



POLICY DOCUMENT

Policy No. E3 MANAGEMENT	Privacy	Effective Date: June 2014
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1. Purpose

This policy provides guidelines on how Heritage College uses and manages personal information provided to or collected by it.

2. Policy Statement

Heritage College is committed to protecting and maintaining the privacy, accuracy and security of all personal information.

3. Definitions

- 3.1. **APPs** are the 13 Australian Privacy Principles outlined in the Privacy Act.
- 3.2. **Personal Information** is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not. Personal information can be recorded in any format- for example, in writing, online, digitally or by electronic means. Personal information may also be verbally conveyed and recalled.
- 3.3. **Sensitive Information** is a type of personal information that is given extra protection and must be treated with additional care. It may include health information, racial or ethnic origin, religious affiliations, family court orders, criminal records.
- 3.4. **Parent** refers to the parent, step-parent or caregiver who has signed the enrolment contract or the individual who has been nominated by the parent, step parent or caregiver to be responsible for the student, unless legal restrictions are in force.
- 3.5. **Primary Purpose** refers to the use of information according to the original intended purpose for collection, the purpose stated or reasonably expected by the person about which the information was collected.
- 3.6. **Secondary Purpose** refers to a purpose other than the primary purpose (but must be "related" to this primary purpose).

4. Context

- 4.1. This policy complies with the College's obligations under the *Privacy Act 1988* and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*, together referred to as the *Privacy Act*.
- 4.2. The obligations of the *Privacy Act* are enshrined in the 13 Australian Privacy Principles (APPs) published and available from the Office of the Australian Information Commissioner.
- 4.3. The privacy laws do not replace any existing obligations Heritage College has under other laws. Essentially, this policy will apply when other laws do not regulate the use of personal information.

- 4.4. The Bible establishes principles which should govern our dealings with others. For example, *“Do to others as you would have them do to you”* Luke 6:31 (NIV) ; *“a talebearer reveals secrets, but he that is of a faithful spirit conceals the matter”* Prov 11:13

5. Information collected by the College

- 5.1. The College collects and holds information including personal information and sensitive information, concerning:
- 5.1.1. students and parents before, during and after the course of a student's enrolment at the College;
 - 5.1.2. job applicants, staff members, volunteers and contractors;
 - 5.1.3. other people who come into contact with the College.
- 5.2. **Personal information directly provided**
The College will generally collect personal information held about an individual from forms filled out by parents or students, face-to-face meetings and interviews, emails or other electronic means and telephone calls. On occasions people other than parents and students provide personal information.
- 5.3. **Personal information provided by other people**
In some circumstances the College may be provided with personal information about an individual from a third party that it did not solicit and the collection of which did not comply with the Australian Privacy Principles. Unless the information would have been otherwise collected as part of the College's normal collection practices, this information should not be noted by the College. If the information is in paper form, this information should be destroyed or de-identified where lawful and reasonable to do so.
- 5.4. **Personal information in employee records**
Employee records are not covered by the Australian Privacy Principles where they relate to current or former employment relations between the College and the employee.

6. Use of information collected

The College will use personal information it collects either for the primary purpose of collection, or for reasonably expected secondary purposes that are related to the primary purpose of collection.

- 6.1. **Parents and Students**
In relation to personal information about students and parents, the College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying both the needs of parents and the needs of the student throughout the whole period the student is enrolled in the College. The purposes for which the College uses personal information of students and parents include:
- 6.1.1. keeping parents informed about matters related to their child's schooling, through correspondence, website, newsletters and magazines;
 - 6.1.2. day-to-day administration of the school;
 - 6.1.3. looking after students educational, social, spiritual, personal and medical wellbeing;
 - 6.1.4. seeking donations and promotional material for the College;
 - 6.1.5. satisfying the College's legal obligations including government reporting and allowing the College to discharge its duty of care.
- 6.2. **Employees, prospective employees, contractors**
In relation to personal information of job applicants, staff members and contractors, the school's primary purpose of collection is to assess and (if successful) to engage the

applicant, staff member or contractor, as the case may be. The purposes for which the College uses the personal information of job applicants, staff members and contractors include:

- 6.2.1. assessing the suitability of employment;
- 6.2.2. administering the individual's employment or contract;
- 6.2.3. for insurance purposes, such as public liability or WorkCover;
- 6.2.4. satisfying the College's legal requirements, for example, in relation to child protection legislation;

6.3. **Volunteers**

The College obtains personal information about volunteers who assist the College in its functions or conduct associated activities to enable the College and the volunteers to work together.

