



NEWCASTLE
GRAMMAR
SCHOOL

Privacy Policy

Policy Number (PN): 2.3.4

Last Revised: April 2025



NGS Policies & Procedures

2.3.4 Privacy Policy

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1. Introduction and Policy Statement

Newcastle Grammar School (NGS) promotes a privacy aware culture and is bound by the Australian Privacy Principles (APPs) contained in the Commonwealth Privacy Act 1988 (Privacy Act). In relation to health records, the School is also bound by the Health Privacy Principles which are contained in the Health Records and Information Privacy Act 2002 (NSW).

This Privacy Policy sets out how the School manages personal information and individual's rights in relation to their personal information, including how to complain and how the School deals with complaints.

1.1 Purpose and Scope

Under the Privacy Act and the Health Records Act, the Australian Privacy Principles and Health Privacy Principles do not apply to certain treatment of an employee record. As a result, this Privacy Policy does not apply to the 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. In situations where the employee records exemption does not apply, the School will consider what steps need to be taken to comply with the Privacy Act. Regardless of whether the

exemption applies, NGS will protect employee records and take steps to ensure they are only used for employment related purposes (unless another purpose is permitted under the Privacy Act).

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. The current version of this Privacy Policy is published on our website.

1.2 Related Legislation

- Commonwealth Privacy Act 1988 (Privacy Act)
- Health Records and Information Privacy Act 2002 (NSW)

1.3 What is Personal Information? (Source: Office of the Australian Information Commissioner)

Personal information includes a broad range of information, or an opinion, that could identify an individual. This may include information such as a person's name, contact details and images or videos where a person is identifiable. What is personal information will vary, depending on whether a person can be identified or is reasonably identifiable in the circumstances. Personal information is a broad concept and includes information which can reasonably be linked with other information to identify an individual.

Importantly, information can be personal information whether or not it is true. This may include false information generated by an AI system, such as 'hallucinations' or 'deepfakes'.

1.4 What is Sensitive Information? (Source: Office of the Australian Information Commissioner)

Sensitive information is personal information that includes information or an opinion about an individual's:

- racial or ethnic origin
- political opinions or associations
- religious or philosophical beliefs
- trade union membership or associations
- sexual orientation or practices
- criminal record
- health or genetic information
- some aspects of biometric information.

Generally, sensitive information has a higher level of privacy protection than other personal information.

2. Personal information collected by NGS

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

- students and parent/carer(s) 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;
 - family circumstances including living arrangements for the student (i.e. in the case of split family);
 - criminal records;
 - visa information
 - volunteering information; and
 - photos and videos at School events;
- job applicants, volunteers and contractors, including:
 - name, contact details (including next of kin) and date of birth;
 - 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; and

- work emails and private emails (when using work email address) and internet browsing history; and
- other people who come into contact with the School, including name and contact details and any other information necessary for the particular contact with the School.

3. How NGS collects personal information

3.1 Personal information provided by an individual

The 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 forms, face-to-face meetings and interviews, emails and telephone calls.

3.2 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, a reference from another school or a referee for a job applicant. 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. Where required, information relating to the safety or wellbeing of a child may be provided in line with Chapter 16A *Exchange of information and co-ordination of services* of the Children and Young Persons (Care and Protection) Act 1998 No 157 [NSW].

3.3 Personal information from other sources

We may also collect personal information through surveillance activities (such as CCTV security cameras) and monitoring of student email and network use.

4. Purposes for which NGS collects, uses and discloses personal information

The purposes for which the School collects, uses and discloses personal information depend on our relationship with the person(s) and include the following:

4.1 Students and Parents

- 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, apps, newsletters and magazines;
- day-to-day administration of the School;
- looking after students' educational, social and health wellbeing; and
- to satisfy the School's legal obligations and allow the School to discharge its duty of care.

4.2 Volunteers

- to contact them about, and administer, the volunteer position;
- for insurance purposes; and
- satisfying the School's legal obligations, for example, in relation to child protection legislation.

4.3 Job applicants and contractors

- assessing and (if successful) engaging the applicant or contractor;
- administering the individual's employment or contract;
- for insurance purposes; and
- satisfying the School's legal obligations, for example, in relation to child protection legislation.

5. Who the School may disclose personal information to

The School may disclose personal information, including sensitive information, for educational, care and administrative purposes, and to seek support and advice. Where required, information relating to the safety or wellbeing of a child may be provided in line with Chapter 16A *Exchange of information and co-ordination of services* of the Children and Young Persons (Care and Protection) Act 1998 No 157 [NSW]. Disclosures may be made 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, [sports] coaches, volunteers, and counsellors;
- 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 digital programs (see further the section below 'Sending and storing information overseas');
- 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;
- people providing administrative and financial services to the School;
- the provider of our information management and storage system and other information technology services;
- recipients of School publications, such as newsletters and magazines;
- students' parent/carer(s);
- anyone individuals authorise the School to disclose information to; and
- anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

6. How we store personal information

NGS stores personal information in hard copy and electronically. We use 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 the School in connection with the systems.

