

PRIVACY POLICY

1. Introduction

This **Privacy Policy** sets out how the Central Coast Steiner School manages and protects personal information provided to or collected by it.

The School is bound by the Australian Privacy Principles contained in the **Privacy Act 1988**, the 13 Australian Privacy Principles (APPs) and the **Commonwealth Privacy Amendment Act 2012**. In relation to health records, the School is also bound by the New South Wales Health Privacy Principles, which are documented in the **Health Records and Information Privacy Act 2002**.

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.

This Policy references the **Privacy Compliance Manual** (April 2025) which provides comprehensive guidance for Independent schools and systems that are represented by the National Catholic Education Commission.

This Policy is compliant with the Notifiable Data Breach (NDB) Scheme amendments to the Privacy Act (1988) which took effect on 22.02.2017 as well as changes relating to Serious Invasions of Privacy, 'Doxxing' and Artificial Intelligence amendments (June 2025).

The School's **Staff Code of Conduct, Parent/Guardians Code of Conduct, Student Code of Conduct and Privacy Guidelines** make explicit reference to Privacy obligations and legislation.

2. What kinds of personal information does the School collect and how does the School collect it?

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

- students and parents/guardians before, during and after the course of a student's enrolment at the School
- job applicants, staff members, volunteers and contractors
- other people who come into contact with the School
- photographs and other digitally recorded images of students

2.1 Personal Information provided: The School will generally collect personal information held about an individual by way of forms filled out by parents/guardians or students, face-to-face meetings and interviews, emails and telephone calls. On occasions, people other than parents/guardians and students provide personal information.

2.2 Personal Information provided by other people: 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.

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2.3 Exception in relation to employee records: Under the **Commonwealth Privacy Amendment Act 2012** and **Health Records and Information Privacy Act 2002 (NSW)**, the Australian Privacy Principles and Health Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the School's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the School and employee.

3. How does the Central Coast Steiner School use the personal information it receives?

The School will use personal information it collects for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected by a Parent/Guardian, or to which have been consented.

3.1 Students and Parents/Guardians: In relation to personal information of students and parents/guardians, the School's primary purpose of collection is to enable the School to provide 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.

The purposes for which the School uses personal information of students and Parents/Guardians include:

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

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. This is to ensure the safety of all.

3.2 Job applicants, staff members and contractors: In relation to personal information of job applicants, 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, as the case may be. The purposes for which the School uses personal information of job applicants, staff members and contractors include:

- in administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking donations and marketing for the School; and
- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

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3.3 Volunteers: 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 and the volunteers to work together and the School to fulfil its legal obligations and to discharge its duty of care.

3.4 Marketing and fundraising: 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 provide a quality learning environment in which both students and staff thrive. Personal information held by the School may be disclosed to organisations that assist in the School's fundraising, for example an alumni organisation or, on occasions, external fundraising organisations.

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

4. Who might the School disclose personal information to and store information with?

The School may disclose personal information, including sensitive information, held about an individual to:

- another school
- government departments
- medical practitioners
- people providing services to the School, including specialist visiting teachers, counsellors and sports coaches
- recipients of School publications
- parents/guardians
- anyone the School is authorised to disclose information to
- anyone to whom we are required to disclose the information to by law

4.1 Sending and storing information overseas: The School may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, the School will not send personal information about an individual to anyone 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 or other applicable privacy legislation.

The School may also store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.

5. How does the School treat sensitive information?

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

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membership, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information and biometric information about an individual. Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless agreed otherwise, or the use or disclosure of the sensitive information is allowed by law.

6. Management and security of personal information

The School's staff are required to respect the confidentiality of students' and parents/guardian's personal information and the privacy of individuals. 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.

In accordance with the Notifiable Data Breach (NDB) Scheme amendments (2018) to the Privacy Act (1988), the Central Coast Steiner School will take appropriate, prompt action if we have reasonable grounds to believe that a data breach may have, or is suspected to have occurred.

Depending on the type of data breach, this may include a review of our internal security procedures, taking remedial internal action, notifying affected individuals and the Office of the Australian Information Commissioner (OAIC).

If we are unable to notify individuals, we will publish a statement on our website and take reasonable steps to publicise the contents of this statement.

7. Access and correction of personal information

Under the **Commonwealth Privacy Amendment Act 2012** and the **Health Records and Information Privacy Act 2002**, 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. Students are able to access and update their personal information through their parents/guardians.

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, please contact the School in writing. The School may require verification about your identity and specify what information is required.

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 likely cost in advance. If we cannot provide access to that information, we will provide a written notice explaining the reasons for refusal.

8. Consent and rights of access to the personal information of students

The School respects every Parent/Guardian's right to make decisions concerning their child's education. Generally, the School will refer any requests for consent and notices in relation to the

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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.