6.4. **Marketing and Fundraising**

The College treats marketing and seeking donations for the future growth and development of the College as an important part of ensuring that the College continues to provide a high quality educational environment. Parents, staff, contractors and other members of the wider College community may, from time to time, receive fundraising information. College publications, like newsletters, web pages and magazines which include personal information, may be used for marketing purposes. Parents may request that photographs or other personal information relating to their children not be so used.

7. Disclosure of Information

- 7.1. The College will only use personal information for the purposes for which it was given or for purposes which are related (or in the case of sensitive information, directly related) to one or more of the College's functions or activities.
- 7.2. Personal information (including sensitive information) about a student, parent, employee or volunteer may be disclosed to government agencies, other parents, other schools, visiting teachers, counsellors, coaches, service providers, recipients of College publications and other recipients from time to time only if one or more of the following apply:
 - 7.2.1. the person consents;
 - 7.2.2. it would be reasonable to expect the information to be used or disclosed in this way;
 - 7.2.3. the College is authorised or required to do so by law;
 - 7.2.4. disclosure will lessen or prevent serious threat to the life, health or safety of an individual or to public safety;
 - 7.2.5. disclosure is reasonably necessary for a law enforcement related activity.
- 7.3. Personal information may be disclosed to overseas recipients in certain circumstances, such as organising an overseas excursion or storing information on a "cloud" IT service, provided that
 - 7.3.1. the consent of the individual is obtained (which may be implied); OR
 - 7.3.2. the College is satisfied that the overseas recipient is compliant with the Australian Privacy Principles, or a similar regime. Satisfaction of this requirement will generally require contract terms specifying compliance or equivalence and to be approved by the Principal.

8. Management, storage and security of personal information

- 8.1. The College stores personal information in a variety of forms including in computer databases, in hard copy files and on electronic devices such as laptop computers, mobile phones and cameras.
- 8.2. The College will take all reasonable steps to protect the personal information it holds from misuse, loss, and unauthorised access, modification or disclosure. These steps include:
 - 8.2.1. ensuring all staff are aware of the requirement to only access personal and sensitive information on a need to know basis;
 - 8.2.2. restricting access to information on school digital systems using differing levels of security based on roles and responsibilities;
 - 8.2.3. ensuring all staff are aware that they are not to reveal or share passwords;
 - 8.2.4. ensuring sensitive paper records are stored in lockable cabinets;
 - 8.2.5. ensuring physical security measures are in place to prevent break-ins;
 - 8.2.6. implementing IT security systems, policies and procedures to protect personal information on the College IT networks.
- 8.3. Personal information held by the College which is no longer needed will be destroyed in a secure manner, deleted or de-identified as appropriate.

9. Accuracy and currency of personal information

- 9.1. The College will take all reasonable steps to ensure that personal information which is held, used or disclosed is accurate, complete and up to date.
- 9.2. The College will maintain records and update personal information when advised by the individual concerned or when it becomes apparent through other means that the information has changed.
- 9.3. The College will provide a formal opportunity for parents, at least annually, to update personal information held about them and their children by the College.
- 9.4. A person may update their personal information at any time by contacting the Front Desk.

10. Consent and right of access to personal information of students

- 10.1. The College respects every parent's right to make decisions about their child's education. Generally, the College will refer any requests for consent and notices in relation to the personal information of a student to parents. The College 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.
- 10.2. Parents may request access to the personal information held by the College about themselves or their child by written request to the Principal. The College may charge a fee to cover the cost of responding to a request for personal information.
- 10.3. There may be occasions when access is denied. Such occasions would include where the release of the information is deemed likely to have an unreasonable impact on the privacy of others, or where the release may result in a breach of the College's duty of care, or where the information may have been provided in confidence.
- 10.4. The College may, at its discretion, on the request of a student, grant that student access to information held by the College about them, or allow a student to give or withhold consent to use their personal information. Such situations would be rare, and would normally be considered only when the maturity of the student and/or the student's personal circumstances so warranted.

11. Enquiries and Complaints

- 11.1. Further information about how Heritage College manages the personal information it holds may be obtained by contacting the Principal or the Business Manager.
- 11.2. A person whose personal information is held by the College may lodge a complaint in writing to the Principal if he/she believes that the College has breached the Australian Privacy Principles. The College will investigate any such complaint and advise the complainant of the result of the investigation within 30 days.

12. Communication of this policy

12.1. Current and Future Parents

This policy will be sent to parents before enrolment with the *Application for Enrolment* form. It will also be available to all parents on the College website.

12.2. Staff and Students

This policy will be available within the College via the College's Intranet.

Document History

Mar 2003 Policy written and approved by Council

Sep 2007 Reviewed and endorsed by Council

Sep 2012 Policy no. changed from C6 (Governance) to E3 (Management)

Jun 2014 Policy updated in line with new Privacy legislation and reformatted. Approved by Council 23/6/14