



Privacy

Policy

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Status	APPROVED by Executive Committee
Date of Approval	21 November 2024
Owner	Principal
Contact	Head of Marketing and Community Relations Head of Information Technology Chief Financial Officer
Review Cycle	Two (2) Years
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Privacy Policy

1. PURPOSE

The MLC School Privacy Policy outlines how personal information is provided and collated, and how it uses personal information on all the School's communication channels.

- i. MLC School is bound by the Australian Privacy Principles contained in the Commonwealth *Privacy Act 1988*.
- ii. In relation to health records, MLC School is also bound by the Health Privacy Principles which are contained in the *Health Records and Information Privacy Act 2002* (NSW).

Under the *Privacy Act, 1988* (Cth) and the *Health Records and Information Privacy Act 2002* (NSW), do not apply to MLC School's treatment of an employee record held by the school, where the treatment is directly related to a current or former employment relationship between the school and the employee.

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.

2. SCOPE

This policy applies to the School and its staff, volunteers, third party contractors and external education providers, for the welfare and benefit of all members of the School community including our students, parents and carers and staff.

3. POLICY STATEMENT

MLC School is committed to protecting the privacy of all members of the School community, in compliance with its legal obligations.

4. KEY PRINCIPLES

The key principles of this policy are:

- i. Protect the privacy of all individuals in the School community.
- ii. Explain how the School will collect, store, use and disclose personal information and health information.
- iii. Explain how individuals can access and correct their personal information and health information held by the School.
- iv. Explain how individuals can make privacy complaints.

5. DEFINITIONS

TERM	MEANING
'Cloud' Service Providers	Is a third party company that provides scalable computing resources that businesses can access on demand over a network, including cloud-based computer, storage, platform, and application services.
ACARA	Australian Curriculum, Assessment and Reporting Authority
CCTV	Close Circuit Television
Cookies	Text files placed in your computer's browser to store your preferences. They are placed on your device or computer and often include an anonymous unique identifier. For more information about cookies, and how to disable cookies, visit http://www.allaboutcookies.org
Data Breach	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.
Device Information	Refers to information collected about your web browser, IP address, time zone, and some of the cookies that are installed on your device. Additionally, as you browse the Site, we collect information about the individual web pages or products that you view, what websites or search terms referred you to the Site, and information about how you interact with the Site
Enquiry Information	When an online form is completed in order to make an enquiry, or book a tour, MLC School collects certain information, including your name, address, email address, and phone number.
Excelsior	The School's Official Yearbook
Lucis	The School's biannual magazine
NAPLAN	National Assessment Program – Literary and Numeracy
Personal Information	Refers to both Device Information and Enquiry Information.

Sensitive Information	Personal information that is given greater protection and must be treated with additional care. It includes information relating to a person's racial or ethnic origin, political opinions, religion, philosophical beliefs, trade union or other professional or trade association membership, sexual orientation or practices, criminal record, health, genetics, and biometrics.
Site	Refers to MLC School's website: www.mlcsyd.nsw.edu.au
The School	MLC School
Third Party Providers	<p>Third party providers who:</p> <ul style="list-style-type: none"> • Have direct contact with students during the normal course of their work; or • Are in a position to establish a relationship of trust with a student, notwithstanding that access to a student would be rare (e.g. Full-time maintenance personnel); and • Any contractors whom the School is legally required to screen. <p>This includes peripatetic teachers and other extra-curricular teachers and instructors who are engaged by students and their families directly but have an agreement with the School to use the School's facilities.</p>
Web Beacons, Tags and Pixels	Are electronic files used to record information about how you browse the Site.

6. PROCEDURES

6.1 Kind of Personal Information We Collect

The types of information MLC School collects includes but is not limited to personal information, including health and other sensitive information about:

- i. Students and parents and/or carers before, during and after the course of a student's enrolment at the School, including:
 - Name, contact details (including next of kin), date of birth, gender, language background, previous school, and religion.
 - Parents' education, occupation, language spoken at home, nationality, and country of birth.
 - Health information (e.g. details of disability and/or allergies, dietary requirements, absence notes, immunisation details, medical reports, and names of doctors).
 - Results of assignments, tests, and examinations.
 - Conduct and complaint records, or other behaviour notes, and school reports.
 - Information about referrals to government welfare agencies.
 - Counselling reports.
 - Any family court orders.
 - Volunteering information.
 - Photos and videos at school events.
- ii. Job applicants, volunteers, and contractors, including:
 - Name, contact details (including next of kin), date of birth, and religion.
 - Information on job application.
 - Professional development history.
 - Salary and payment information, including superannuation details.
 - Health information (e.g., details of disability and/or allergies, and medical certificates).
 - Complaint records and investigation reports.
 - Leave details.
 - Photos and videos at school events.
 - Workplace surveillance information.
 - Work emails and private emails (when using work email address) and internet browsing history.

