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A statement about privacy and personal information

1 Introduction

This Privacy Statement applies to Moriah College (the **College**) being the entities listed in Section 13 of this Privacy Statement.

The College collects and holds information from and about students, parents and / or guardians (collectively referred to as parents), job applicants, employees, contractors and volunteers in order to conduct its operations and related activities.

For the purposes of this Privacy Statement, **Personal Information** has the meaning given in the *Privacy Act 1988* (Cth) (**Privacy Act**) and the *Health Records and Information Privacy Act 2002* (NSW) (**Health Records Act**) and includes any information or opinion about an identified individual or an individual who is reasonably identifiable, whether the information is true or not, and whether the information is recorded in a material form or not, including all personal information regardless of its source.

Personal information may include **Health Information** and **Sensitive Information**, as defined below.

Health Information has the meaning given in the Privacy Act and the Health Records Act and includes any information or opinion about the health or disability of an individual, or an individual's expressed wishes about current or future provision of health services.

Sensitive Information has the meaning given in the Privacy Act and the Health Records Act and includes Personal Information that is information about racial or ethnic origin, religious beliefs, trade union or other professional or trade association membership, philosophical beliefs, criminal records or Health Information as defined under the Privacy Act. The Privacy Act requires the College to only collect Sensitive Information from you where you consent and where it is reasonably necessary for the conduct by the College of its operations or related activities, or if the collection is required by law or pursuant to an order of a court or tribunal.

The Privacy Statement applies to Personal Information including Health Information and Sensitive Information collected or held by the College.

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



This Privacy Statement explains:

- (a) what types of Personal Information the College collects and holds;
- (b) how the College collects Personal Information;
- (c) how the College uses Personal Information;
- (d) the circumstances in which the College discloses Personal Information to third parties;
- (e) how the College manages and secures Personal Information;
- (f) how you can access and seek to update or correct your Personal Information; and
- (g) how you may make a complaint if you think that the College has breached the Principles.

This Privacy Statement does not form part of any contract.

From time to time, the College may review and update this Privacy Statement to reflect changes to the law and technology or the College's operations and practices and to ensure it remains appropriate to the changing environment of the College. Any changes to the Privacy Statement will be posted on the College website. We recommend that you visit our website regularly to keep up to date with any changes.

2 What types of Personal Information does the College collect?

The College only collects Personal Information that is reasonably necessary for its operations as a school, or related activities including its statutory reporting obligations. The particular types of Personal Information that the College collects depends on the nature of the relationship between you and the College and the way in which the College collects the information.

Personal Information collected by the College includes:

- (a) specific information about students and parents before, during and after the course of enrolment at the College including Health Information and Sensitive Information (see Schedule 1(a) of this Privacy Statement for examples);
- (b) specific information about job applicants and employees, including Sensitive Information (see Schedule 1(b) of this Privacy Statement for examples); and
- (c) information about contractors and volunteers and other people who perform activities at, or come into contact with, the College such as suppliers, including name and contact details and any other information necessary for the particular contact with the College.



3 How does the College collect your Personal Information?

The College usually collects 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, devices for monitoring access and departure from and access to facilities on College premises, email monitoring or if you contact the College through our website. The College does not collect Personal Information from visitors to our website other than through cookies on the website, or information that is supplied to us on a voluntary basis.

Sometimes, someone else may provide us with Personal Information about you, with or without your direct involvement, including but not limited to:

- (a) a report provided by a medical professional;
- (b) a report provided by a government department or agency; or
- (c) a report or reference from another school or employee.

4 Why does the College collect your Personal Information?

The College collects and uses your Personal Information for the purpose for which it was collected or received (primary purpose), or for a secondary purpose that is related to the primary purpose of collection or receipt and which you have consented to, or which the College would reasonably expect you to consent to, or in order to for the College to perform necessary operational or administrative activities, or discharge the College's duty of care, or to enable the College to discharge its legal obligations.

Personal Information of parents and students

Personal Information is collected or received in respect of parents and students to enable the College to provide schooling and related activities, provide for student wellbeing and to discharge its legal obligations including its duty of care and child protection obligations.

Please note that where the College requests Personal Information but that information is not provided, then the College may not be able to meet its legal obligations or discharge its duty of care and may therefore not be able to enrol, or continue the enrolment, of a student.

Sensitive information

The Privacy Act requires the College to only collect and share Sensitive Information if the College has a belief that its use and/or disclosure is necessary:

- (a) to reduce 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, employees and contractors

The College collects Personal Information of job applicants, employees, contractors and peripatetic teachers to enable the College to assess and (if successful) employ or engage and manage, those people and to discharge the College's legal obligations, including its duty of care and child protection obligations.

Please note that where the College requests Personal Information but that information is not provided, then the College may not be able to employ or engage you to work at the College.

