



### Privacy Policy

#### 1. Introduction

Jesuit Education Australia, ABN 24 620 192 136 ("**JEA**", "**we**", "**us**" and "**our**") is an incorporated, registered charitable institution. JEA is a work of the Society of Jesus in Australia and provides governance oversight and strategic direction to the educational ministry of the Jesuits in Australia. It is committed to complying with applicable privacy laws.

Where applicable privacy laws provide for exceptions or exemptions, we may rely on those exceptions or exemptions in our information handling practices.

Please take a moment to read this Privacy Policy as it explains how we manage personal information and sensitive information, including our obligations and your rights in respect of our dealings with such information.

Note that this Privacy Policy applies to JEA only. Our related bodies corporate (such as our affiliated educational institutions and ministries) (discussed in section 3 below) have separate privacy policies. If you have a query in relation to the privacy practices of our affiliated educational institutions, please contact them directly.

#### 2. Key definitions

In this document:

"**personal information**" has the meaning set out in the Privacy Act, and (in summary) means information or an opinion about an identified individual or an individual who is reasonably identifiable, whether true or not;

"**Privacy Act**" means the *Privacy Act 1988* (Cth); and

"**sensitive information**" has the meaning set out in the Privacy Act, and (in summary) means specific types of personal information such as a person's religious beliefs or affiliations, philosophical beliefs, racial or ethnic origin, sexual orientation or practices, political opinions, health information and criminal records.

"**staff**" includes employees, contract staff, volunteers, Jesuits and Jesuit candidates undertaking paid or unpaid work at a relevant entity

#### 3. How we collect your personal information

We will collect and hold your personal information in a fair and lawful manner, and not in an intrusive way.

Where it is reasonably practical to do so, we will collect your personal information directly from you. We may collect the personal information you directly give us through some of the following means:

A work of the Australian Province of the Society of Jesus

PO Box 6071 (130 Power Street) Hawthorn Victoria 3122 Australia

**P:** +61 3 9810 7300 **F:** +61 3 9810 7388 **E:** [jesuiteducationaustralia@sjasl.org.au](mailto:jesuiteducationaustralia@sjasl.org.au)

**W:** [www.jesuiteducationaustralia.org](http://www.jesuiteducationaustralia.org)

ABN: 24 620 192 136

- from correspondence you send to us, or when you contact us via telephone or by any other means;
- when you apply for a role or position with JEA (for example, as a volunteer or employee); and
- via our website [www.jesuiteducationaustralia.org](http://www.jesuiteducationaustralia.org) .

In some circumstances, we may collect personal information about you indirectly from other organisations and entities we deal with.

For example, we may collect personal information and sensitive information (where permitted by law) about you from:

- our related bodies corporate (such as our affiliated ministries and educational institutions) in connection with the advisory, administrative, educational, insurance, governance and support services we provide to such bodies.

We may also collect personal information and sensitive information about you from our related bodies corporate, and other third parties:

- if they are permitted or required by law to disclose such information to us; or
- if you have consented to those bodies and third parties disclosing such information to us.

Where appropriate, we request that the relevant entity that provides us with such information informs you that we may collect such information, how we will use and disclose it, and that you may contact us to gain access to and correct and update the information.

#### **4. Types of personal information we collect**

The types of personal information we collect about you depends on the circumstances in which the information is collected and the nature of your relationship to us.

Generally, the types of information we typically collect about you include your name and contact details (such as your postal address, email address and telephone numbers).