Parents/Guardians can indicate on the *Permission to Publish Form* provided at enrolment if they wish to refuse permission for photographs or digital recordings of their child(ren) to be used in publicity material of all types including on social media.

Parents/Guardians may seek special access to personal information held by the School about them or their child by contacting the School Principal. 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.

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/Guardians. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

9. Working from home privacy obligations:

The Australian Privacy Principles (APPs) will continue to apply. Staff must exercise due diligence when working from home.

10. Managing contagion

Gathering of personal health information for duty of care of community members and visitors takes place on a 'need to know' basis. Any disclosure of personal information is limited to what is reasonably necessary (e.g. in order to prevent or manage COVID-19), or similar contagious outbreaks at school or within the school community. Only the minimum amount of personal information reasonably necessary to prevent contagion will be collected, used or disclosed.

11. Use of Artificial Intelligence (AI)

The use of personal information in connection with any AI system poses serious privacy risks that require due consideration. Where the Central Coast Steiner School handles personal information in connection with AI tools and AI systems (AI systems), for example to assist in their operations and teaching and learning, the School must comply at all times with our privacy obligations.

The School may seek specific advice about implementing appropriate AI governance measures before any AI system is formally adopted for general school use.

In relation to AI, privacy obligations apply to personal information that is collected by, or for use in, an AI system, disclosed or input into AI systems, including to train or fine-tune the AI system; or generated or inferred by an AI system.

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The Central Coast Steiner School exercises due processes by:

- (i) only collecting personal information that is reasonably necessary for the School's functions or activities;
- (ii) obtaining individuals' consent to collect sensitive information;
- (iii) only collecting personal information by lawful and fair means; and
- (iv) collecting personal information about an individual only from that individual, unless it is unreasonable or impracticable to do so

Any use and disclosure of personal information, including cross-border disclosure, must comply with the Privacy Act and Australian Privacy Principles. Any use of personal information by an AI system must only be for the primary purpose for which it was collected, with prior permission from the Principal.

For everyday usage of AI, the following is included in our ***Privacy Guidelines***:

Staff using Artificial Intelligence (AI) systems must at all times uphold their privacy obligations in terms of the data entered. No personal or sensitive information or full names of students, staff, community members or the school are to be used or disclosed when using AI systems.

12. Serious Invasions of Privacy

The Central Coast Steiner School has a legal obligation to safeguard against minor and serious invasions of privacy. In December 2024, an amendment to the Privacy Act introduced a new tort for serious invasions of privacy. This amendment commences on 10 June 2025. Under these new provisions, a person can seek injunctions, declarations, apologies and damages (amongst other things) if they can establish:

- (a) there has been an invasion of privacy by either intrusion upon the person's seclusion (e.g., physical intrusion on their private space) or the misuse of information that relates to the person;
- (b) the person has a reasonable expectation of privacy in all of the circumstances;
- (c) there was an element of fault on the part of the defendant (i.e., the invasion of privacy must have been intentional or reckless, rather than merely negligent);
- (d) the invasion of privacy was serious; and
- (e) the public interest in the person's privacy outweighs any countervailing public interest (such as freedom of expression or freedom of the media).

The Privacy Act provides non exhaustive lists of factors that will guide courts in their assessment of reasonable expectations of privacy and the 'seriousness' of the invasion of privacy. The plaintiff must be an individual. However, the defendant does not need to be an 'APP entity' (i.e., any individual or organisation, including an alumni organisation, can be sued).

Safeguarding against any minor and serious invasions of privacy is the intent of this Privacy Policy and is enacted in our ***Privacy Guidelines***.

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13. Doxxing

Doxxing is the use of a carriage service to make available, publish or distribute personal data (i.e. information about an individual that enables them to be identified, contacted or located), where the person engages in the conduct in a way that reasonable persons would regard as being menacing or harassing. This offence will be punishable by up to 6 years' imprisonment.

Central Coast Steiner School upholds its privacy obligations by implementing proper safeguards that do not allow any unauthorised person access to personal or sensitive information held by the school.

14. Enquiries and complaints

The School has appointed three Privacy Officers, the Principal, Enrolment Officer and Business Manager who are responsible for Privacy compliance within the school.

Further information about the way the School manages the personal information it holds can be provided by the Principal. Should a concern arise about a possible breach of the Australian Privacy Principles please contact the School Principal. The School will investigate any complaint and give notification of the outcome in relation to the complaint as soon as is practicable. The School has a [Complaints Handling Policy](#).

Review:

This Policy will be periodically reviewed and updated to ensure its relevance and effectiveness. Any revisions will be communicated, and the guidelines are made accessible to all relevant parties.

Reviewed: 07/05/2025 RM