Exemption in relation to employee records

The Privacy Act, the Principles (and Health Privacy Principles) do not apply to an employee record. As a result, this Privacy Statement does not apply to the College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the College and an employee. However, this Privacy Statement does apply to an employee's Personal Information used for another purpose. Therefore, this Privacy 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. The information is collected to assist the College to conduct its operations, to discharge its duty of care and child protection obligations and to otherwise satisfy its legal obligations.

Marketing and fundraising

Marketing the College and seeking and securing funds for its future growth and development are both important aspects of ensuring that the College continues to provide a quality learning environment in which both students and staff thrive. Accordingly, the College engages in fundraising activities from time to time. Personal Information held by the College may be disclosed to organisations that assist in the College's fundraising activities e.g. the Moriah Foundation, Yedid (the alumni association) or the Jewish Community Appeal (**JCA**).

From time to time the parents, employees, contractors and other members of the wider College community may receive fundraising information. School publications such as newsletters and magazines which include Personal Information (see Section 5(g) of this Privacy Statement), may be used for marketing purposes.



5 Circumstances under which the College 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 secondary purpose. This means the College will usually only disclose Personal Information in connection with its educational and administrative functions.

The College may disclose Personal Information to third parties for the purpose for which the information was collected or for a related secondary purpose. For example, the College may provide Personal Information, without limitation, to:

- (a) the Association of Independent Schools of NSW for the purpose of accessing Commonwealth funding and other support services;
- (b) the NSW or Commonwealth governments for the purpose of compliance reporting, obtaining allowances, grants, or other funding or to any other government agencies to which we are required to provide the information;
- (c) educational authorities including but not limited to the New South Wales Education Standards Authority for external credentialing or registration, the Australian Curriculum, Assessment and Reporting Authority e.g. for Naplan testing, the Duke of Edinburgh Award Scheme and Academic Assessment Services;
- (d) the Mount Zion Trustees for the purposes of processing enrolments for the Mount Zion War Memorial Kindergarten (ABN 24 563 176 209) trading as Mount Zion Early Learning Centre at 30 Bondi Road, Bondi Junction NSW 2022;
- (e) the Moriah College Foundation to assist in its fundraising activities;
- (f) the JCA, to assist in communal planning e.g. enrolment information; in obtaining JCA funding for the College, e.g. the numbers of students with disabilities and related purposes;
- (g) parents and the wider community for marketing and information purposes e.g. print and visual information concerning academic, co-curricular and extra-curricular activities, other student activities and general Moriah news published in school newsletters, newspapers and other publications and on the College's website. Names of students are not published without consent;
- (h) anyone authorised expressly or by implication by you to receive your Personal Information (which consent 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 to the College;
- (i) outsourced service providers who perform functions on the College's behalf, such as organisations providing security services, out of school hours care, debt recovery, conducting research commissioned by the College or providing IT, email and mail handling services;
- (j) others providing services to the College including specialist visiting teachers and external service providers such as occupational and speech therapists, counsellors and coaches;



- (k) another school;
- (l) medical practitioners;
- (m) agencies both local and overseas, providing services in relation to the College's educational programs conducted overseas;
- (n) providers of learning and assessment tools e.g. Maths Pathway or Education Perfect; and
- (o) any other person or entity to whom the College is required by law to disclose Personal Information.

Please note:

The College requires all third parties to only use the Personal Information provided to them by the College, for the specific purpose for which it was collected or received by the College and provided to that third party and to protect the privacy of that Personal Information.

The College will only disclose your Personal Information to a third party in accordance with this Privacy Statement and on the basis that the third party agrees with the College to maintain confidentiality in respect of that information.

Consent

If you do not permit the College to disclose any of your Personal Information collected or received by the College for any of the purposes specified above to those specified above or similar third parties, you must advise the College in writing that your permission is withheld.

In the absence of your consent, 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 or allow you to continue to work, at the College. If this is the case, the College will let you know.

Otherwise, the College will assume that you consent to the College disclosing your and, where applicable, your child's Personal Information, for the purposes specified above to those or similar third parties.

Sending and storing information overseas

The College may disclose Personal Information about an individual to overseas recipients in order to facilitate an exchange program, overseas study or overseas trips and excursions.

The College may use online or 'cloud' service providers, such as services relating to email, instant messaging, Google docs and education and assessment applications to store Personal Information.

The College will not send your Personal Information outside Australia without first:

- (a) obtaining your consent; or



- (b) otherwise complying with the Principles or other applicable legislation.

In some cases the College will assume that you consent to your Personal Information being sent overseas, e.g. where you are participating, or have agreed for your child to participate in, IST or international student tours or similar activities.