In the course of providing services to our related bodies corporate (including our affiliated ministries and educational institutions), we may also collect the following types of information:

- In relation to students, parents and guardians of students that apply to or attend our affiliated educational institutions:
  - in some circumstances, we may collect:
    - name and contact details of student and their parents/guardians;
    - student date of birth;
    - student academic history from previous school;
    - details about student (and their parents'/guardians') religious beliefs, religious affiliations and philosophical beliefs that they elect to disclose to us directly, or which is provided to us (where

- permitted by law) in connection with the services we perform for the affiliated educational institution;
- information regarding the performance of the student;
  - CCTV footage and images of the student (or parent/guardian) taken at the institution's premises or events;
  - details of whether parents/guardians have a current working with children check;
  - details of complaints made by (or otherwise involving) students, parents and guardians, and other correspondence between the student / parents/guardians with the educational institution; and
  - health information and other sensitive information (for example, details of a disability or health condition you elect to disclose to us directly, or which is provided to us (where permitted by law) in connection with the services we perform for the affiliated educational institution).
- In relation to those that attend an affiliated ministry function or event, or join an affiliated ministry:
    - in some circumstances, we may collect:
      - name and contact details;
      - insert other details, for example, payment information if they make donations;
      - date of birth;
      - next of kin / emergency contact details;
      - details about religious beliefs, religious affiliations and philosophical beliefs the attendee / member elects to disclose to us directly, or which is provided to us (where permitted by law) in connection with the services we perform for the affiliated ministry;
      - information regarding the relevant attendee / member conduct;
      - CCTV footage and images taken at the ministry's premises or events;
      - details of whether the attendee / member has a current working with children check and the results of any police/criminal history checks;
      - details of complaints made by or against (or otherwise involving) the attendee / member, and other correspondence between the attendee / member of the ministry and the ministry;
      - health information and other sensitive information (for example, details of a disability or health condition the attendee / member elects to disclose to us directly, or which is provided to us (where permitted by law) in connection with the services we perform for the affiliated ministry)

In relation to our own staff (including employees, contract staff, volunteers, Jesuits and Jesuit candidates), and the staff of our related bodies corporate (including

affiliated educational institutions and ministries), we may also collect the following types of information:

- we typically collect in relation to our own staff:
  - name and contact details;
  - CV details (including qualifications, education history, previous work history) and feedback from supervisors and referees;
  - date of birth; next of kin / emergency contact details; psychometric testing, pay rate and salary, bank details, training records;
  - details of whether the staff member has a current working with children check and the results of any police/criminal history checks;
  - details about the staff member's marital status, religious beliefs, religious affiliations and philosophical beliefs they elect to disclose to us directly, or which is provided to us (where permitted by law) in connection with the services we perform for any of our related bodies corporate;
  - information regarding the performance and conduct of the staff member;
  - details of complaints made against or by the staff member;
- in some circumstances, we may collect the types of information listed immediately above in relation to staff of our related bodies corporate. In addition to this, in some circumstances, we may also collect in relation to our own staff and/or staff of our related bodies corporate:
  - CCTV footage and images of the staff member taken at our or the related body corporate's premises or events;
  - details of emails, calls and correspondence that the staff member has sent or received;
  - health information and other sensitive information (for example, details of a disability or health condition you elect to disclose to us directly, in connection with insurance claims or dispute resolution, or which is provided to us (where permitted by law) in connection with the services we perform for our related bodies corporate).

We only collect sensitive information about you with your consent, or if we are permitted to do so under the Privacy Act.

If you provide sensitive information to us directly, you consent to us collecting, using and disclosing that information for the purpose for which you provided it to us and as permitted by the Privacy Act and other relevant laws.

In addition to the types of personal information identified above, we may collect personal information as otherwise permitted or required by law.

We may not be able to respond to your requests or interact with you in the manner requested if you do provide us with the personal information we reasonably request for that purpose.

## 5. Our purposes for handling your personal information

As a general rule, we only process and deal with personal information for purposes that would be considered relevant and reasonable in the circumstances.

The purposes for which we use and disclose your personal information will depend on the circumstances in which we collect it.

Generally, we may use or disclose your personal information and sensitive information:

- for the purposes for which we collected it;
- in relation to personal information, for purposes related to the primary purpose for which we collected it which would be reasonably expected by you;
- in relation to sensitive information, for purposes directly related to the primary purpose for which we collected it which would be reasonably expected by you;
- for other purposes to which you have consented; and
- as otherwise permitted or required by law.