The 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. See further the section below 'Sending and storing information overseas.'

6.1 Sending and storing information overseas

The 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 online or 'cloud' service providers to store personal information and to provide 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 shared with these service providers to enable them to authenticate users who 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 servers which may be situated outside Australia.

An example of such a cloud service provider is Microsoft 365. Microsoft 365 provides a suite of applications including Microsoft Teams, Word, Excel and Outlook for email, and stores and processes limited personal information for this purpose. School personnel and 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 administering Microsoft 365 and ensuring its proper use.

6.2 Security of personal information

The School's staff are required to respect the confidentiality of students' and parent/carer(s)' personal information and the privacy of individuals. All staff are updated and trained with respect to their privacy obligations and the Mandatory Notification of Data Breaches Scheme (2018).

The *Privacy Act 1988* and the Australian Privacy Principles (APPs) apply to all uses of AI involving personal information, including where information is used to train, test or use an AI system. NGS staff are trained and understand their obligations under the APPs when using AI. This includes being aware of the meaning of personal information and limitations to including personal information when interacting with an AI product.

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 and permission rights to computerised records.

These steps include:

- Restricting access to information on the School databases on a need to know basis with different levels of security being allocated to staff based on their roles and responsibilities and security profile.
- Ensuring all staff are aware that they are not to reveal or share personal passwords.
- Ensuring where personal and health information is stored in hard copy files that these files are stored in lockable filing cabinets in lockable rooms. Access to these records is restricted to staff on a need to know basis.
- Implementing physical security measures around the School buildings and grounds to prevent break-ins.
- Implementing ICT security systems, policies and procedures, designed to protect personal information storage on our computer networks.

- Implementing human recourses policies and procedures, such as email, AI, and internet usage, designed to ensure that staff follow correct protocols when handling personal information.

7. Access and correction of personal information

Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to seek access to, and/or correction of, any personal information which the School holds about them. 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 the School holds about a parent or their child, they are to contact the Head of School in writing via EA to the Head of School Email: kate.grogan@ngs.nsw.edu.au. The School may require verification of identity and specify what information is required. The School may charge a reasonable fee for giving access to personal information (but will not charge for the making of the request or to correct personal information). If the information sought is extensive, the School will advise the likely cost in advance.

If the School decides to refuse the request, the individual will be provided with written notice explaining the reasons for refusal (unless, in light of the grounds for refusing, it would be unreasonable to provide reasons) and how to complain.

7.1 Consent and rights of access to the personal information of students

NGS respects every parent'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 personal information of a student to the student's parents. Generally, the 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 the School about them or their child by contacting the Head of School in writing (details in the section above 'Access and correction of personal information'). 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.

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. This would normally be done only when the maturity of the student and/or the student's personal circumstances warrant it.

8. 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 they believe that the School has breached the Australian Privacy Principles [or the Health Privacy Principles] please contact the Head of School in writing via EA to the Head of School Email: kate.grogan@ngs.nsw.edu.au. The School will investigate any complaint and will notify the individual of the making of a decision in relation to their complaint as soon as is practicable after it has been made. If they are not satisfied with the response, individuals may complain to the Office of the Australian Information Commissioner (OAIC) via the OAIC website, www.oaic.gov.au.

9. Related Policies

- Child Safe Policy
- Enrolment Policy
- Staff, Casual Staff and Volunteers, Contractors and Visitors Code of Professional Conduct
- Learning Enhancement Policy
- Mandatory Notification of Data Breaches Policy
- Staff Technology Protocols
- Human Resources Policy
- Providing Alternative Qualified Staff
- Excursions and Camps Policy
- Overseas Tours and Excursions Policy and Procedures
- Complaint and Grievance Resolution Policy and Procedures – School Community
- Staff Handbook

Annexure A: Standard Collection Notice

How and Why does the School Collect Personal Information?

1. The School collects personal information about students and parent/carer(s) before and during the course of a student's enrolment at the School. This may be in writing, through technology systems or in the course of conversations.

2. The primary purpose of collecting this information is to enable the School to provide schooling to students enrolled at the School, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all the activities of the School.
3. The School has legal obligations which require certain information to be collected and disclosed to enable the School to discharge its duty of care to students. These include relevant Education Acts, Public Health, Child Protection laws and the Notifiable Data Breaches (NDB) scheme.
4. A student's enrolment may be delayed or prevented if the School cannot collect certain personal information. This is particularly so where the information is relevant to the health and safety of the student, other students and/or staff.
5. If you provide the School with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the School and why.

To Whom Does the School Disclose Information?

