

Privacy Policy

1. PURPOSE

This Privacy Policy sets out how Kingswood College manages personal information provided to or collected by it.

The College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988, and Privacy Amendment (Enhancing Privacy Protection) Act 2012 (referred to as the Privacy Act), and the Privacy Amendment (Notifiable Data Breaches) Act 2017. In relation to health records, the School is also bound by the Health Records Act 2001 (Vic).

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.

2. SCOPE

This policy applies to all members of the College staff and community.

3. KEY RESPONSIBILITIES

Position/Roles	Responsibilities
Members of Council	<ul style="list-style-type: none">Ensure the College complies with the Australian Privacy Principles as contained in the Commonwealth Privacy Act 1988 as amended.
Principal and Leadership Management Team (LMT)	<ul style="list-style-type: none">To develop, maintain and embed policy and procedures at the College that ensure safety of personal information and compliance with the Australian Privacy Principles (APP).
Staff and Community groups	<ul style="list-style-type: none">Follow this College Privacy Policy and procedures.

4. DEFINITIONS, INFORMATION AND PROCEDURES

4.1 What kinds of personal information does Kingswood College collect and how does the College collect it?

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

- students and parents and/or guardians ('Parents') before, during and after the course of a student's enrolment at the College;
- job applicants, staff members, volunteers and contractors; and
- other people who come into contact with the College.

Personal Information you provide: The College will generally collect personal information held about an individual by way of paper and electronic forms filled out by parents or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people, other than parents and students provide personal information.

Personal Information provided by other people: In some circumstances the College may be provided with personal information about an individual from a third party, for example a report provided by a medical professional or a reference from another school.

Exception in relation to employee records: Under the Privacy Act and Health Records Act 2001 (Vic), the Australian Privacy Principles and Health Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the College and employee.

4.2 How will the College use the personal information you provide?

The College will use personal information it collects from you for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected by you, or to which you have consented.

Students and Parents: In relation to personal information of students and parents, the College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying the needs of parents, the needs of the student and the needs of the College throughout the whole period the student is enrolled at the College. The purposes for which the College uses personal information of students and parents include:

- to keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- day-to-day administration of the College;
- looking after students' educational, social and medical wellbeing;
- seeking donations and marketing for the College; and
- to satisfy the College's legal obligations and allow the College to discharge its duty of care.

In some cases, where the College requests personal information about a student or parent, if the information requested is not provided, the College may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

Job applicants, staff members and contractors: In relation to personal information of job applicants, staff members and contractors, the College'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 personal information of job applicants, staff members and contractors include:

- in administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking donations and marketing for the College; and
- to satisfy the College's legal obligations, for example, in relation to child protection legislation.

Volunteers: The College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities, such as (alumni associations), to enable the College and the volunteers to work together.

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 quality learning environment in which both students and staff thrive. Personal information, such as, postal address and email address held by the College may be disclosed to related College organisations that assist in the College's fundraising, for example, alumni organisation and Parents and Friends Association.

Parents, staff, contractors and other members of the wider College community may from time to time receive fundraising information. College publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

4.3 Who might The College disclose personal information to?

The College may disclose personal information, including sensitive information, held about an individual to:

- another school;
- government departments;
- medical practitioners;
- people providing services to the College, including specialist visiting teachers, counsellors and sports coaches;
- 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);
- people providing administrative and financial services to the College;
- recipients of College publications, such as newsletters and magazines;
- student's parents or guardians;
- anyone you authorise the College to disclose information to; and
- anyone to whom we are required to disclose the information to by law.

Sending information overseas: The College may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers which are situated outside Australia or to facilitate a school exchange. However, the College 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 or other applicable privacy legislation.

The College may use reputable online or 'cloud' service providers to store personal information and to provide services to the College 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 that access their services. 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.

The College will use prudence in selecting such online or 'cloud' services providers to ensure their systems are reputable and known to be secure. An example of such a cloud service provider is Google. Google provides the 'Google Apps for Education' (GAPE) including Gmail, and stores and processes limited personal information for this purpose.

4.4 How does the College treat sensitive information?

In referring to 'sensitive information', the College means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information and biometric information about an individual. Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

4.5 Management and security of personal information

The College's staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals. The College has in place steps to protect the personal information the College 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 rights to computerised records.

In accordance with the Privacy Act, the College is required to notify specific types of data breaches to individuals affected by the breach and to the Office of the Australian Information Commissioner (OAIC). A notifiable breach is defined as a data breach that is likely to result in serious harm to any of the individuals to whom the information relates. Serious harm could include serious physical, psychological, emotional and financial harm, as well as serious harm to reputation. The College has implemented a Data Breach Response Plan to provide direction to staff on the management of a data breach.

4.6 Access and correction of personal information

Under the Commonwealth Privacy Act and the Health Records Act 2001 (Vic), an individual has the right to obtain access to any personal information which the College holds about them and to advise the College of any perceived inaccuracy. 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 or update any personal information the College holds about you or your child, please contact the Business Manager in writing. The College may require you to verify your identity and specify what information you require. The College may charge a fee to cover the cost of verifying your application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the College will advise the likely cost in advance. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

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

The College respects every parent's right to make decisions concerning 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 the student's 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. As mentioned above, parents may seek access to personal information held by the College about them or their child by contacting the Business Manager. However, there will be occasions when access is denied. Such occasions would include 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 College's duty of care to the student.

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 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 so warranted.

4.8 Enquiries and complaints

If you would like further information about the way the College manages the personal information it holds, or wish to complain that you believe that the College has breached the Australian Privacy Principles please contact the Business Manager. The College will investigate any complaint and will notify you of the making of a decision in relation to your complaint as soon as is practicable after it has been made. Refer to the College *Complaints and Grievances Policy* for more details.

5. REFERENCES

- Kingswood College, Data Breach Response Plan POL-024A
- Kingswood College, Complaints and Grievances Policy
- Independent Schools Council of Australia and National Catholic Education Commission, Privacy Compliance Manual - August 2017
- Office of Australian Information Commissioner website: <https://www.oaic.gov.au>
- Guide to Developing a Data Breach Response Plan, Office of Australian Information Commissioner (OAIC) - April 2016
- Data breach notification: a guide to handling personal information security breaches, OAIC - August 2014
- Privacy Update: Mandatory Notification of Data Breaches, Complispace Briefing paper - May 2017
- Australian Privacy Principles as contained in the Commonwealth Privacy Act (Amended 2014)