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Privacy Policy

Purpose: Barker College is an entity regulated under Australian Privacy Laws and is committed to protecting the privacy of personal information which the School is required to collect, hold and use in operating its business. Barker College acknowledges and respects the privacy of all individuals, and the Privacy Policy sets out how the School manages personal information provided to or collected by it.

Scope: This Policy applies to all Barker College staff members, contractors and volunteers, both teaching and support staff, including those employed on a permanent, temporary or casual, full-time or part-time basis, students, parents/guardians and alumni.

Definitions: The school adopts definition of "personal information" under the *Privacy Act 1988* and may be subject to change, from time to time.

Responsibility: Head of Barker College

1. Privacy Commitment

1.1. At Barker College we are committed to safeguarding the personal information of our students, families, staff, and community. We recognise there is a reasonable expectation of privacy expected from a School and this is a cornerstone of trust in our educational environment.

1.2. We uphold the highest standards of privacy and data protection in accordance with the P*rivacy Act 1988* (Cth) and the 13 Australian Privacy Principles (APPs). Our practices are guided by transparency, accountability, and respect for individual rights.

1.3. The School has a dedicated Privacy Team who initiate and respond to privacy concerns and data compromise where there may be a risk of harm to individuals. This includes making an assessment of any possible breach of privacy and advising on external notifications under the Notifiable Data Breach Scheme.

1.4. We make our commitment to protecting the privacy of individuals available on our public website, including publicising our Privacy Statement of commitment and a dedicated contact for a Privacy Officer for raising privacy-related concerns.

1.5. All AI tools used by the school are subject to rigorous privacy and security assessments. We ensure that any personal data processed by AI systems is handled in accordance with the APPs and this Privacy Policy.

2. Collection of Personal Information

2.1. **The type of information** the School collects and holds for the purpose of operating the School includes (but is not limited to) personal information, including health and other sensitive information, about but not limited to:

- 2.1.1. Student and parent names, contact details, and emergency contacts
- 2.1.2. Academic records, attendance, and behavioural data
- 2.1.3. Health and medical information
- 2.1.4. Employment and professional details of staff
- 2.1.5. Photographs, video recordings, and biometric data (where applicable)
- 2.1.6. Digital interactions and usage data from school platforms

2.2. **How the School Collects Information** through a number of channels including:

- 2.2.1. Enrolment forms and school communications
- 2.2.2. Online portals and learning management systems
- 2.2.3. School events, excursions, and activities
- 2.2.4. Use of digital tools, including AI-powered platforms

2.2.5. Direct correspondence via email, phone, or in person

2.3. 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. This information will be stored according to our *Classification & Handling Standard* and appropriate information systems.

3. Exception In Relation To Staff Member Records

3.1. Under the *Privacy Act* and the *Health Records Act* (NSW &NT), the Australian Privacy Principles do not apply to a staff member's personal employment file or other form of record. As a result, this Privacy Policy does not apply to the School's treatment of a staff member's personal employment file or other form of record, where the treatment is directly related to a current or former employment relationship between the School and the staff member.

4. Primary & Secondary Purpose

4.1. The School will use personal information it collects from an individual for the primary purpose of operating a School and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which the individual has consented.

5. Students And Parents/Guardians

5.1. In relation to the personal information of students and parents/guardians, the School's primary purpose of collection is to enable the School to provide adequate schooling for the student. This includes satisfying the needs of parents/guardians, the needs of the student and the needs of the School throughout the whole period the student is enrolled at the School.

5.2. The purposes for which the School uses personal information of students and parents/guardians may include:

5.2.1. to keep parents/guardians informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
5.2.2. day-to-day administration;
5.2.3. looking after students' educational, social, spiritual and medical wellbeing;
5.2.4. seeking donations and marketing for the School; and
5.2.5. to satisfy the School's legal obligations and to allow the School to discharge its duty of care.

