sharing of information in cases of family violence.

Student Images and Videos

From time to time, the School may collect photographs and videos of students, including footage from the School's CCTV cameras. These photographs and videos may be displayed from time to time around the School and published in the School's publications. However, student images will only be used in school-related media and will not be sent to third parties (other than service providers) such as external media outlets without the express permission of the Parents. No student image linked with the student's full name will be included in any marketing or promotional material, including on the School's website or social media accounts, without prior written consent. Example where student's full name may be used is celebrating a student achievement or where a student is in a leadership position. Consent is requested prior to doing so.

Consent to the use of student images will be obtained from Parents at enrolment, and during enrolment. Once granted, consent stands until such time it is changed during the School's consent renewal process or expressly withdrawn in writing at other times. Due to complex challenges in managing the recording of any student images (e.g. at events), the School cannot accept partial consent and therefore consent will be treated as unequivocal. Any withdrawal of consent may affect a student's participation in certain School activities will take effect from the time of withdrawal, and will not apply to any pre-existing collection, use or disclosure of a student's image or video.

Members of the School community acknowledge that even when authorisation is withheld then incidental, internal or unintentional use of images and recordings featuring that member (or a member's child) may still occur from time to time (particularly when a parent or child attends a photographed or recorded school-related activity or event).

Where reasonably practicable, the School will communicate before school-related activities or events about whether there will be any photography, livestreaming or recording of the event.

Third-party service providers

When the School engages third parties to provide products and/or services to the School, such as Counsellors, psychologists, IT service providers and payment processors, such third parties may have access to personal information the School holds about individuals. The School does not authorise those third parties to use any personal information disclosed to or accessed by the third party for any purpose other than to facilitate the third party's completion of its obligations owed to the School.

Specific consent is obtained to disclose sensitive and health information about a student to counsellors, psychologists and nurses, as part of a service request which may include release of relevant medical or allied health reports, educational planning and evaluation documents such as personalised learning/behaviour/medical management plans. Specific consent will also be obtained for the Principal to require the counsellor and/or psychologist to inform them or other teachers of any issues the Principal and the counsellor and/or psychologist believe may be necessary for the School to know for the wellbeing or development of the student who is counselled or other students at the School.

The School may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange or to enrol an international student. However, the School 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 and other applicable privacy legislations.

The School may use online or 'cloud' service providers to store or back up 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 education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users who access their services. This personal information may be stored in the 'cloud' which means that it may reside on a cloud service provider's server which may be situated outside Australia in countries like China.

When communication occurs with the School through a social network service such as Facebook, Meta or Google, the social network provider and its partners may collect and hold personal information overseas.

The School does not otherwise disclose or allow a third party located outside Australia to access the personal information the School holds.

10 Direct marketing

Marketing and seeking donations for the future growth and development of the School is an important part of ensuring that the School continues to provide a quality learning environment in which both students and staff thrive.

Parents, staff, contractors, labour hire workers, secondees and other members of the wider School community may from time-to-time receive communications that may include news, updates, invitations to events and/or fundraising requests. The School may also disclose your contact details to external organisations that assist the School with fundraising, for example, the School's Alumni committee or, on occasion, external fundraising organisations, such as the Australian Sports Foundation.

If you would like to opt out of receiving marketing material, please contact the School's Marketing Department at marketing@knox.vic.edu.au. If you opt out of receiving marketing material from us, we may still otherwise contact you in relation to our existing relationship with you other than for marketing.

11 Security and retention of personal information

The School takes security seriously and takes reasonable steps to protect any personal information it holds from misuse, interference and loss. This includes:

- physical security measures such as locking cabinets and restricting access to employees in the School premises; and
- technology security measures such as employing passwords and multi-factor authentication measures to protect electronic records.

The School's staff are required to respect the confidentiality of students and Parents' personal information and the privacy of all individuals who interact with the School.

12 Consent and rights of access to the personal information of students

The School respects every Parent's right to make decisions concerning their child's education. Generally, the School will refer any requests to access a student's personal information to the student's Parents. The School will treat consent given by Parents to share personal information as consent given on behalf of the student (unless the student is considered to be a mature minor, in which case, a student may give consent).

Parents may seek access to personal information held by the School about them or their child by contacting the School's Privacy Officer (see below). However, there may be occasions

when access is denied. Such occasions would include where the 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. We also reserve the right to verify the identity of the person requesting the information and their entitlement to access it.

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 if they are deemed to be a mature minor.

13 Quality of the personal information we hold

We take reasonable steps to ensure that the personal information we collect, use and disclose is accurate, complete and up-to-date. However, the accuracy, completeness and currency of the information we hold largely depend on the accuracy of the information supplied to us or which we collect.

If at any time you discover that any information held about you is inaccurate, out-of-date, incomplete, irrelevant or misleading, you can request correction of the information by

contacting the School's Privacy Officer, by telephone on (03) 8805 3800 or at privacy@knox.vic.edu.au.

The School reserves the right to verify your identity before processing a correction request.

14 Lodging a complaint

If you wish to make a complaint to the School about how the School handles your personal information we ask that you make the complaint in writing to the School's Privacy Officer (see below).

The School will promptly acknowledge receipt and will respond to you within a reasonable time period (generally within 30 days). Where the complaint requires a more detailed investigation, the complaint may take longer to resolve, and we will keep you updated as to progress.

The School reserves the right to verify the identity of the individual making the complaint and to seek further information from the complainant about the circumstances of the complaint.

The School reserves the right to refuse to investigate or to otherwise deal with a complaint where permitted under the Privacy Act. For example, the School may refuse to investigate or to otherwise deal with a complaint if the School considers the complaint to be vexatious or frivolous.

If you are not satisfied with our response to your complaint, or you consider that the School may have breached the Privacy Act or the Health Records Act, you can make a complaint to the Office of the Australian Information Commissioner (**OAIC**) or the Health Complaints Commissioner.

Office of the Australian Information Commissioner

Postal address: GPO Box 5288 Sydney NSW 2001

Phone: 1300 363 992

Email: foi@oaic.gov.au

Website: www.oaic.gov.au

Health Complaints Commissioner

Postal address: Level 26, 570 Bourke Street, Melbourne Victoria 3000

Phone: 1300 582 113

Website: hcc.vic.gov.au/public/about-complaints

How to contact us

If you have a query about this privacy policy or wish to make a complaint, please contact the Privacy Officer:

Position: Risk and Compliance Manager

Telephone: (03) 8805 3800

Email: privacy@knox.vic.edu.au