- iii. Other people who come into contact with MLC School, including name and contact details and any other information necessary for the particular contact with the School.

6.2 Sensitive Information

No sensitive information will be disclosed without the approval of the Principal or a delegate of the Principal. Sensitive information will be used and disclosed only for the purpose for which it was provided, or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

The School may use sensitive information for providing medical treatment, first aid, recording attendance or any reason it deems necessary, as its sole discretion, to fulfil its duty of care to students, staff, and other persons.

6.3 How We Collect Personal Information

- i. Personal Information You Provide:

MLC School generally collects personal information about an individual directly from the individual (or their Parent in the case of students). This includes by way of documentation completed by parents, carers and students, forms, face-to-face meetings and interviews, emails, and telephone calls.

- ii. Personal Information Provided By Other People:

In some circumstances MLC School may be provided with personal information about an individual from a third party, for example, a report provided by a medical professional, a reference from another school or a referee for a job applicant.

If personal information provided to MLC School is about other people, for example, doctors or emergency contacts, we encourage you to inform them that you are disclosing information to the School.

If a student transfers to a new school, the new school may collect personal information about the student from the student's previous school to facilitate the transfer of the student.

iii. Personal Information From Other Sources:

We may from time to time, collect personal information through other sources including surveillance activities, such as CCTV security cameras and the monitoring of student emails.

When you visit the MLC School's website, we automatically collect device information including information about your web browser, IP address, time zone, and some of the cookies that are installed on your device. Additionally, as you browse our Site, we also collect information about the individual web pages or products that you view, what websites or search terms referred you to the Site, and information about how you interact with the Site.

MLC School uses the device information that we collect to help us improve and optimise our Site (for example, by generating analytics about how our site visitors browse and interact with the Site, and to assess the success of our marketing and advertising campaigns). We also use device information in order to serve re-marketing ad campaigns through online platforms such as Google Ads and Facebook. For example, if you have visited our Site previously, we may serve you an appropriate advertisement within your social media and online feeds, based on the pages of the site you visited such as 'enrolments'.

MLC School collects Device Information using the following technologies:

i. Cookies

MLC School may use cookies on our Site from time to time. Cookies are text files placed in your computer's browser to store your preferences. Cookies, by themselves, do not tell us your email address or other personally identifiable information. However, they do allow third parties, such as Google and Facebook, to cause our advertisements to appear on your social media and online media feeds as part of our retargeting campaigns. If and when you choose to provide our Site with personal information, this information may be linked to the data stored in the cookie.

ii. Web beacons

MLC School may use web beacons on our Site from time to time. Web beacons (also known as Clear GIFs) are small pieces of code placed on a web page to monitor the visitor's behaviour and collect data about the visitor's viewing of a web page. For example, web beacons can be used to count the users who visit a web page or to deliver a cookie to the browser of a visitor viewing that page.

6.4 Purposes for Which We Collect, Use and Disclose Personal Information

The purposes for which MLC School collects, uses and discloses personal information depend on our relationship with you and include the following:

- i. Students and Parents¹:
 - Providing schooling and school activities.
 - Satisfying the needs of parents, the needs of students and the needs of the school.
 - Throughout the whole period a student is enrolled at the school.
 - Making required reports to government authorities.
 - Keeping parents informed about matters related to their child's schooling, through correspondence, the MLC School App, weekly newsletters, Lucis, the Excelsior and for other marketing purposes.²
 - Day-to-day administration of the school.
 - Looking after students' educational, social and health wellbeing.
 - Seeking donations for the school (for more information, please refer to section 6.4 (iv) of this Policy).
 - To satisfy the school's legal obligations and allow the school to discharge its duty of care.
- ii. Volunteers:
 - To contact you about, and administer, the volunteer position.
 - For insurance purposes.
 - Satisfying the school's legal obligations, for example, in relation to child protection Legislation.

¹ MLC School may not be able to enrol or continue the enrolment of a student, if necessary, information about the student or parent/carer is not provided.

