

# BMGS Privacy Policy



Custodian: Deputy Principal  
Ratified by Principal: 2024

Last Review: N/A  
Next Review: 2029

## 1. DEFINITIONS

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| Information        | Includes but is not limited to electronic or physical professional notes, forms, reports, administrative, medical educational and financial records, correspondence, documents and images.  |
| Personal           | Refers to information that may be sensitive and/or not publicly or generally available.   |
| Publicly Available | Refers to information that are available in the public domain, and/or that are not protected under relevant legislation or guidelines.  |
| Sensitive          | Includes but is not limited to information relating to an individual's racial or ethnic origin, political opinions, religious beliefs, trade union or trade association membership, philosophical beliefs, sexual orientation or practices, criminal record, health or biometric information. |

## 2. CONTEXT

Blue Mountains Grammar School collects, stores and manages both private and publicly available information pertaining to its students, personnel and operations.

## 3. PURPOSE

This Policy is intended to provide guidance to those responsible for the collection, storage and management of information in a manner consistent with the wellbeing of the School community, the business needs of the School and in adherence to the Commonwealth Privacy Act, the NSW Health Records and Information Privacy Act, and all applicable legislation and regulation. In addition, this Policy outlines the rights of individuals in relation to their information, and the processes by which complaints in relation to privacy matters may be raised.

This School may, from time to time, review and update this Policy to take account of new laws and technology, changes to the School's operations and practices and to ensure it remains appropriate to the changing School environment. The current version of this Policy will be published on the School's website.

This policy does not apply in respect of employee records of Blue Mountains Grammar Staff.

## 4. POLICY STATEMENTS

- 4.1. The School adheres to all applicable legislation and regulation in relation to the collection, storage, and management of private and publicly available information pertaining to its students, personnel and operations.
- 4.2. The School will collect, store and manage information for the primary reason for their collection, for such other secondary purposes that are reasonably related to the primary purpose of collection and that would be reasonably expected by those concerned or to which consent has been given, and for the purpose of compliance with legislative and regulatory obligations.
- 4.3. Should parents refuse to provide (or provide misleading) information necessary for the day-to-day administration of the School, for the purpose of managing students' educational, social and medical wellbeing, or in order for the School to discharge its legal and regulatory obligations, the School may choose not to enrol, or may terminate the enrolment of existing students.

## 5. INFORMATION COLLECTED BY THE SCHOOL

- 5.1. The type of information the School collects, stores and manages includes (but is not limited to) personal information, including health and other information about:





- 5.1.1. Students and parents and/or guardians before, during and after the course of a student's enrolment at the School;
- 5.1.2. Job applicants, staff members, volunteers and contractors; and
- 5.1.3. Other people who come into contact with the School.

## 5.2. Collection of Personal Information

The School will generally collect personal information held about an individual by way of forms filled out by parents or students, face to face meetings and interviews, emails and telephone calls. On occasion, people other than parents and students provide personal information.

## 5.3. 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 practitioner or reference from another school, or from other sources.

## 5.4. Exception in Relation to Employee Records.

Under the Privacy Act and Health Records, 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 an employee.

## 6. HOW THE SCHOOL USES THE INFORMATION PROVIDED

### 6.1. Students and Parents

The primary use of information of students and parents is to provide schooling to students. This includes satisfying the needs of parents, the needs of the student and the needs of the School throughout the whole period the student is enrolled at the School. In addition, the School may also use personal information of students and parents to:

- 6.1.1. Keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- 6.1.2. Manage day to day administration of the school;
- 6.1.3. Look after the student's education, social and medical wellbeing;
- 6.1.4. Conduct marketing and fundraising efforts.
- 6.1.5. To satisfy the School's legal obligations and allow the School to discharge its duty of care;

### 6.2. Job Applicants, Staff Members and Contractors

The Primary use of information of job applicants, staff members and contractors is to assess, engage and manage applicants, staff members and contractors. In addition, the School may also use personal information of job applicants, staff members and contractors to:

- 6.2.1. Administer an individual's employment or contract;
- 6.2.2. Manage the School's insurances;
- 6.2.3. Seek donations or marketing for the School; and
- 6.2.4. Satisfy the School's legal obligations.

### 6.3. Volunteers

The School also collects, stores and manages information in relation to volunteers who assist the School.

### 6.4. Marketing and Fundraising

The School treats marketing and fundraising for the future growth and development of the School as an important aspect of the School's mission to ensure the School continues to provide a quality education for generations of children and young people into the future. Personal information held





by the School may be disclosed to organisations that assist the School's marketing and fundraising activities. Blue Mountains Grammar School will never sell personal information to a third party.