Some limited Personal Information may also be provided to such service providers to enable them to authenticate users that access their services. This Personal Information may be stored in the 'cloud' which means it may reside on a cloud service provider's server which may be situated outside of Australia. To the extent that the College discloses Personal Information to a third party located outside of Australia, it will seek assurances that any information provided is safeguarded adequately and in accordance with this Privacy Statement and the requirements of applicable privacy laws.

Examples of such 'cloud' service providers include Microsoft 365 and Google Apps. Those organisations provide applications that store and process limited Personal Information for this purpose. The College or its 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 administration and ensuring proper use of Personal Information.

6 The College website and internal College systems

Accessing / using the College website

When you visit the public pages of the College website, the website server records your visit and automatically 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.

That information cannot be used to identify you and is only used for statistical purposes to help the College identify the parts of its website most visited, which in turn assists to determine how to improve the service.

If you contact the College by email or through the website, the College will only use your Personal Information to respond to your request or answer your queries. The College will not add your email address to its mailing list without your consent.

The College uses 'cookies' in the secure section of its website. 'Cookies' are a mechanism to keep track of certain information between visits to the site by the same user. The College's website uses 'cookies' to make the browsing experience more responsive when you access some services on the website. This information is not linked to any Personal Information and cannot be used to identify you as 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 privacy settings to detect or disable 'cookies' if you prefer. However, in doing so, you may not be able to access certain pages or content on our website.

Other websites

To the extent that the College's website contains links to websites operated by third parties and those linked websites are controlled by third parties, and the College is not responsible for the privacy practises of those website operators. Before you disclose your Personal Information to any linked third party websites, the College advises you to examine their privacy policies and terms and conditions of use.

Accessing / using internal College systems

The College monitors how individuals use, and what they access through, the College's 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".

7 Management and security of Personal Information

The College has appointed a Privacy Officer to be responsible for the management of Personal Information that the College collects or receives.

College staff are required to respect the confidentiality of all Personal Information and the privacy of individuals and the College's staff have been directed to only deal with Personal Information in accordance with this Privacy Statement.

The College has security systems such as locked storage of paper records and password protected access rights to computerised records to protect Personal Information from misuse, interference, loss, unauthorised access, modification or unauthorised disclosure.

If the College receives Personal Information which it did not request and which it does not reasonably require, the College may, where appropriate, destroy, de-identify, not use or disclose that information.

The College is committed to transparency with respect to serious data breaches. Where a data breach occurs which is likely to result in serious harm to an individual whose Personal Information has been affected, the College will notify the relevant affected individual and the Australian Information Commissioner as required by law. If the College is unable to notify an affected individual of a data breach, we will take reasonable steps to communicate the nature of the breach e.g. by publishing a statement on the College website. Where it is appropriate to do so following a data breach, the College will conduct a review of our security protocols.



If you reasonably believe that there has been an unauthorised use or disclosure of your Personal Information, you should inform the College as soon as possible, by contacting the Privacy Officer at PrivacyOfficer@moriah.nsw.edu.au.

8 Updating Personal Information

The College will take reasonable steps to ensure that all Personal Information that it holds accurate, complete and up-to-date. The College encourages you to keep the College informed in a timely manner of any changes to your contact or other relevant details. If you believe that any information that the College holds about you is incorrect, incomplete or out-of-date, you should contact the College's Privacy Officer as soon as possible during school hours on (02) 9375 1600 or by [email](mailto:PrivacyOfficer@moriah.nsw.edu.au) at PrivacyOfficer@moriah.nsw.edu.au. After receiving a request from you, we will take reasonable steps to correct your information.

The College is required by law to keep some types of Personal Information for specified 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 destroy or de-identify that information. However, the College reserves the right to retain Personal Information for longer periods than may be required if the College considers that it is necessary, provided that doing so is in accordance with the Principles and the Health Privacy Principles.

9 How non students can access your Personal Information held by the College

Under the Privacy Act and the Health Records Act, an individual has the right to obtain access to any Personal Information which the College holds about him/her on request. However, there are some exceptions to those rights.

In some circumstances, the Privacy Act entitles the College to deny you access to your Personal Information held by the College, for example if providing you access would impact unreasonably on the privacy of others, or may result in a breach of the College's duty of care to a student, or prejudice negotiations in which the College is involved. If the College refuses you access, it will generally let you know the reasons for that refusal.

If you make a request for access to your Personal Information, the College may require you to verify your identity and specify the Personal Information that you wish to access. 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 of your Personal Information held by the College, you should either write to the College or email the College's Privacy Officer at PrivacyOfficer@moriah.nsw.edu.au and mark your letter or email "Confidential".



10 Consent and rights of access to the Personal Information about students

The College respects the right of a parent to be informed and make decisions concerning their child's education. Parents may seek access to Personal Information collected or received about their child, by contacting the College's Privacy Officer. Students may also seek access to Personal Information about them.

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 any consent relating to Personal Information given by parents, as constituting the consent by their child and similarly any notice given to parents by the College will be treated as notice given to their child.