Some of the specific purposes for which we collect, hold, use and disclose personal information are as follows:

- for our faith related purposes, including the growth and promotion of our various ministries and to protect and promote the wellbeing and welfare of people involved in these ministries;
- to provide advisory, administrative, educational, governance, insurance and support services to our related bodies corporate (including our affiliated educational institutions and ministries);
- to consider your application to be involved with us or any of our related bodies corporate in a particular capacity (for example, as a volunteer or employee);
- to offer and provide services to you;
- to send you information about the Jesuits, including details of our missions, events and services provided by us and our related bodies corporate, JEA and by our affiliated organisations outside Australia;
- to seek and accept donations from you;
- to operate, develop and improve our Website;
- to comply with our legal and regulatory obligations and to discharge our duty of care;
- to address any issues or complaints that you or we have regarding our relationship;
- to manage any claims made against or by us or our related bodies corporate or the Australian Province of the Society of Jesus, or any other claims where we are responsible for managing insurance coverage; and
- to contact you (directly or through our service providers) regarding the above, including via electronic messaging such as SMS and email, by mail, by telephone or in any other lawful manner.

We may also collect, use and disclose personal information (including sensitive information) for the purposes of investigating and reporting on professional standards

breaches (including without limitation breaches of the Code of Conduct), unlawful conduct and issues relating to the health and safety of people we (our related bodies corporate) interact with, including children in the care of us and our related bodies corporate, whether alleged, actual, current or historical. We may receive such information from and disclose information to our related bodies corporate (such as the Society of Jesus in Australia Limited (SOJA) and its related bodies corporate, appropriate enforcement authorities (for example, the police), church authorities, government agencies and other persons with your consent or where otherwise permitted or required by law. Depending on the circumstance, it may not be feasible or appropriate to obtain express consent from affected individuals prior to disclosing such information. Access to such information by individuals within our organisation and our related bodies corporate will be restricted to only those individuals who need to use it for these purposes (for example, to appropriate staff of the relevant educational institution or ministry involved and to the members of the professional standards unit of SOJA and the Australian Province of the Society of Jesus (APSOJ) that are involved in investigating and reporting on the conduct / incident).

## **6. Who we disclose your personal information and sensitive information to**

We may disclose your personal information (and sensitive information) to certain third parties in connection with the purposes described in section 5 of this Privacy Policy. Depending on the circumstances, these recipients may include:

- APSOJ, SOJA and its related bodies corporate (including affiliated ministries and educational institutions);
- suppliers, contractors and organisations that we engage to assist us to provide our advisory, administrative, educational, governance, insurance and support services;
- our suppliers and contractors to the extent required for them to provide services to us;
- our accountants, insurers, lawyers, investigators, auditors and other professional advisers;
- civil and church authorities (including the Holy See); and
- any third parties to whom you have directed or permitted us to disclose your information (e.g. referees).

We may also disclose your personal information and sensitive information in accordance with any consent you give or where disclosure is required or permitted by law.

In some circumstances, we may disclose personal information (including sensitive information) to our overseas affiliated entities (in particular, the international Roman Catholic order known as the Society of Jesus (the "Jesuits")) with your consent or where we are otherwise permitted or required to do so by law.

If you post information to our social media pages, you acknowledge that such information may be available to be viewed by the public. You should use discretion in deciding what information you upload to such platforms.

## **7. Protection of personal information**

We will hold personal information as secure physical records, electronically on our intranet system, in cloud storage, or in some cases, as records on third party servers.

We use a range of security measures to protect the personal information we hold, including by implementing IT security tools to protect our electronic databases and restricting access to particular individuals that have a legitimate need to know the information.

We will destroy or de-identify personal information once it is no longer needed for a valid purpose or required to be kept by law.

If we disclose personal information to a third party, we use reasonable endeavours to procure that those third parties protect your information to the same extent that we do.

## **8. Direct marketing**

From time to time, we may provide you with information about products and services either from us or from third parties which may be of interest to you, where:

- you have consented to us doing so; or
- it is otherwise permitted by law.

You may opt out at any time if you no longer wish to receive direct marketing messages from us. You can make this request by contacting our Privacy Officer.

