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VERSION: 1.8
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Privacy Policy

1. PURPOSE

This Privacy Policy sets out how Kingswood College manages personal information provided to or collected by it (excluding employee records – as these are excluded from the scope of the Australian Privacy Principles).

The College is bound by the Australian Privacy Principles ("APP") contained in the Commonwealth Privacy Act 1988 ("Privacy Act"). In relation to health records, the College is also bound by the Health Records Act 2001 (Vic).

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 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	• Ensure the College complies with the Australian Privacy Principles as contained in the Commonwealth Privacy Act 1988 as amended.
Principal and College Executive	• 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). • Provide support for staff in undertaking their responsibility in this area.
All Staff and Community groups	• Comply with the College Privacy Policy and procedures by ensuring the security and privacy of personal details and information.

4. KEY ELEMENTS OF THE POLICY - 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 and/or carers ("Parents") before, during and after**

the course of a student's enrolment at the College, including:

- name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
- parents' education, occupation and language background;
- parents' financial information wherein related to any financial assistance;
- medical information (e.g. details of disability and/or allergies, absence notes, medicines, medical reports and names of doctors);
- results of assignments, tests and examinations;
- conduct and complaint records, or other behaviour notes, and school reports;
- information about referrals to government welfare agencies;
- counselling reports;
- any court orders;
- volunteering information; and
- photos and videos at School events and student work.

- **job applicants, staff members, volunteers and contractors, including:**
  - name, contact details (including next of kin), date of birth, and religion;
  - information on job application, including work history;
  - professional development history;
  - Working with Children Check (WWC Check) clearances or VIT registration details;
  - Proof of a person's identity and professional qualifications;
  - References written or verbal;
  - salary and payment information, including superannuation details;
  - medical information (e.g. details of disability and/or allergies, and medical certificates);
  - complaint records and investigation reports;
  - leave details;
  - photos and videos at School events;
  - workplace surveillance information; and
  - work emails and private emails (when using work email address) and Internet browsing history.

- **other people who come into contact with the College,** including name and contact details and any other information necessary for the particular 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: On occasions 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. The College handles staff health records in accordance with the Victorian Health Privacy Principles in the Health Records Act 2001 (Vic).

4.2 The Purpose for Which and How Kingswood College will 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 enrolled at the College, exercise its duty of care, and perform necessary associated administrative activities, which enable students to take part in all activities of the College. 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;
- celebrating the efforts and achievements of our students;
- seeking donations and marketing for the College;
- to satisfy the College's legal obligations and allow the College to discharge its duty of care; and
- for the recovery of fees.

In circumstances 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. The College may pass your information to a legal representative acting on behalf of the College.

Job Applicants and Contractors: In relation to personal information of job applicants and contractors, the College's primary purpose of collection is to assess and (if successful) to engage the applicant or contractor, as the case may be. The purposes for which the College uses personal information of job applicants, and contractors include:

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

Volunteers: The College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities, such as the Wyvernians, Kingswood College Alumni Association, or Parents and Friends Association (PFA), to enable the College and the volunteers to work together and to satisfy the College's legal obligations, for example, in relation to child safety and protection legislation.

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, the Wyvernians 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.

Collection and use of student images: On occasions the College's students will be involved in activities that are of interest to the wider community and showcase the students, their works and the College. Personal information in the form of images (e.g. photographs or videos, student movies, video/audio presentations, event/meeting recordings, text, graphics) of students and their works may be used by the College and its agents (e.g. local sporting associations) in College promotion (including but not limited to newsletters, magazines and on the College website or intranet), social media sites (such as facebook, instagram and X (formerly twitter)), video streaming sites (eg YouTube), online directories, affiliated websites, in the media and in recording and broadcasting of special events, activities or meetings for educational purposes or that are of interest to the College community. Images are taken with the knowledge of the College, arranged by the College's *Communications and Engagement Specialist*, or by staff responsible for a particular activity. There are also times when student work may be displayed, published or photographed for educational or promotional purposes.

