



# A statement about privacy and personal information

## 1 Introduction

Moriah College, comprising of several separate but related entities listed at the end of this statement (the **College**) aims to protect the privacy of the personal information it collects and holds whilst carrying out its activities. Personal information is any information or opinion that is capable of identifying a person.

This statement applies to personal information collected from and about job applicants, staff, volunteers, parents and/or guardians (collectively referred to as parents), students and any other person whose personal information the College may collect from time to time.

The College is bound by the [Australian Privacy Principles \(Principles\)](#) established under the [Privacy Act 1988 \(Cth\) \(Privacy Act\)](#). In relation to health records, the College is also bound by the [New South Wales Health Privacy Principles](#) which are contained in the [Health Records and Information Privacy Act 2002 \(Health Records Act\)](#). This statement has been developed as part of the College's efforts to comply with its obligations under that legislation.

This statement explains:

- what types of personal information we might collect;
- how we collect personal information, including sensitive information;
- how we aim to use personal information;
- when we will disclose personal information to others;
- how we manage and secure personal information;
- how you can access and seek to correct personal information that we hold about you; and
- how you may make a complaint if you think that we have breached the Principles.

This statement does not form part of any contract.

From time to time, we may review and update this statement – for example, to reflect changes to the law, technology or the College's operations and practices – to ensure it remains appropriate. You should check the Privacy Statement posted on our website periodically to read about any changes, modifications, or revisions to this statement.

## **2 What types of personal information does the College collect?**

The College aims only to collect 'personal information' (as defined under the Privacy Act) that is reasonably necessary for its operation as a school, or related activities including its statutory reporting obligations to third parties. The types of information that the College collects depends on the nature of the interaction between you and the College, and where and how the College collects the information.

Personal information collected by the College includes:

- (a) information about students and parents before, during and after the course of enrolment at the College including names, addresses, email addresses, telephone and facsimile numbers and other contact details;
- (b) information about job applicants, staff, volunteers and contractors;
- (c) roles that individuals have or have had with the College and relationships between individuals (for example Abraham is a past student and current parent to Isaac);
- (d) notes taken by staff;
- (e) historical synagogue records, including marriage and birth records;
- (f) details of other people who perform related activities at the College or come into contact with the College community such as suppliers;
- (g) financial information provided in support of financial assistance and bursary applications; and
- (h) bank account and credit card information.

Some of the personal information we collect is considered 'sensitive information', Sensitive information, as defined under the Privacy Act, includes information about racial or ethnic origin, religious beliefs, trade union or other professional or trade association membership, philosophical beliefs, criminal records or health information. The Privacy Act requires us to only collect sensitive information from you where this is consented to by you and reasonably necessary for our activities, or if the collection is required by law or a court or tribunal order.

## **3 How does the College collect your personal information?**

We usually collect personal information directly from you, for example by way of forms, face-to-face meetings, interviews, telephone calls, financial transactions, surveillance activities such as CCTV security cameras, email monitoring or if you contact us through our website. We do not collect personal information from visitors on our website other than what is supplied to us on a voluntary basis.

- (a) Sometimes, someone else may provide us with personal information about you, with or without your direct involvement, including but not limited to: a report provided by a medical professional; or
- (b) a reference from another school or employer.

#### **4 How will the College use the personal information you provide?**

The College will use personal information it collects for the purpose for which it was collected or for a secondary purpose that is related to the primary purpose of collection and would be reasonably expected by you, or to which you have consented.

##### ***Information of parents and students***

Personal information is collected from parents and students to enable the College to provide schooling and related activities. The purposes for which the College uses personal information of parents and students include, but are not limited to:

- (a) keeping parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- (b) day-to-day administration;
- (c) looking after students' educational, social, religious and medical wellbeing;
- (d) marketing, promotional and fundraising activities for the College;
- (e) satisfying the College's legal obligations and allowing it to discharge its duty of care and child protection obligations; and
- (f) evaluating applications for enrolment and/or fee assistance.

In some cases, where the College requests personal information and the information requested is not provided to the College, then it may not be able to meet its legal obligations or discharge its duty of care, and may not be able to enrol or continue the enrolment of a student. If this is the case, we will let you know.

##### ***Sensitive information***

The Privacy Act requires us to only share personal information which includes sensitive information if the College has a belief that its use and/or disclosure is necessary:

- (a) to lessen or prevent threats to health, life or safety of any individual;
- (b) to investigate unlawful activity or serious misconduct within the College;
- (c) to assist enforcement bodies, such as the police, with their activities (in which case the College will make a written note of this disclosure):
- (d) to assist in locating a missing person;
- (e) to establish, exercise or defend a legal or equitable claim; and/or
- (f) for the purpose of confidential alternative dispute resolution.

