



# Privacy Policy

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## **PURPOSE**

Calvary Christian College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. This statement outlines the privacy policy of the College and describes how the College uses and manages personal information provided to or collected by it.

## **SCOPE**

The policy applies to board members, employers, employees, volunteers, parents/guardians and students, contractors, and people visiting the College site; and describes the type of information the College collects, how the information is handled, how and to whom the information is disclosed, and how the information may be accessed.

## **REFERENCES**

### ***Legislation***

- Privacy Act 1988 (Cth).
- Privacy Amendment (Enhancing Privacy Protection) Act 2012.

### ***Related Policies/Documents***

- Calvary Christian College Alcohol, Tobacco and Illicit Drugs Policy
- Calvary Christian College Behaviour Management Policy
- Calvary Christian College Child Protection Policy
- Calvary Christian College Students with Special Needs Policy

## **EXCEPTION**

### ***Employee Records***

Under the *Privacy Act*, the Australian Privacy Principles do not apply to an employee record held by the employing entity. 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 the employee.

## **POLICY STATEMENT**

This Privacy Policy sets out how the 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*. The College may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the College's operations and practices and to make sure it remains appropriate to the changing College environment.

## **COLLECTION OF PERSONAL INFORMATION**

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.
- 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 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.

### ***Use of personal information:***

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 parent's information about matters related to their child's schooling, though 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.
- 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.

On occasions information such as academic and sporting achievements, student activities and similar news is published in College newsletters, on our Facebook Page and on our website. This may include photographs and videos of student activities such as sporting events, school camps and school excursions. The College

will obtain permission from the parent or guardian of the student through the Enrolment Form. Where parents or guardians have indicated that a student is not to be photographed in the Enrolment Contract, the student's name is included on the "Do Not Photograph" list, which is consulted before any photograph of a student is used by the College. Where the College would like to include such photographs or videos or other identifying material in our promotional material, or otherwise make this material available to the public such as on the internet, permission is obtained from the parent of the student prior to this material being used.

## **EMPLOYEES**

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.
- To satisfy the College's legal obligations, for examples, 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 to enable the College and 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 held by the College may be disclosed to organisations that assist in the College's fundraising.

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

## **DISCLOSURE OF PERSONAL INFORMATION**

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

- Another school or staff at another school.
- Government departments.
- Medical practitioners.
- People providing educational, support and health services to the College, including specialist visiting teachers, sports coaches, volunteers, counsellors and providers of learning and assessment tools.

- Assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority.
- People providing administrative and financial services to the College.
- Recipients of College publications, such as newsletters and magazines.
- Students' parents or guardians.
- Anyone you authorise the College to disclose information to.
- 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, to facilitate a school/College 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).
- Otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

The College may use 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 server which may be situated outside Australia.

## **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.

## **MANAGEMENT AND SECURITY**

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.

## **DATA BREACHES**

It will be deemed that an 'eligible data breach' has occurred if:

- there has been unauthorised access to, or unauthorised disclosure of, personal information about one or more individuals (the affected individuals)

- a reasonable person would conclude there is a likelihood of serious harm to any affected individuals as a result
- the information is lost in circumstances where:
  - unauthorised access to, or unauthorised disclosure of, the information is likely to occur
  - assuming unauthorised access to, or unauthorised disclosure of, the information was to occur, a reasonable person would conclude that it would be likely to result in serious harm to the affected individuals.

Serious harm may include serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation.

If the College suspects that an eligible data breach has occurred, it will carry out a reasonable and expedient assessment/investigation within 30 days. If such an assessment/investigation indicates there are reasonable grounds to believe an eligible data breach has occurred, then the College will be required to lodge a statement to the Privacy Commissioner (Commissioner). Where practical to do so, the College will also notify the affected individuals. If it is not practicable to notify the affected individuals, the College will publish a copy of the statement on its website, or publicise it in another manner.

An exception to the requirement to notify will exist if there is a data breach and immediate remedial action is taken, and as a result of that action:  
there is no unauthorised access to, or unauthorised disclosure of, the information  
there is no serious harm to affected individuals, and as a result of the remedial action, a reasonable person would conclude the breach is not likely to result in serious harm.

## **ACCESS AND CORRECTION**

Under the *Commonwealth Privacy Act*, 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 and update any personal information the College holds about you or your child, please contact the College Principal 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.

The College will take reasonable steps to ensure that any personal information is accurate, up to date, complete, relevant and not misleading.

