



# Privacy Policy

**Contact Person/s:** Principal

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**Revision History**

Date	Title	Status	Revision no	Author	Approver
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October 2016	Privacy Policy	Approved for publication	0	Principal	College Council <b>Resolution 60/16</b>
July 2018	Privacy Policy	Draft for approval	1	Business Manager	
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April 2019	Privacy Policy	Approved for publication	2.1	Business Manager	College Council <b>Resolution 22/19</b>

## 1.0 Purpose

Immanuel Lutheran 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.

## 2.0 Scope

The policy applies to College Council 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.

## 3.0 References

- Privacy Act 1988 (Cth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012
- Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth)
- Child Protection Policy

## 4.0 Definitions

**Personal information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

**Sensitive information** means personal information about you that is of a sensitive nature, including information about health, genetics, biometrics or disability; racial or ethnic origin; religious, political or philosophical beliefs; professional association or trade union memberships, sexuality; or criminal record.

**Cookie** means a small file that can be placed on your device that allows us to recognise and remember you. It is sent to your browser and stored on your computer's hard drive or tablet or mobile device. When you visit our sites, we may collect information from you automatically through cookies or similar technology.

## 5.0 Responsibilities

### 5.1 College Council

Oversee the implementation of and adherence to the Privacy Policy as it applies to the College's governance committees.

### 5.2 The Principal

Implement the Privacy Policy and ensure adherence for all College activities.

### 5.3 Staff and Volunteers

Comply with the guiding principles of the Privacy Policy.

## 6.0 Policy Statement

Immanuel Lutheran College is committed to protecting your privacy. This statement is part of Immanuel Lutheran College's ongoing commitment to protect the privacy of your

personal information in accordance with the Australian Privacy Principle 1 and embodies our commitment to protecting the privacy of personal information. It covers how we collect and handle personal information, including *sensitive information*.

This privacy policy is not intended to cover our handling of commercially sensitive information or other information that is not defined in the Privacy Act as personal information.

#### **6.1 Types of personal information collected by us**

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.

#### **6.2 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.

#### **6.3 Personal Information provided by other people:**

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

#### **6.4 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.

#### **6.5 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
- 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.

## 6.6 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
- satisfying the College's legal obligations, for example, in relation to child protection legislation.

## 6.7 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.

## 6.8 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 marketing and fundraising, for example, the College's Foundation or alumni organisation (or, on occasions, external marketing and fundraising organisations).

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.

In the interest of ensuring the College website remains relevant and user friendly we collect basic information to assist the College with providing a positive user experience. We use three types of cookies, which we describe below:

**Essential** – cookies that are essential to provide you with services you have requested. For example, these include the cookies that make it possible for you to stay logged into your Guardian account and make comments. If you set your browser to block these cookies, then these functions and services will not work for you. In particular, we won't be able to save your preferences about cookies.

**Performance** - cookies which measure how often you visit our sites and how you use them. For example, we collect information about which of our pages are most frequently visited, and by which types of users. We also use third-party cookies to help with performance. For example, the Google Analytics cookie gives us information such as your journey between pages and whether you have downloaded anything.

**Advertising** – cookies that are used to collect information about your visit to our site, the content you have viewed, the links you have followed and information about your browser, device and your IP address.

## 6.9 Who might the College disclose Personal Information to?

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

- another College or staff at another College;
- government departments;
- medical practitioners;
- people providing educational, support and health services to the College, including specialist visiting teachers, [sports] coaches, volunteers, counsellors;
- 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; and
- anyone to whom we are required to disclose the information to by law.

#### **6.10 Sending Information Overseas**

The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a 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 servers which may be situated outside Australia.

An example of such a cloud service provider is Google. Google provides the 'Google Apps for Education' (GAFE) including Gmail, and stores and processes limited personal information for this purpose. College personnel and the AIS and its service providers may have the ability to access, monitor, use or disclose emails, communications (e.g. instant messaging), documents and associated administrative data for the purposes of administering GAFE and ensuring its proper use.

#### **6.11 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.

#### **6.12 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.

### 6.13 Data Breaches

It will be deemed that a 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 a data breach has occurred, it will carry out a reasonable and expedient assessment/investigation within 30 days. The College follows the OAIC's [data breach response plan](#) when handling accidental or unauthorised disclosures of personal information.

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 school entity 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.

#### Exception to notification obligation

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.

### 6.14 Access and Correction of Personal Information

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 or 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.

#### **6.15 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 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 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 warrant it.

#### **6.16 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 on email: [principal@immanuel.qld.edu.au](mailto:principal@immanuel.qld.edu.au). 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.

