



## PRIVACY POLICY

<b>Purpose:</b>	Ormiston College is bound by the Australian Privacy Principles contained in the <i>Privacy Act 1988 (Cwlth)</i> . 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.		
<b>Scope:</b>	This Policy is to be adhered to by all stakeholders which include all staff, directors, managers, workers, parents, students, volunteers, contractors, suppliers and visitors at the College. This Policy 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.		
<b>References and Legislation:</b>	<ul style="list-style-type: none"><li>• <i>Privacy Act 1988 (Cwlth)</i></li><li>• <i>Privacy Amendment (Enhancing Privacy Protection) Act 2012</i></li><li>• <i>Privacy Amendment (Notifiable Data Breaches) Act 2017</i></li><li>• <i>Australian Privacy Principles</i></li><li>• <i>Child Protection Act 1999</i></li></ul>		
<b>Ormiston College Related Documents:</b>	<ul style="list-style-type: none"><li>• Child Protection Policy</li><li>• Complaints Handling Policy</li><li>• Disability Discrimination Policy</li><li>• Photo Policy</li><li>• Social Media Policy</li></ul>		
<b>Policy Owner:</b>	College Governing Body	<b>Version:</b>	V090824
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<b>To be reviewed:</b>	Annually	<b>Next Review Date:</b>	August 2025
<b>Authorised by:</b>	BRETT WEBSTER	<b>Date of Authorisation:</b>	02/09/2024
<b>Signature:</b>			

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## EXCEPTION IN RELATION TO EMPLOYEE RECORDS

Under the *Privacy Act 1988 (Cwlth)*, 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 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 *Privacy Act 1988 (Cwlth)*.

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.

### **What types 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 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:
  - name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
  - parents' education, occupation and language background;
  - medical information (eg., details of disability and/or allergies, absence notes, medical reports and names of doctors);
  - conduct and complaint records, or other behaviour notes, and school reports; information about referrals to government welfare agencies;
  - counselling reports;
  - health fund details and Medicare number;
  - any court orders;
  - volunteering information; and
  - photos and videos at school events.
- job applicants, staff members, volunteers and contractors;
  - name, contact details (including next of kin), date of birth, and religion;
  - information on job application;
  - professional development history;
  - salary and payment information, including superannuation details;
  - medical information (eg., 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;
  - work emails and private emails (when using work email address) and Internet browsing history.
- other people who come in contact with the College, including name and contact details and any other information necessary for the particular contact with the school.

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## **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.

## **How will the College use the Personal Information provided?**

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

On occasions information such as academic and sporting achievements, student activities and similar news is published in College newsletters (What's on Weekly), videos and magazines, on the College's website and social media platforms. This may include photographs and videos of student activities such as sporting events, College camps and College excursions. As the mechanisms for sharing this content are available to the College community and the public, the College seeks permission at the time of enrolment for the student to be included in these publications. These permissions can be revoked by the parent or student upon request. The College maintains a list of permissions and consults this list prior to publishing new material.

The College will further obtain permissions from the student's parent or guardian (and from the student if appropriate) if the College would like to include such photographs or videos [or other identifying material] in the College's promotional material.

## **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.

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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, 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 held by the College may be disclosed to organisations that assist in the College's fundraising, for example, the College's Foundation or, on occasions, external 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.

To opt-out of direct marketing please contact the College Marketing Department.

### **Who might the College disclose Personal Information to and store your information with?**

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 services to the College, including specialist visiting teachers, sports coaches; volunteers; counsellors and providers of learning and assessment tools
- recipients of College publications, such as newsletters and magazines;
- students' parents or guardians;
- assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority and the Queensland Curriculum Assessment Authority & Australian Council for Educational Research;
- people providing administrative and financial services to the College;
- anyone to whom the College has been authorised to disclose information to; and
- anyone to whom the College is required or authorised to disclose the information to by law, including child protection laws.

### **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.

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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 online or 'cloud' service providers to store personal information and to provide services to the school that involve the use of personal information, such as services relating to email, instant messaging, 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.

An example of such a cloud service provider is Microsoft 365. Microsoft provides the 'Office 365 suite for Education' including Email, and stores and processes limited personal information for this purpose. College personnel, Microsoft and its service providers may have the ability to access, monitor, use or disclose emails, communications (eg., instant messaging), documents and associated administrative data for the purposes of administering Office 365 and ensuring its proper use. The data centres where the personal information is likely to be kept are located in Australia, the United States, Hong Kong, Japan, Malaysia, Singapore & South Korea.

### **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 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.

### **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.

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## **What must the College do in the event of an ‘eligible data breach’?**

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 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.

## **Access and Correction of Personal Information**

Under the *Privacy Act 1988 (Cwlth)*, 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 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 the College 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 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. 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.