## 7. WHO MIGHT THE SCHOOL DISCLOSE PERSONAL INFORMATION TO AND STORE YOUR INFORMATION WITH?

7.1. The School may disclose personal information in relation to an individual to:

- 7.1.1. Another school;
- 7.1.2. Government departments;
- 7.1.3. Medical and allied health professionals;
- 7.1.4. People providing services to the School, including specialist visiting teachers, counsellors, sports coaches and Wilderness Education educators;
- 7.1.5. Recipients of School publications, such as newsletters and magazines;
- 7.1.6. Parents;
- 7.1.7. Providers of specialist advisory services and assistance to the School;
- 7.1.8. Providers of learning and assessment tools;
- 7.1.9. Anyone for whom consent has been gained to provide information;
- 7.1.10. Anyone to whom the School is required to disclose information by law, including child protection laws.

7.2. The School may disclose information about an individual to overseas recipients, for instance to facilitate an overseas exchange or to engage professional services relevant to a child's education. The School, however, will not send personal information about an individual outside Australia without:

- 7.2.1. Obtaining the consent (or implied consent) of the individual;
- 7.2.2. Otherwise complying with Australian Privacy Principles or other applicable legislation.

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

## 8. MANAGING SENSITIVE INFORMATION

Sensitive information will be used and disclosed only for the primary purpose for which it was provided or a directly related secondary purpose, unless consent is given to use or disclose it otherwise, or if the use of disclosure of the information is permitted by law.

## 9. MANAGEMENT AND SECURITY OF INFORMATION

The School retains information in both hard copy and electronic forms, and will take all reasonable steps to protect sensitive and personal information relating to individuals from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods. These methods include (but are not limited to):

- 9.1. Locked storage of hard-copy records;
- 9.2. Password and security-level controlled access to computerised records;
- 9.3. Implementation of ICT security systems, policy and procedure designed to protect information.

## 10. ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

10.1. Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to obtain access to their personal information collected, stored and managed by the School, and to advise the School of any perceived inaccuracy.





- 10.2. Students will generally access their personal information through their enrolling parents, but students over 18 years of age may seek access and correction themselves.
- 10.3. To make a request to access and to update personal information, students and parents must contact the Principal in writing.
- 10.4. The School may perform identity and right-of-access checks and require individuals to specify the information they require.
- 10.5. The School may charge a fee to cover the cost of verifying the application, locating, retrieving, reviewing and copying information requested.
- 10.6. The School may redact portions of personal information or refuse access where that information pertains to other individuals.
- 10.7. If the School is unable to provide the information requested, written notice will be provided specifying the reasons for refusal.

## 11. CONSENT AND RIGHT OF ACCESS TO THE PERSONAL INFORMATION OF STUDENTS

- 11.1. The School will refer any requests for consent to access personal information of current students to the student's enrolling parents. The School will treat consent given by parents as consent given on behalf of the student.
- 11.2. The School will refer any requests for consent to access personal information of alumni students to the alumnus themselves.
- 11.3. The School may deny an individual access to their personal information, or deny a parent access to their child's personal information where in the view of the Principal or their delegate such access may:
  - 11.3.1. Have an unreasonable impact on the privacy of others;
  - 11.3.2. Result in a breach of the School's duty of care to a student.

## 12. ENQUIRIES AND COMPLAINTS

Requests for further information or complaints in relation to the School's collection, storage and management of personal information should be directed to the Principal. The School will investigate any complaint and notify the complainant of a decision in relation to the complaint as soon as is practicable after the complaint has been made.

## 13. POLICY ADMINISTRATION

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| <ol style="list-style-type: none"><li>13.1. <b>Origins</b><br/>This Policy Relies on the following:<br/>The Privacy Act 1988 (CTH)<br/>The Australian Privacy Principles<br/>The Health Records and Information<br/>Privacy Act 2002 (NSW)<br/>The Education Act 1990 (NSW)<br/>The Children and Young Persons (Care<br/>and Protection Act) 1998 (NSW)<br/>Privacy Policy (Central Coast Grammar<br/>School)</li></ol> | <ol style="list-style-type: none"><li>13.2. <b>Related Documents</b><br/>N/A</li><li>13.3. <b>Accessibility</b><br/>This policy will be made publicly<br/>available through the School website,<br/>and for staff via Schoolbox.</li><li>13.4. <b>Training and Implementation</b><br/>This policy will be implemented<br/>throughout 2025-2025, and the School's<br/>Senior Leadership Team will provide<br/>relevant staff with training.</li></ol> |
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## 13.5. **Compliance**

Those responsible for compliance will be held accountable by their supervisors.

## 13.6. **Review and Evaluation**

The Policy Custodian will coordinate a review as necessary or at the date specified.