5.3. In some cases, where the School requests personal information about a student or parent/guardian, if the information requested is not obtained, 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.

5.3.1. The School will consult with the parent/guardians in relation to requests to be informed and assess the impact on teaching and learning and the impact on others with a view to open disclosure between the parents/guardian and the School.

6. Applicants Seeking Employment, Staff Members And Contractor

6.1. In relation to personal information of applicants seeking employment, staff members and contractors, the School's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor.

6.2. The purposes for which the School uses personal information of applicants seeking employment, staff members and contractors include:

6.2.1. administering the individual's employment or contract;
6.2.2. for insurance purposes;
6.2.3. seeking funds and marketing for the School; and

6.2.4. to satisfy the School's legal obligations, for example, in relation to child protection legislation.

7. Volunteers

7.1. The School also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, such as Alumni Associations, to enable the School to assess safety risks and for the volunteers and School to work together.

8. Marketing And Fundraising

8.1. The School treats marketing and seeking donations for the future growth and development of the School as an important part of ensuring that the School continues to be a quality learning environment in which both students and staff members thrive.

8.2. Personal information held by the School may be disclosed to an organisation that assists in the School's fundraising making individuals aware under a Data Collection Notice or other such notification that is reasonable in the circumstances.

8.3. Parents/guardians staff members, contractors, volunteers and other members of the wider School community may from time to time, receive fundraising information. School publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

8.4. If an individual does not wish the School to use their personal information for marketing and fundraising as outlined in the Schools Data Collection Notice, they should advise the School of their wishes by contacting the Privacy Team in writing via email: privacy@barker.nsw.edu.au and personal information will not be used for these purposes.

9. Disclosure Of Personal Information

9.1. The School will seek explicit parental/guardian consent to disclose personal information, including sensitive information, held about an individual to:

9.1.1. another School;
9.1.2. the School's local parish;
9.1.3. medical practitioners;
9.1.4. anyone parents/guardians authorise the School to disclose information to.

9.2. The School reserves the right to report as required under the *Education Act* and to whom we are required to disclose the information by law for a legitimate purpose, including subpoena and Requests for Information under child protection and criminal laws.

10. Sending And Storing Information Overseas

10.1. The School may disclose personal information about an individual to overseas recipients, for instance, to facilitate a School student exchange and will seek the explicit consent of parent/guardians in each instance.

10.2. However, the School will not send personal information about an individual outside Australia without:

10.2.1. obtaining the consent of the individual; or
10.2.2. otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

11. Sensitive Information

11.1. In referring to 'sensitive information', the School means information relating to a person's racial or

ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information, health information and biometric information about an individual.

11.2. Sensitive information will be used and disclosed only for the purpose for which it was provided or for a directly related secondary purpose, unless the person agrees otherwise, or the use or disclosure of the sensitive information is allowed by law.

12. Management And Security Of Personal Information

12.1. The Head of Barker College and the School's staff members are required to respect the confidentiality of student and parent/guardian personal information and the privacy of individuals.

12.2. The School has in place steps to protect the personal information the School holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerised records.

13. Responding To Data Breaches

13.1. A data breach concerns the security of personal information and involves the actual unauthorised access or disclosure of personal information, or the loss of personal information where the loss is likely to result in unauthorised access or disclosure (Data Breach).

13.2. Data Breaches are not limited to the malicious acts of third parties, such as theft or 'hacking', but may also arise from human error, a systems failure, or a failure to follow information handling or data security policies resulting in accidental loss, access or disclosure.

13.3. The following are examples of when a Data Breach may occur:

13.3.1. loss of smartphone or other School device or equipment containing personal information;

13.3.2. cyber-attacks on the School's systems, resulting in unknown third parties accessing or stealing personal information;

13.3.3. accidental transmission of personal information such as student's reports to unintended recipients via e-mail;

13.3.4. loss or theft of hard copy documents; and

13.3.5. misuse of personal information of students or parents/guardians by School personnel.