### **Enquiries and Complaints**

If further information is required about the way the College manages the personal information it holds or wish to make a complaint that it is believed the College has breached the Australian Privacy Principles please contact the Headmaster. The College will investigate any complaint based on the College's Complaints Handling Policy and will notify you of the making of a decision in relation to the complaint as soon as is practicable after it has been made.

## **STANDARD COLLECTION NOTICE**

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 them to take part in all the activities of the College.

Some of the information collected is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care. Laws governing or relating to the operation of a College require certain information to be collected and disclosed. These include relevant Education Acts, and Public Health and Child Protection laws.

Health information about students is sensitive information within the terms of the Australian Privacy Principles (APPs) under the *Privacy Act 1988 (Cwlth)*. We may ask you to provide medical reports about students from time to time.

The College from time to time discloses personal and sensitive information to others for administrative and educational purposes, including to facilitate the transfer of a student to another school. This includes to other schools, government departments, medical practitioners, and people providing services to the College, including specialist visiting teachers, coaches, volunteers and counsellors.

Personal information collected from students is regularly disclosed to their parents or guardians.

The College may store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.

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.

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.

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. The College will not disclose your personal information to third parties for their own marketing purposes without your consent.

On occasions information such as academic and sporting achievements, student activities and similar news is published in College newsletters, magazines and on the College's website. Photographs of student activities such as sporting events, College camps and school excursions may be taken for publication in College newsletters, magazines and on the website. The school will obtain separate permissions from the students' parent or guardian prior to publication. The College may include students' and student's parents' contact details in a class list and school directory.

If you provide the College with the personal information of others, such as doctors or emergency contacts, the College encourages 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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## **ALUMNI (ALUMNI ASSOCIATION) COLLECTION NOTICE**

The College 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 Ormiston College and to keep Alumni members informed about other members.

The College from time to time engages in fundraising activities. The information received from you may be used to make an appeal to you. It may also be used by Ormiston College to assist in its fundraising activities. If you do not agree to this, please advise the College.

The College may publish details about you in College publications and the College's website. If you do not agree to this you must advise the College.

The College's Privacy Policy contains details of how you may seek access to personal information collected about you or how you may complain about a breach of the Australian Privacy Principles (APPs).

The College may use online or 'cloud' service providers to store personal information and to provide services to the School 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. Further information about the College's use of online or 'cloud' service providers is contained in the College's Privacy Policy.

If you provide personal information to the College about other people, it is encouraged you inform them of the above matters.

## **EMPLOYMENT COLLECTION NOTICE**

In applying for a position at Ormiston College, you will be providing the College with personal information. The College can be contacted at 97 Dundas Street West, Ormiston 4160 or on (07) 3821 8999.

If you provide the College with personal information, for example, your name and address or information contained on your resume, the information will be collected in order to assess your application for employment. The College may also make notes and prepare a confidential report in respect of your application. The College may keep this information on file if your application is unsuccessful in case another position becomes available.

The College's Privacy Policy contains details of how you may complain about a breach of the APPs or how you may seek access to personal information collected about you. 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.

The College will not disclose this information to a third party without your consent unless otherwise permitted. However, we usually disclose this kind of information to the following types of organisations:

- The Alpha School System ABN 87 010 874 816 – who provide and support the College's electronic administration system.
- MLC Superannuation Fund ABN 70 732 426 024 – the College's default Superannuation Fund if you do not specify your own Superannuation Fund.
- Diversa Insurance ABN 77 107 165 962 – who provide Salary Continuance Insurance for eligible employees.

The College is required to collect information regarding whether you are or have been the subject of an Apprehended Violence Order or certain criminal offences under Child Protection laws. The College may also collect personal information about you in accordance with these laws.

The College may use online or 'cloud' service providers to store personal information and to provide services to the School 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. Further information about the College's use of online or 'cloud' service providers is contained in the College's Privacy Policy.

If you provide the College with the personal information of others, it is encouraged you 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.

## **CONTRACTOR/VOLUNTEER COLLECTION NOTICE**

In applying to provide services to the College, you will be providing Ormiston College with personal information. The College can be contacted at 97 Dundas Street West, Ormiston 4160 or on (07) 3821 8999.

You agree that the College may store this information for a minimum of five (5) years.

The College's Privacy Policy, accessible on the College's website, contains details of how you may complain about a breach of the Australian Privacy Principles and how you may seek access to and correction of your personal information which the College has collected and holds. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others. Any refusal will be notified in writing with reasons if appropriate.

The College will not disclose this information to a third party without your consent unless otherwise permitted to by law.

The College is required to collect information regarding whether you are or have been the subject of an Apprehended Violence Order or certain criminal offences under Child Protection laws. The College may also collect personal information about you in accordance with these laws.

The College may use online or 'cloud' service providers to store personal information and to provide services to the School 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. Further information about the College's use of online or 'cloud' service providers is contained in the College's Privacy Policy.

If you provide the College with the personal information of others, it is encouraged you 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.