##### ***Information of job applicants, contractors and employees***

The College collects personal information of job applicants, contractors and peripatetic teachers to enable the College to assess and (if successful) engage and manage those people. For example, the College uses personal information of job applicants, contractors and peripatetic teachers for the purposes of:

- (a) assessing a person's suitability for a job;
- (b) managing a person's employment or contract;

- (c) insurance;
- (d) ensuring that it holds relevant contact information; and/or
- (e) satisfying the College's legal obligations, for example allowing the College to discharge its duty of care obligations and in relation to child protection legislation.

In some cases if the College requests personal information and the information requested is not provided to the College, then it may not be able to engage you to work at the College. If this is the case, we will let you know.

#### ***Exemption in relation to employee records***

The College collects personal information from employees, but the Principles and Health Privacy Principles do not apply to employee records. As a result, this statement does not apply to the College's employee records where the treatment is directly related to a current or former employment relationship between the College and an employee. Therefore, this statement has limited application to personal information collected from employees.

#### ***Information of volunteers***

The College also collects personal information about volunteers who assist the College, to discharge its duty of care and satisfy its legal obligations, enabling the College and those volunteers to work together.

#### ***Marketing and fundraising***

Marketing the College and seeking funds for its future growth and development, are both important aspects of ensuring that the College continues to be a quality learning environment in which both students and staff thrive. Accordingly, the College engages in fundraising activities from time to time. Information collected from you as a parent, student, prospective parent, job applicant, contractor, employee or volunteer may be used by the College in order to assist fundraising appeals.

The College may from time to time provide parents, staff, contractors and other members of the wider College community with information for the purpose of fundraising. School publications, such as newsletters and magazines, which include personal information, may be used for marketing purposes.

## **5 Circumstances under which we may disclose your personal information to others**

The College aims to confine its disclosure of personal information to the primary purpose for which it has been collected, or for a related purpose. This means the College will usually only disclose personal information in connection with its educational and administrative functions.

Sometimes we may also disclose personal information outside the College for the purpose for which the information was collected or for a related purpose. For example, we may provide personal information to (without limitation):

- (a) the Association of Independent Schools of NSW (**AISNSW**) for the purpose of accessing Commonwealth funding and other support services;
- (b) the NSW Department of Education and Training for the purpose of parents receiving the Back to School Allowance, or to any other government agencies to which we are required to provide the information;

- (c) the Mount Zion Trustees for the purposes of processing enrolments for the Mount Zion Early Learning Centre at 30 Bondi Road, Bondi Junction;
- (d) the Moriah Foundation to assist in its fundraising activities;
- (e) the JCA. The College confidentially provides the JCA with information about its community. For example, sometimes the College shares information about enrolments, including the identity of students or applicants for enrolment, with the JCA in order to assist us and the JCA to plan for the following school year. The College also sometimes provides the JCA with information about its supporters to assist with fundraising or marketing activities;
- (f) parents and the community for marketing and information purposes. For example, on occasion, information and photographs and/or video footage concerning academic and sporting achievements, student activities and other Moriah news are published in school newsletters, magazines and on our website. Names of students are not published without consent;
- (g) anyone authorised by you to receive your personal information (your consent may be express or implied and can be withdrawn at any time). If you provide the College with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing such information;
- (h) outsourced service providers who perform functions on our behalf, such as organisations providing security services, conducting market research, or providing email and mail handling services;
- (i) people providing services to the College and its community, including specialist visiting teachers and external service providers such as occupational and speech therapists, counsellors and sports coaches;
- (j) another school;
- (k) medical practitioners;
- (l) companies located overseas including in Israel, the United States of America, the United Kingdom, Poland, the Ukraine, Germany and Cambodia, that provide services to the College, its staff and students in relation to international travel on College programs;
- (m) anyone to whom we are required by law to disclose personal information.

We require third parties only to use your personal information for the specific purpose for which it was given to us and to protect the privacy of your personal information. We will only disclose your personal information to third parties on the basis that such parties agree with the College to keep your information confidential.

**Consent**

You consent to us disclosing your personal information and, where applicable, your child's personal information, to the third parties listed above, and similar organisations who may in turn provide your information to other third parties (for example, for marketing purposes).

If you do not permit the disclosure of personal information about you or your child to any of the organisations listed above or similar organisations, you must advise the College in writing that your permission is withheld.

If you do not permit the disclosure of some personal information as the College requests, the College may not be able to meet its legal obligations or discharge its duty of care, and may not be able to enrol or continue the enrolment of a student or engage you to work at the College. If this is the case, we will let you know.

***Sending information overseas***

The College will not send your personal information outside Australia without first:

- (a) obtaining your consent (in some cases this is implied); or
- (b) otherwise complying with the Principles or other applicable legislation.

## **6 The College website**

When you visit the public pages of the College website, our website server makes a record of your visit and logs the following information:

- (a) your IP ('Internet Protocol') address (which, in general terms, is a unique identifier assigned to your computer when it is connected to the Internet);
- (b) search terms used;
- (c) the operating system and Internet browser software you are currently using; and
- (d) the data that you download (such as web pages or other document files or software), and the time that you download it.

This information cannot be used to identify you and is only used for statistical purposes to help us identify what parts of our website our users visit the most, which in turn assists us to determine how to improve our services.