Parents/guardians/carers who do not wish their child's image or works to be used are required to notify the College *Principal* or *Communications and Engagement Specialist* in writing. In certain circumstances, such as arranged promotional photographic opportunities, specific consent will be requested from the parent/guardian/carer.

4.3 Who might the College disclose personal information to?

The College may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes in line with the primary purpose of collection mentioned above and under the Australian Privacy Principles. This may include to:

- other schools and teachers at those schools;
- government departments (including for policy and funding purposes);
- medical practitioners;
- people providing education, support and health services to the College, including specialist visiting teachers, volunteers, counsellors, tutors and sports coaches;
- providers of specialist advisory services and assistance to the College, including in the area of Human Resources, Child Safety and students with additional needs;
- providers of learning and assessment tools;
- 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);
- agencies and organisations to whom we are required to disclose personal information for education, funding and research purposes;
- people providing administrative, legal and financial services to the College;
- recipients of College publications, such as newsletters and magazines;
- students' parents, guardians or carers;
- anyone you authorise the College to disclose information to; and
- anyone to whom we are required to disclose the information to by law, including child safety and protection laws.

Sending information overseas: The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange or overseas College trip. 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.

Storing information in cloud servers: 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 providers' 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 providers are Google, Zoom and Microsoft. Google provides the G Suite for Education, including Gmail and Google Drive and stores and processes limited personal information for this purpose. Kingswood College also uses the 'Microsoft 365' group of Apps including email, and stores and processes limited personal information for this purpose. Authorised College personnel and its IT service providers may have the ability to access, monitor, use or disclose emails, communications (e.g. instant messaging), video conferencing, documents and associated administrative data for purposes of administering these services and ensuring proper use.

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 required 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 personal 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

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

Registrar of the School at any time. The Australian Privacy Principles require the College not to store personal information longer than necessary.

Under the Commonwealth Privacy Act and the Health Records Act 2001 (Vic), an individual generally 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 *Director of Business or 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 (unless, in light of the grounds for refusing, it would be unreasonable to provide reasons).

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 *Director of Business or Principal* in writing. 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 Interacting with us anonymously or by use of a pseudonym

You may interact with the College anonymously or by using a pseudonym (e.g. an email address that does not contain your actual name) in some circumstances, such as when you make general inquiries about enrolment or employment opportunities or an anonymous complaint (refer to our *Complaints and Grievances Policy and Procedures* and *Whistleblower Policy*). However, we will need to know your identity before we can provide our services to you (i.e. when you wish to enrol a student or be employed by the College).

4.9 Collection, use and storage of financial details

The use of the College's online payment system indicates acceptance by users of our Privacy and Security policies in regard to the collection and use by the College of any information provided for payment purposes.

Identifiable information collected through online payments will be used only for the purpose of processing that individual payment transaction. Non-identifying information may be used for statistical, reporting and

research purposes.

The College may store parent credit card or bank account details for the purposes of fee payment as well as financial information provided for the purpose of financial assistance for the duration of the student's enrolment at the College.

4.10 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 *Director of Business or 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. Refer to the College *Complaints and Grievances Policy and Procedures* for more details.

5. RELATED POLICIES

- Child Safe Policy
- Code of Conduct
- Parent Code of Conduct
- Complaints and Grievances Policy and Procedures
- Data Breach Response Plan
- Records Management Policy
- Whistleblower Policy

6. REFERENCES

- Independent Schools of Australia and National Catholic Education Commission, Privacy Compliance Manual – April 2025
- Office of the Australian Information Commissioner website: https://www.oaic.gov.au
- Data breach preparation and response: A guide to managing data breaches in accordance with the Privacy Act 1988 (Cth) – (OAIC)
- Privacy Update: Mandatory Notification of Data Breaches, Complispace Briefing paper - May 2017
- Australian Privacy Principles as contained in the Commonwealth Privacy Act 1988 (as amended)
- Health Records Act 2001 (Vic).