² Photographs of a student may be placed in the School's records, displayed from time to time around MLC School (including footage on the School's CCTV monitors) and published in school publications, including 'Excelsior', the Omnia Parent Portal and weekly e-newsletter. Parents may opt-out of use of student photographs for or promotional and other marketing material including the School's public website, Facebook, video footage and the digital version of 'No student image linked with the student's name will be included in any marketing or promotional material or vehicle without prior written consent.

iii. Job Applicants and Contractors:

- Assessing and (if successful) engaging the applicant or contractor.
- Administering the individual's employment or contract.
- Seeking donations for the school (for more information, please refer to section 6.4 (iv)).
- For insurance purposes.
- Satisfying the school's legal obligations, for example, in relation to child protection legislation.

iv. Fundraising and Direct Marketing:

MLC School from time to time engages in fundraising activities to seek donations and further support from the community for items including but not limited to infrastructure and facility improvements, supporting special programs, etc. These donations allow MLC School to go beyond providing the basics and offers the opportunity to provide a more comprehensive and enriching learning environment for our students.

Personal information may be used to make a personal and direct appeal to you and may also be disclosed to an organisation that assists in the school's fundraising activities. For example, the school's Foundation or alumni organisation and, on occasions, external fundraising organisations.

If you do not want to receive fundraising related communications from MLC School or its affiliates, please opt out by emailing communications@mlcsyd.nsw.edu.au.

6.5 Who We Disclose Personal Information To

MLC School may disclose personal information, including sensitive information, for educational, care and administrative purposes, and to seek support and advice. This may include to:

- Other schools and teachers at those schools, including a new school to which a student transfers to facilitate the transfer of the student.
- Government departments (including for policy and funding purposes).
- Medical practitioners.
- People providing educational, support and health services to the school, including Specialist visiting teachers, volunteers, coaches, and counsellors.
- Organisations that assist us with fundraising (for more information, please refer to section 6.4 (iv)).

- Providers of specialist advisory services and assistance to the school, including in the area of human resources, child protection, students with additional needs and for the purpose of administering Google Apps for Education and ensuring its proper use (for further information, please refer to see further section 6.7).
- Providers of learning and assessment tools.
- Assessment and educational authorities, including 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).
- Agencies and organisations to whom we are required to disclose personal information for education, funding, and research purposes.
- The provider of our information management and storage system and other information technology services.
- Recipients of MLC School publications, including our newsletters and magazines.
- Students' parents or carers.
- Anyone you authorise the school to disclose information to.
- Anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

MLC School does not sell or rent personal information. Personal information is not disclosed to any organisation outside of MLC School for any purpose other than those purposes set out above without first obtaining customer consent or unless required by law. We use Google Analytics to help us understand how our customers use the MLC School website.^{3 4}

As described above, MLC School also uses your personal Information to provide you with targeted advertisements or marketing communications we believe may be of interest to you through online platforms such as Google Ads and Facebook.^{5 6}

³ How Google uses your Personal Information: Google 'Google Privacy and Terms' here: <https://www.google.com/intl/en/policies/privacy/> accessed 1 March 2024.

⁴ How To opt-out of Google Analytics: 'Google 'Google Analytics Opt-out Browse Add-on' <https://tools.google.com/dlpage/gaoptout#:~:text=If%20you%20want%20to%20opt,execute%20properly%20on%20your%20browser> accessed 1 March 2024.

⁵ For more information about how targeted advertising works: NAI -Network Advertising Initiative's – How Does It Work?' <http://www.networkadvertising.org/understanding-online-advertising/how-does-it-work> accessed 1 March 2024.

⁶ You can opt out of targeted advertising by clicking on the following links Facebook 'Settings' <https://www.facebook.com/settings/?tab=ads;> Google 'Ad Settings' <https://www.google.com/settings/ads/anonymous;> Digital Advertising Alliance 'YouAdChoices' <http://optout.aboutads.info/> all accessed 1 March 2024.

For more information about our privacy practices, if you have questions, or if you would like to make a complaint, please contact us by visiting <https://www.mlcsyd.nsw.edu.au/contact-us/provide-feedback-or-complaint>.

6.6 How We Store Personal Information

The School uses information management and storage systems provided by third party service providers. Personal information is stored with and accessible by the third party service providers for the purpose of providing services to MLC School in connection with the systems.

MLC 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. (For further information, please refer to see further section 6.7).

6.7 Sending and Storing Information Overseas

MLC School may disclose personal information about an individual to overseas recipients in certain circumstances, for instance, to facilitate a school exchange.

The school may use other online or 'cloud' service providers to store personal information and to provide online 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 that access their services and provide technical support. 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.

An example of such a cloud service provider is Google. Google provides the 'Google Apps for Education' (GAFE) including Gmail and stores and processes limited personal information for this purpose. School personnel, and the Association of Independent School of NSW (AIS) and their service providers may have the ability to access, monitor, use or disclose emails, communications (e.g. instant messaging), documents and associated administrative data for the purposes of administering GAFE and ensuring its proper use.

These services store and process limited personal information which is only full name and email address to enable authentication and functionality. Full privacy including disclosure statements can be found on their websites.