## **9. Cookies and links**

A cookie is a small text file stored in your computer's memory or on your hard disk for a pre-defined period of time. We may use cookies to identify specific machines in order to collect aggregate information on how visitors are experiencing the Website. This information will help to better adapt the Website to suit personal requirements. While cookies allow a computer to be identified, they do not permit any reference to a specific individual. For information on cookie settings of your internet browser, please refer to your browser's manual.

We may use third party vendors to show our ads on sites on the Internet and serve these ads based on a user's prior visits to our Website. We may also use analytics data supplied by these vendors to inform and optimise our ad campaigns based on your prior visits to our Website.

Our Website may contain links to other websites operated by third parties. We make no representations or warranties in relation to privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website. Third party websites are responsible for informing you about their own privacy practices and procedures.

## **10. Accessing and correcting your personal information**

You may contact our Privacy Officer (see section 14) to request access to the personal information that we hold about you and/or to make corrections to that information, at any time. On the rare occasions when we refuse access, we will provide you with a written notice stating our reasons for refusing access.

We are not obliged to correct any of your personal information if we do not agree that it requires correction. If we refuse a correction request, we will provide you with a written notice stating our reasons.

We will respond to all requests for access to or correction of personal information within a reasonable time.

## **11. Overseas transfers of personal information**

Some of the third parties to whom we disclose personal information may be located outside Australia. For example, we may engage an overseas recipient to provide services to us, such as cloud-based storage solutions. The countries in which such third party recipients are located depend on the circumstances. Some of the key countries where third party recipients are located include Italy and Vatican City State.

We may disclose some of the personal information (and sensitive information) we hold to the international Roman Catholic order known as the Society of Jesus (the "Jesuits") in Italy and the Vatican City State and for the purposes of record keeping, administration and governance and, for the same purposes, to the Holy See (in the Vatican City State).

## **12. Employees**

We collect information in relation to employees (including employees of our related bodies corporate) either directly from the employees (such as during the application process and during the course of their employment) and in some cases from third parties such as recruitment agencies, referees and supervisors. We also collect personal information of our related body corporate's employees from our related bodies corporate. See section 4 for further details of the information we typically collect about employees and prospective employees.

Under the Privacy Act, personal information about a current or former employee may be held, used or disclosed in any way that is directly connected to the employment relationship. In addition, various rights of individuals (such as the right to access and correct personal information an employer holds) under the Privacy Act do not apply to employees in relation to their employee records. JEA will handle employee records in accordance with legal requirements and our applicable policies in force from time to time, and may rely on any exceptions in the Privacy Act (including the employee records exemption) that may apply.

## **13. Complaints and questions**

If you have any questions about this Privacy Policy, or wish to make a complaint about how we handle your personal information (including any alleged breach by JEA of the Privacy Act or the Australian Privacy Principles under that Act), please contact our Privacy Officer (see section 14).

When contacting us please provide as much detail as possible in relation to your question or complaint.

We take all complaints seriously, and will respond to your complaint within a reasonable period. We request that you cooperate with us during this process and provide us with any relevant information that we may need.

If you are dissatisfied with the handling of your complaint, you may contact the Office of the Australian Information Commissioner:

Office of the Australian Information Commissioner  
GPO Box 5218, Sydney NSW 2001  
Telephone: 1300 363 992  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

#### 14. Contact details

The contact details for our Privacy Officer are as follows:

Postal address: PO Box 6071, Hawthorn 3122  
Telephone: +61 3 9810 7300  
Email: [privacy@sjasl.org.au](mailto:privacy@sjasl.org.au)

#### 15. Changes

We reserve the right to change the terms of this Privacy Policy from time to time. An up-to-date copy of our Privacy Policy is available on our Website.

#### VERSION CONTROL AND CHANGE HISTORY

Version	Approved Date	Approved By	Short Description for Development or Review	Review Completed by	Consultation Process
New document	23 July 2020	Board of Jesuit Education Australia	New document – adapted from the draft Province SOJA Privacy Policy	N/A	JEA Chair, JEA Executive Officer and Province Inhouse General Counsel collaborated in the adaptation