



## TRINITY LUTHERAN COLLEGE

### DESCRIPTION: PRIVACY POLICY

#### PURPOSE: Your privacy is important

This statement outlines the college's policy on how the college uses and manages personal information provided to or collected by it.

The college is bound by the Australian Privacy Principles (APPs) 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 environment.

#### SCOPE

The policy applies to board members, employers, employees, volunteers, parents/guardians and students, contractors, and people visiting the school 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

- Privacy Act 1988 (Cth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012
- Child Protection Policy
- Disabilities Policy

#### EXCEPTION: Employee records

Under the Privacy Act, the Australian Privacy Principles (APPs) 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 employee.

#### GUIDELINES

##### What kind of personal information does the 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 sensitive information, about:

- Pupils and parents and or guardians (**'Parents'**) before, during and after the course of a pupil'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 pupils, face to face meetings and interviews, emails and telephone calls. On occasions people other than parents and pupils 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.

### **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 as outlined below, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which you have consented.

Personal information about an employee or pupil may, from time to time, be shared with Lutheran Education Queensland for the purposes of the provision of legal/industrial/educational advice. Access to this personal information by an individual may be limited if access would have an 'unreasonable impact on the privacy of others' or if there are 'anticipated legal proceedings' in relation to the information.

Where it is necessary for Lutheran Education Queensland to retain 'sensitive' personal information about an individual, this information shall be treated with additional care, including measures such as restrictions to access (locked files) and destruction of materials, when no longer required.

### **Pupils and parents:**

In relation to personal information of pupils and parents, the college's primary purpose of collection is to enable the college to provide schooling for the pupil. This includes satisfying both the needs of parents, the needs of the pupil and the needs of the college throughout the whole period the pupil is enrolled at the college.

The purposes for which the college uses personal information of pupils and parents include:

- To keep parents informed about matters relating to their child's schooling, through correspondence, newsletters and magazines;
- Day to day administration;
- Looking after pupils' educational, social, spiritual and medical well-being;
- 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 pupil or parent, if the information requested is not obtained, the college may not be able to enrol or continue the enrolment of the pupil.

### **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;
- 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 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 be a quality learning environment in which both pupils and staff thrive. Personal information held by the college may be disclosed to an organisation that assists in the college's fundraising, for example, the college's foundation or alumni organisation.

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.

#### **Exemption in relation to related schools:**

The Privacy Act allows each college, being legally related to each of the other colleges/schools associated with the Lutheran Church Schools system in Australia to share personal information with other colleges/schools within the system.

Other Lutheran colleges/schools may then only use this personal information for the purpose for which it was originally collected by the Lutheran System. This allows colleges/schools to transfer information between them, for example, when a pupil or employee transfers from one Lutheran college/school to another college/school within the Lutheran system.

#### **Who might the college disclose personal information to?**

A college may disclose personal information, including sensitive information, held about an individual to:

- Another college/school;
- Government departments;
- The local parish;
- Medical practitioners;
- People providing services to the College, including specialist visiting advisers, teachers and sports coaches;
- Recipients of college publications, like newsletters and magazines;
- Parents;
- 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, when storing personal information with 'cloud' service providers which are situated outside Australia or to facilitate a school exchange.

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

#### **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; as well as health information.

Sensitive information will be used and disclosed only for the purpose for which it was provided or for a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed / required by law.

#### **Management and security of personal information:**

The college staff is required to respect the confidentiality of pupils' 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, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerised records. Once personal files are no longer required this information will be destroyed.

#### **Updating personal information:**

The college endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by the college by contacting the Receptionist of the college at any time. The Australian Privacy Principles require the college not to store personal information longer than necessary.

#### **You have the right to check the personal information that the college holds about you:**

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.

To make a request to access any information the college holds about you or your child, please contact either the Business Manager or HR, Policy and Project in writing.

The college may require you to verify your identity and specify the information that 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 the college cannot provide you with access to that information, the college will provide you with written notice explaining the reasons for refusal.

#### **Consent and rights of access to the personal information of pupils:**

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 pupil to the pupil's parents. The college will treat consent given by parents as consent given on behalf of the pupil, and notice to parents will act as notice given to the pupil.

Parents may seek access to personal information held by the college about them or their child by contacting either the Business Manager or HR, Policy and Project Officer. 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 pupil.

The college may, at its discretion, on the request of a pupil, give that pupil access to information held by the college about them, or allow a pupil 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 pupil and / or the pupil's personal circumstances so warranted.

#### **Data storage security:**

The college reviews its data storage system periodically and trains staff on Australian Privacy Principles annually.

#### **Eligible Data Breach:**

An eligible data breach may occur if:

- There is unauthorised access to, unauthorised disclosure of or loss of personal information held by the college and the loss is likely to result in serious harm to any of the individuals to whom the information is related; or
- The unauthorised access to or unauthorised disclosure of the information is likely to occur and if the breach were to occur a reasonable person would conclude that the access or disclosure would likely result in serious harm to any of the individuals to whom the information relates

In the event that the college has reasonable grounds to believe a data breach event has occurred the college will carry out a reasonable and expeditious assessment to ascertain if the breach occurred within 30 days of a suspected breach event.

Should the assessment confirm an eligible data breach event, then the Office of Australian Information Commissioner (OAIC) and affected individuals will be notified immediately of the data breach event by the Principal or his/her delegate the Business Manager.

#### **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 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.