If you contact us through our website or email us, the College will only use your personal information to respond to your request or answer your queries. We will not add your email address to our mailing list without your consent.

The College uses 'cookies' in the secure section of our website, which are a mechanism to keep track of certain information between visits to the site by the same user. Our website uses cookies to make the browsing experience more responsive when accessing some services on the website. This information is not linked to any personal information and cannot be used to identify the user. This means that the College's obligations in relation to personal information do not apply to the information that it collects via cookies.

You can adjust your web browser's settings to detect or disable cookies if preferred.

***Accessing/Using Internal College Systems***

The College monitors what individuals access and how they use the internal systems that are made available to them, in accordance with the College's "**Student** Policy Agreement For The Acceptable Use Of College Computer Hardware, College Computer Networks and Communications Systems" and "**Staff** Policy Agreement For The Acceptable Use Of College Computer Hardware, College Computer Networks and Communications Systems".

### **Other websites**

To the extent that our website contains links to sites operated by third parties, those linked websites are not controlled by us and we are not responsible for the privacy practices of the site operators. Before you disclose your personal information to any linked websites, we advise you to examine their privacy policies and terms and conditions of use.

## **7 Management and security of personal information**

The College has appointed a Privacy Officer to be responsible for the management of personal information that we collect.

College staff are required to respect the confidentiality of all personal information and the privacy of individuals, and we have directed our staff that personal information must be dealt with in accordance with this statement.

The College has security systems in place to protect your personal information from misuse, loss, unauthorised access, modification or disclosure by the use of various methods including locked storage of paper records and password protected access rights to computerised records. If the College receives personal information about you which it did not request and which it does not reasonably require, the College may destroy or de-identify this information where appropriate.

If you reasonably believe that there has been an unauthorised use or disclosure of your personal information, please let us know by contacting the Privacy Officer at [PrivacyOfficer@moriah.nsw.edu.au](mailto:PrivacyOfficer@moriah.nsw.edu.au).

## **8 Updating personal information**

The College aims to keep all personal information that it holds accurate, complete and up-to-date. We encourage you to tell us if you change your contact details. If you believe that any information that we hold about you is incorrect, incomplete or out-of-date, please contact the College on (02) 9375 1600 and ask for the Privacy Officer during school hours. You may also [email](mailto:PrivacyOfficer@moriah.nsw.edu.au) the Privacy Officer at [PrivacyOfficer@moriah.nsw.edu.au](mailto:PrivacyOfficer@moriah.nsw.edu.au).

The College is required by law to keep some types of information for certain periods of time. In particular, the Health Privacy Principles impose certain obligations about the length of time that health records must be stored. If we no longer require your personal information, we will generally destroy or de-identify that information. However, the College reserves the right to retain personal information for a period longer than for which it is required to retain the information, if the College considers that it is necessary, and as long as it is in accordance with the Principles and the Health Privacy Principles.

## **9 How you can access personal information that the College holds about you**

Under the Privacy Act and the Health Records Act, an individual generally has the right to obtain access to any personal information which the College holds about him/her and to advise the College of any perceived inaccuracy in that information. There are some exceptions to this right.

In some circumstances, the Privacy Act entitles the College to deny access, for example if providing access would impact unreasonably on the privacy of others or prejudice negotiations in which we are involved. If we do refuse access, we will generally let you know the reasons for our refusal.

If you make a request for access to your personal information, we may require you to verify your identity and specify what information you require. The College may charge a fee to cover the cost of locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the College will generally advise you of the likely cost in advance.

To make a request to access any information that the College holds about you, please write to the College and address your correspondence to The Privacy Officer – and mark your letter “Confidential”.

## **10 Consent and rights of access to the personal information of students**

The College respects parents' right to make decisions concerning their children's education. Parents may seek access to personal information collected about them and their child by contacting the College. Students may also seek access to personal information about them. Generally, the College will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. The College will also generally 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.

However, there will be occasions when the College denies a parent access to a student's records. Such occasions would include, without limitation, where:

- (a) release of the information would have an unreasonable impact on the privacy of others;
- (b) release may result in a breach of the College's duty of care to a student; or
- (c) the student withholds consent to the disclosure of his/her personal information. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

The College may, at its discretion, give students direct access to their own personal information and records, although again this would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

## **11 Enquiries**

For further information about the way the College manages the personal information it holds, or if you would like to make a complaint about the College's compliance with the Principles, please contact the Privacy Officer by email ([PrivacyOfficer@Moriah.nsw.edu.au](mailto:PrivacyOfficer@Moriah.nsw.edu.au)) or by telephoning the College on (02) 9375 1600 and asking for the Privacy Officer.

## **12 The College and related entities**

For the purposes of this statement, the College consists of the following entities:

- Moriah War Memorial College Association (ACN 000 049 383);
- The Moriah War Memorial Jewish College Association Limited (ACN 003 214 560);
- The Moriah Foundation;
- Kehillat Moriah incorporated; and
- Moriah College Parents and Friends Association.