However, there will be occasions when the College will deny a parent access to their child's Personal Information including, without limitation, where:

- (a) access to the information would have an unreasonable impact on the privacy of others;
- (b) access to the information 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 only occur where appropriate or warranted, having regards to the maturity of the student and/or the student's personal circumstances.

Subject to the above, the College may on request, at its discretion, give a student over the age of 15 direct access to their own Personal Information and records. This would generally only occur where appropriate or warranted having regard to the maturity of the student and/or the student's personal circumstances.

11 How complaints or queries about the collection of Personal Information may be made

Individuals may submit a formal complaint regarding the College's collection or management of Personal Information including a breach of the Principles or the Privacy Act, by notifying the College in writing at PrivacyOfficer@moriah.nsw.edu.au and marking the letter "Confidential". All complaints will be treated confidentially.

The College will first consider your complaint to determine whether there are simple or immediate steps which can be taken to resolve the complaint. The College will generally respond to your complaint within a week.

If your complaint requires more detailed consideration or investigation, we will acknowledge receipt of your complaint within a week and endeavour to complete our investigation into your complaint promptly. We may ask you to provide further information about your complaint and the outcome you are seeking. We will then typically gather relevant facts, locate and review relevant documents and speak with the individuals involved.

In most cases, we will investigate and respond to a complaint within 30 school days of receipt of the complaint. If the matter is more complex or our investigation may take longer, we will let you know.

If you are not satisfied with the College's response to your complaint, or you consider that the College may have breached the Principles or the Privacy Act, you may refer the complaint to the Office of the Australian Information Commissioner (**OAIC**). The OAIC can be contacted by telephone on 1300 363 992 or by using the contact details on the website www.oaic.gov.au.

12 Enquiries

For further information about the way the College manages the Personal Information it collects and holds, or if you want to make a complaint about the College's compliance with the Principles or the Privacy Act, please contact the Privacy Officer during school hours by email at PrivacyOfficer@Moriah.nsw.edu.au or by telephone on (02) 9375 1600.

13 The College

For the purposes of this Privacy Statement, the College consists of the following entities:

- (a) Moriah War Memorial College Association (ABN 98 077 604 961);
- (b) The Moriah War Memorial Jewish College Association Limited (ABN 87 003 214 560)
- (c) The Moriah Foundation Limited (ABN 32 162 505 722);
- (d) Kehillat Moriah Incorporated (ABN 16 284 221 251); and
- (e) Moriah College Parents & Friends Association (ABN 55 169 539 714).

14 Responding to data breaches

Refer to Section 7 above.



SCHEDULE 1

- (a) Personal Information of parents and students, collected by the College includes:
- (i) names, addresses, email addresses, telephone and facsimile numbers;
 - (ii) family relationships including names of siblings;
 - (iii) details of emergency contacts;
 - (iv) a students' date of birth, gender, language background;
 - (v) details about previous schooling;
 - (vi) medical information (including details of disability and/or allergies), immunisation records absentee records, medical reports and medical certificates;
 - (vii) a student's health fund details;
 - (viii) conduct and complaint records or other behaviour notes;
 - (ix) a student's College attendance records;
 - (x) vehicle registration details (year 12 students and parents);
 - (xi) records relating to use of online services;
 - (xii) information about referrals to government welfare agencies;
 - (xiii) counselling records;
 - (xiv) photos and videos of students at College events;
 - (xv) engagement in volunteering;
 - (xvi) College reports;
 - (xvii) parental education occupation and, employer;
 - (xviii) copies of the student's birth certificate including historical synagogue records and certificates;
 - (xix) names and contact details of a student's grandparents;
 - (xx) nationality of the student and passport (together with relevant visa or residency documents);
 - (xxi) financial information provided in support of financial assistance and bursary applications;
 - (xxii) account and credit card information;
 - (xxiii) copies of orders of a court or tribunal; and
 - (xxiv) any additional Personal Information you provide to us, or authorise use to collect, as part of a parent's and/or student's interactions with the College.



- (b) Personal Information of job applicants and employees and contractors collected by the College includes:
- (i) name, gender, date of birth, nationality, citizenship/residency and languages spoken;
 - (ii) contact details, contact details for next of kin;
 - (iii) teacher accreditation status;
 - (iv) working with children checks;
 - (v) academic qualifications;
 - (vi) previous employment record;
 - (vii) professional development history and professional affiliations and memberships;
 - (viii) salary and payment information including superannuation and tax file number details;
 - (ix) medical information (including details of disability and/or allergies and medical certificates);
 - (x) complaint records and investigation reports;
 - (xi) leave details;
 - (xii) photos/videos of College events;
 - (xiii) workplace surveillance information; and
 - (xiv) work emails and private emails (when using one's work email) and internet browsing history.