13.4. In the event where a data breach is likely to result in serious harm to one or more individuals and the School is not able to quickly remediate the breach to minimise the risk of serious harm, the data breach is classified as an Eligible Data Breach (EDB). The School has no obligation to notify any individuals or the Australian Information Commissioner where a data breach is not classified as an EDB, but may elect to do so voluntarily.

13.5. In the event of an Eligible Data Breach (EDB), the School will notify the Australian Information Commissioner of the breach. Depending of the nature of the EDB, the School will also either:

13.5.1. Notify individuals whose personal information is involved in the data breach or publically publish the notification; or

13.5.2. Notify only the individuals who are at likely risk of serious harm; or

13.5.3. Publish the notification and publicise it with the aim of bringing it to the attention of all individuals at likely risk of serious harm.

14. Updating Personal Information

14.1. 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 Privacy Team via email privacy@barker.nsw.edu.au at any time.

14.2. The Australian Privacy Principles and the Health Privacy Principles require the School not to store personal information longer than necessary. In particular, the Health Privacy Principles impose certain obligations about the length of time health records must be stored.

14.3. The *Data Classification & Handling Policy* provides a guide to retention and destruction of certain records according to certain laws and if not indicated by law, the School adopts the *Australian Society of Archivist Records Retention Schedule for Non -Government Schools.*

15. Access And Correction Of Personal Information

15.1. Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to obtain access to any 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.

15.2. Students will generally be able to access and update their personal information through their parents/guardians, but older students may seek access and correction themselves. There are some exceptions to these rights set out in the applicable legislation. To make a request to access or update any personal information the School holds about a parent/guardian or a student, please contact the Privacy Team in writing via email: privacy@barker.nsw.edu.au

15.3. The School may require an individual to verify their identity and will specify what information the individual requires. The School may charge a fee to cover the cost of verifying an application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the School will advise the individual of the likely cost in advance. If the School cannot provide the individual with access to that information, the School will provide the individual with written notice explaining the reasons for refusal.

16. Consent And Rights Of Access To The Personal Information Of Students

16.1. The School respects the rights of every parent/guardian to make decisions concerning their child's education. Generally, the School will refer any requests for consent and notices in relation to the personal information of a student to the student's parents/guardians. The School will treat consent given by parents/guardians as consent given on behalf of the student, and notice to parents/guardians will act as notice given to the student.

16.2. Parents/guardians may seek access to personal information held by the School about them or their child by contacting the Privacy Team in writing via email: privacy@barker.nsw.edu.au 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.

16.3. The School may, at its discretion, and at the request of a student, grant such access to the student information held by the School about the student, or allow the student to give or withhold consent to the use of their personal information, independently of their parents/guardians. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

16.4. The School may, from time to time, review and update this *Privacy Policy* 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.

17. Enquiries And Complaints

If an individual would like further information about the way the School manages the personal information it holds, or wish to complain that you believe the School has breached the Australian Privacy Principles,

please contact the Privacy Team in writing via email: privacy@barker.nsw.edu.auThe Privacy Officer will investigate any complaint and will notify the individual of a decision in relation to their complaint, as soon as practicable, after the complaint has been made.

18. Related Documents

Information Security Policy
Data Classification & Handling Standard
Data Owners Register
Data Breach Response Plan

References:

Australian Privacy Principles,

Privacy Amendment (Enhancing Privacy Protection) Act 2012

Privacy Amendment (Notifiable Data Breaches) Act 2017.

Australian Society of Archivist Records Retention Schedule for Non -Government Schools 2nd edition
NSW Health Privacy Principles and Health Records and Information Privacy Act 2002 (Health Record Act).

Health Service Act 2021 (NT)

Version control:

Policy owner	Chief Operating Officer	
Version number	Date reviewed	Reviewed by and comments
1.0	27/03/2018	Council Approved
2.0	12/08/2025	Council Approved
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Next review due
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