1. The School may disclose personal and 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, specialist advisors, [sports] coaches, volunteers, and counsellors;
 - 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);
 - the third party providers of our information management and storage systems (for the purpose of the providers providing services to the School in connection with the systems);
 - people providing other information technology services to the School;
 - people providing administrative and financial services to the School;
 - anyone you authorise the School to disclose information to; and
 - anyone to whom the School is required or authorised to disclose the information to by law, including child protection laws.
2. Personal information collected from students is regularly disclosed to their parent/carer(s).
3. On occasions information such as academic and sporting achievements, student activities and similar news is published in the School's newsletters and magazines, on Schoolbox, on the NGS

website, and social media including Facebook, Instagram and LinkedIn. This may include photographs and videos of student activities such as sporting events, school camps and school excursions. The School will obtain permission from the student's parent/carer(s) (and from the students if appropriate) for professional photo or video shoots conducted specifically for marketing purposes. See Annexure D: Permission for Newcastle Grammar School to share personal information (including photos/videos) for promotional and other purposes.

4. The 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, 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 who access their services. This personal information may reside on a 'cloud' service provider's servers which may be situated outside Australia. Further information about the School's use of online or 'cloud' service providers is contained in the School's Privacy Policy.

Overseas Storage and/or Disclosure

1. 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 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, the Mandatory Notification of Data Breaches (2018), or other applicable privacy legislation.

Your Rights and How to Complain

1. The School's Privacy Policy, accessible on the School's website, sets out how you can:
 - seek access to and correction of your personal information which the School holds; and
 - make a privacy complaint and be informed on how the School will handle the complaint.

Annexure B: Employment Application Collection Notice

1. In order to assess your application for employment, Newcastle Grammar School collects your personal information. If we cannot collect some of your personal information, we may be limited in our ability to assess your application.

The School can be contacted at:

60 Newcomen Street, Newcastle, NSW, 2300; PO Box 680 Newcastle, NSW, 2300;

Email: office@ngs.nsw.edu.au; Phone: (02) 4929 5811

2. NGS collects personal information directly from you (including from your resume) as well as from other sources (such as your referees and the results of criminal background and working with children checks). The School may keep your information on file if your application is unsuccessful in case another position becomes available.
3. We will not disclose your personal information to a third party without your consent unless otherwise permitted. We usually disclose this kind of information to the following type of organisations:
 - Referees and previous employers.
4. The 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, such as email services. Some limited personal information may be provided to these service providers to enable them to authenticate users who access their services and provide technical support. This personal information may reside on a cloud service provider's servers which may be situated outside Australia. Further information about the School's use of on online or 'cloud' service providers is contained in the School's Privacy Policy.
5. The School's Privacy Policy, accessible on the School's website, contains details of how you may seek access to and correction of your personal information which the School holds, as well as how you can make a privacy complaint and how we will handle the complaint.
6. If you provide us with the personal information of others (e.g. referees), we encourage you to inform them that you are disclosing that information to the School and why.

Annexure C: Volunteer, Contractor or Visitor Collection Notice

1. In offering, applying or agreeing to provide services to the School, you will be providing Newcastle Grammar School with personal information.

The School can be contacted at:

60 Newcomen Street, Newcastle, NSW, 2300; PO Box 680 Newcastle, NSW, 2300;

Email: office@ngs.nsw.edu.au; Phone: (02) 4929 5811

2. The School collects your personal information directly from you, for example, your name and address or information contained on your resume. We may also collect it from other sources, such as your referees and the results of criminal background and working with children checks. We will

collect the information in order to assess your suitability for engagement with the School. We may also make notes and prepare a confidential report in respect of your engagement.

3. We will not disclose this information to a third party without your consent unless otherwise permitted. We usually disclose this kind of information to the following type of organisations:
 - Referees and previous employers.
4. The 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, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may be provided to these service providers to enable them to authenticate users that access their services and provide technical support. This personal information may reside on a cloud service provider's servers which may be situated outside Australia. Further information about the School's use of an online or 'cloud' services provider is contained in the School's Privacy Policy.
5. The School's Privacy Policy, accessible on the School's website, contains details of how you may seek access to and correction of your personal information which the School holds, as well as how you can make a privacy complaint and how we will handle the complaint.
6. If you provide us with the personal information of others (e.g. referees), we encourage you to inform them that you are disclosing that information to the School and why.

Annexure D: Permission for Newcastle Grammar School to share personal information (including photos/videos) for promotional and other purposes

1. Information/news about school achievements, activities, events and excursions (including those outside the school campus) often contains the personal information of students (and other individuals) involved in those activities and events, including photos and videos of students. This information is frequently published in the school's magazines, on Schoolbox accessible by parents, students and teachers only, on the School's website or on social media including Facebook, Instagram and LinkedIn. The information may also be used in class activities and teacher development materials.
2. When applying for enrolment at the School, parent/carer(s) are acknowledging the Terms and Conditions for Enrolment and providing permission for photographs and videos of the student to be placed in the School's records, displayed from time to time around the School, and published in School publications, on its website and in other marketing and promotional material, including social media.
3. The personal information is limited to your child's name, image, information about your child's participation in school activities and events (including achievements). If parent/carer(s) and/or students do not consent for the School to make personal information available to the public,

including to promote the school, please advise the Head of School in writing via EA to the Head of School Email: kate.grogan@ngs.nsw.edu.