## **CONSENT AND RIGHTS OF ACCESS**

The College respects every parent's rights 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 College Principal. 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 the 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.

## **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 College Principal. 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.



## **APPENDIX 1**

### ***Standard Collection Notice***

1. The College collects personal information, including sensitive information about students and parents or guardians before and during the course of a student's enrolment at the College. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the College to provide schooling to the students enrolled at the College, exercise its duty of care, and perform necessary associated administrative activities, which will enable them to take part in all the activities of the College.
2. Some of the information we collect is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care.
3. Laws governing or relating to the operation of a College require certain information to be collected and disclosed. These include relevant Education Acts, Public Health and Child Protection laws.
4. Health information about students is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. We may ask you to provide medical reports about students from time to time.
5. The College may disclose personal and sensitive information for educational, administrative and support purposes. This may include to:
  - Other schools and teachers at those schools.
  - Government departments.
  - Medical practitioners.
  - People providing educational, support and health services to the College, including specialist visiting teachers, sports coaches, volunteers, counsellors and providers of learning and assessment tools.
  - Assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority.
  - People providing administrative and financial services to the College.
  - Anyone you authorise the College to disclose information to.
  - Anyone to whom the College is required or authorised to disclose the information to by law, including child protection laws.
6. Personal information collected from students is regularly disclosed to their parents or guardians.
7. The College may use 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 reside on a cloud service provider's server which may be situated outside Australia. The College's IT Department are able to provide further information about the College's use of electronic storage systems.
8. The College's Privacy Policy, accessible on the College's website, sets out how parents or students may seek access to personal information collected about them. However, access may be refused in certain circumstances. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the College's duty of care to the student, or where students have provided

information in confidence. Any refusal will be notified in writing with reasons if appropriate.

9. The College Privacy Policy also sets out how you may complain about a breach of privacy and how the College will deal with such a complaint.
10. The College may engage in fundraising activities. Information received from you may be used to make an appeal to you. It may also be disclosed to organisations that assist in the College's fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.
11. On occasions information such as academic and sporting achievements, student activities and similar news is published in College newsletters, on our Facebook Page and on our website or social media avenues. This may include photographs and videos of student activities such as sporting events, school camps and school excursions. The College will obtain separate permissions from the students' parent or guardian (and from the student if appropriate) prior to publication or otherwise make this material available to the public such as on the internet.
12. We may include students' and parents' contact details in a class list and College directory.
13. 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 that information to the College and why.

## **APPENDIX 2**

### ***Employment Collection Notice***

1. In applying for this position, you will be providing Calvary Christian College with personal information.
2. If you provide us with personal information, for example, your name and address or information contained on your resume, we will collect the information in order to assess your application for employment. We may keep this information on file if your application is unsuccessful in case another position becomes available.
3. The College's Privacy Policy, accessible on the College's website, contains details of how you may complain about a breach of the APPs and how you may seek access to and correction of your personal information which the College has collected and holds. However, there may be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others. Any refusal will be notified in writing with reasons if appropriate.
4. We will not disclose this information to a third party without your consent.
5. We are required to conduct a criminal record check and collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws.
6. The College may use 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 email services. 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 reside on a cloud service provider's server which may be situated outside Australia.
7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the College and why.

## **APPENDIX 3**

### ***Contractor/Volunteer Collection Notice***

1. In applying to provide services to the College, you will be providing Calvary Christian College with personal information.
2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information in order to assess your application. We may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information for a minimum of five years.
4. The College's Privacy Policy, accessible on the College's website, sets out how you may seek access to your personal information and how you may complain about a breach of the APPs, and how you may seek access to and correction of your personal information which the College has collected and holds. However, there may be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others. Any refusal will be notified in writing with reasons if appropriate.
5. We will not disclose this information to a third party without your consent.
6. We are required to conduct a criminal record check and collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws.
7. The College may use 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 email services. 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 reside on a cloud service provider's server which may be situated outside Australia. The College's IT Department are able to provide further information about the College's use of electronic storage systems.
8. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the College and why.

## APPENDIX 3

### Data Breach Response Summary Diagram

Below is the Data Breach Response Summary diagram, which is taken from the Office of the Australian Information Commissioner ( <https://www.oaic.gov.au/privacy-law/privacy-act/notifiable-data-breaches-scheme>). This provides an overview of a typical data breach response, including the requirements of the Notifiable Data Breaches scheme.