### **7.0 Associated Documentation and Links**

General Privacy Collection Notice – Appendix A  
Old Scholars Association Collection Notice – Appendix B  
Employment Collection Notice – Appendix C  
Contractor Privacy Collection Notice – Appendix D

[Staff Handbook](#)

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## Appendix 1

### ***General Privacy 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 student and to enable the student 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 school require certain information to be collected and disclosed. These include relevant Education Acts, and 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 from time to time may need to disclose personal or sensitive information to others for administrative, safety and education purposes. This includes to other schools, government departments, state authorities, medical practitioners and people providing services to the College, including but not limited to specialist visiting teachers, sports coaches and volunteers.
6. Personal information collected from students is regularly disclosed to their parents or guardians.
7. Secure measures will be taken for the storing of information with service providers situated out of Australia (eg in the 'Cloud').
8. The College's Privacy Policy sets out how parents or students may seek access to personal information collected about them. However, there will be occasions when access is denied. 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.
9. Information held by the College will be either de-identified or destroyed when no longer of use to the College.
10. The College's Privacy Policy also sets out how you may complain about a breach of privacy and how the College will deal with such a complaint. Parents have a right to make a written complaint to the Principal if they consider these Privacy Principles have been breached.
11. As you may know, the College from time to time engages 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.
12. This College website uses Google AdWords and Facebook remarketing services to advertise on third party websites to previous visitors to our website. As an example, we could advertise to previous visitors who haven't completed a task on our site, such as using the contact form to make an enquiry. This could be in the form of an advertisement on the Google search results page, a site in the Google Display Network, or on Facebook. Third-party vendors, including Google and Facebook, use cookies to serve ads based on someone's past visits to the Immanuel Lutheran College website. Any data collected will be used in accordance with our privacy policy, as well as the Google and Facebook privacy policies.

You can opt-out of remarketing by visiting the links below:

For Google: <https://support.google.com/ads/answer/2662922?hl=en>

For Facebook: [https://www.facebook.com/ads/website\\_custom\\_audiences/](https://www.facebook.com/ads/website_custom_audiences/)

13. On occasions, information such as academic and sporting achievements, student activities and similar news is published in College newsletters and magazines [and/or on our website]. Photographs of student activities such as sporting events, school camps and school excursions may be taken for publication in College newsletters and magazines [and/or on our website]. The College will obtain separate permissions from the student's parent or guardian prior to publication.
14. We may include contact details of students and/or parents in class lists and our College parent directory, the "Buzz Book". Parents may elect to opt out of these listings by providing notice in writing to the Receptionist/Administration Assistant located in the College's Main Administration Building.
15. 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, that they can access that information if they wish and that the College does not usually disclose this information to third parties.

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**APPENDIX 2****Old Scholars Association Collection Notice**

1. The Immanuel Old Scholars Association may collect personal information about you from time to time. The primary purpose of collecting this information is to enable us to inform you about our activities and the activities of Immanuel Lutheran College and to keep alumni members informed about other members.
2. We must have the information referred to above to enable us to continue your membership of Old Scholars Association.
3. As you know, from time to time we engage in fundraising activities. The information received from you may be used to make an appeal to you. It may also be used by Immanuel Lutheran College to assist in its fundraising activities. If you do not agree to this, please advise us now.
4. Old Scholars Association may publish details about you in our Features Magazine and our College's website. If you do not agree to this you must advise us now.
5. The College's Privacy Policy, accessible on the College's website, contains details of how you may seek access to and correction of your personal information which the College has collected and holds, and how you may complain about a breach of the APPs.
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 servers which may be situated outside Australia. Further information about the School's use of on online or 'cloud' service providers is contained in the College's Privacy Policy.
7. If you provide personal information to us about other people, we encourage you to inform them that you are disclosing that information to the College and why.

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**APPENDIX 3****Employment Collection Notice**

1. In applying for this position you will be providing Immanuel Lutheran College with personal information. We can be contacted PO Box 5025, Maroochydore BC, QLD, 4558 or via email to [ilc@immanuel.qld.edu.au](mailto:ilc@immanuel.qld.edu.au); T: 07 5477 3444; F: 07 5477 3477.
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/or collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws. We may also collect personal information about you in accordance with these 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 servers which may be situated outside Australia. Further information about the College's use of on online or 'cloud' service providers is contained in the College's Privacy Policy.
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.

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**APPENDIX 4****Contractor Privacy Collection Notice**

1. The College may collect personal information about individuals in your business during the course of our business dealings. The primary purpose for collecting this information is to enable the College to execute its operational functions.
2. If you provide us with personal information, for example your name, contact details, references, insurance certificates of currency, applicable trade qualifications/registrations or other relevant information, we will collect the information in order to assess your suitability as a preferred contractor.
3. The College will endeavour to keep personal information accurate/up-to-date and complete. Contractors are relied upon to assist the College in keeping information accurate and up-to-date. Any unsolicited information received by the College will be destroyed unless legal obligations require otherwise.
4. Information held by the school will be either de-identified or destroyed when no longer of use to the College.
5. The College's Privacy Policy sets out how you may seek access to your personal information and how you may complain about a breach of the APPs. Contractors have a right to make a written Complaint to the Principal if they consider these Privacy Principles have been breached.
6. We will not disclose this information to a third party without your consent.
7. We may be required to conduct a criminal record check and/or collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection law. We may also collect personal information about you in accordance with these laws.
8. Secure measures will be taken for the storing of information with service providers situated out of Australia (e.g. in the 'Cloud').
9. 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, that they can access that information if they wish and that the College does not usually disclose the information to third parties.