6.8 Management and Security of Personal Information

MLC School has in place steps to protect the personal information the School holds from misuse, loss, unauthorised access, modification, or disclosure, by use of various methods including locked storage of paper records and passworded access rights to computerised records. Staff are required to respect the confidentiality of student's, parent's and carer's personal information and the privacy of individuals.

MLC School may utilise third party providers to deliver online applications for students and staff. Consequently, details may be transferred, stored, and processed in Australia or any other country.

6.9 In the Event of a Data Breach

MLC School considers any form of data breaches seriously and have procedures in place to prevent, prepare for, and respond to incidents of this nature. In the event of a data breach, the MLC School Data Breach Response Team is formed, and comprises of the following staff members:

- Principal
- Head of Information Technology
- Head of Marketing and Community Relations
- Chief Financial Officer
- IT Operations Manager
- IT Business Systems Manager
- Communications and Digital Experience Manager

The Response Team will, in line with the MLC School Data Breach Response Plan and the guidelines described by the Office of the Australian Information Commissioner (OAIC) take immediate action to limit the impact of the breach on the affected individuals.⁷

6.10 Access and Correction of Personal Information

Under the *Privacy Act, 1988* (Cth) and the *Health Records and Information Privacy Act 2002* (NSW), an individual has the right to seek access to, and/or correction of, any personal information which a school holds about them. There are some exceptions to this right set out in the Act.

Students will generally be able to access and update their personal information through their Parents, 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, update or correct any personal information MLC School holds about you or your child, please contact studiesoffice@mlcsyd.nsw.edu.au.

The School may require you to verify your identity and specify what information you require. The School may charge a reasonable fee for giving access to your personal information (but will not charge for the making of the request or to correct your personal information). If the information sought is extensive, the School will advise the likely cost in advance.

If we decide to refuse your request, we will provide you with written notice explaining the reasons for refusal (unless, given the grounds for refusal, it would be unreasonable to provide reasons) and how to complain.

Parents can also log on to the Omnia Parent Portal to correct and update their child's personal information at any time.

⁷ Australian Government – Office of the Australian Information Commissioner 'Part 3 Responding to data breaches - four key steps' <https://www.oaic.gov.au/privacy/privacy-guidance-for-organisations-and-government-agencies/preventing-preparing-for-and-responding-to-data-breaches/data-breach-preparation-and-response/part-3-responding-to-data-breaches-four-key-steps> accessed 1 March 2024.

6.11 Consent and Rights of Access to the Personal Information of Students

MLC School respect every Parent's right to make decisions concerning their child's education.

Generally, MLC School will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. Generally, MLC 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 MLC School about them or their child by contacting the Principal in writing. MLC School may require you to verify your identity and specify what information you require or wish to view. However, there may be occasions when access is denied.

Such occasions may include (but are not limited to) where the school believes the student has capacity to consent and the school is not permitted to disclose the information to the Parent without the student's consent, 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.

MLC 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 warrant it.

6.12 Enquiries and Complaints

If you would like further information about the way the MLC School manages the personal information it holds or wish to complain that you believe that the School has breached the Australian Privacy Principles, please contact the Principal by:

Principal
MLC School
Wangal Country
Rowley Street
Burwood NSW 2134
Ph: 9747 1266

MLC School will investigate any complaint and will notify you of a decision in relation to your complaint as soon as is practicable after it has been made.

If you are not satisfied with our response, you may complain to the Office of the Australian Information Commissioner (OAIC) via the OAIC website, www.oaic.gov.au.

MLC School's Privacy Policy document is available in hard copy from the Head of Marketing and Community Relations and is published on our website www.mlcsyd.nsw.edu.au.

7. ACTIONS AND RESPONSIBILITIES

The actions and responsibilities to be undertaken in respect of this procedure are set out below:

i. Parents and Carers are responsible for:

- Ensuring student information is accurate and up to date.

ii. MLC School is responsible for:

- Maintaining the security and accuracy of student information.

iii. MLC School Staff are responsible for:

- Respecting the confidentiality of student's, parent's and carer's personal information and the privacy of individuals.

iv. MLC School Executive are responsible for:

- Ensuring that procedures are in place to prevent, prepare for, and respond to data breaches.

8. RELATED POLICIES AND SUPPORTING DOCUMENTS

- *Privacy Act 1988 (Cth)*
- *Health Records and Information Privacy Act 2002 (NSW)*
- ISA and NCEC Privacy Compliance Manual April 2023
- [Information and Privacy Commission NSW](#)
- [Office of the Australian Information Commissioner \(OAIC\)](#)

9. ACCESS

Not restricted.

This document is available to all stakeholders via the School's Community website.

This document is available to all staff via Domus.

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