

Privacy Policy & Procedure

Updated February 2015 as result of Child Protection Desk Audit conducted in November 2014

POLICY OWNER: Headmaster

PURPOSE:

The following document outlines the policy of St Peter's College on the use and management of personal information provided to or collected by the School. The School acts in accordance with the Australian Privacy Principles contained in Schedule 1 of the Privacy Act 1988 (Cth) ("Act"). The School may, from time to time, review and update this Privacy Policy to take account of new laws (including amendments to the Act) and technology, changes to the School's operations and practices, and to make sure it remains appropriate to the changing school environment.

SCOPE:

All staff (past and present), students, parents and old scholars of St Peter's College and members of the community in general are covered by this policy.

**RESPONSIBILITY
CONTACT DETAILS:**

AND

As required by the Act, the School has appointed a Privacy Officer who will oversee the implementation of this policy and be the point of contact for queries relating to the collection and handling of personal information.

The role of the Privacy Officer will be undertaken by the Director of Human Resources who can be contact by telephone on (08) 8404 0512 or in writing by mail – Director of Human Resources, St Peter's College, St Peters, SA 5069 or by email – acinnamond@stpeters.sa.edu.au

REFERENCES:

Privacy Act 1988 (Cth)

Summary of Australian Privacy Principles contained in Schedule 1 of the Act:

APP 1 – Open and transparent management of personal information

Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

APP 2 – Anonymity and pseudonymity

Requires APP entities to give individuals the option of identifying themselves, or of using a pseudonym.

APP 3 – Collection of solicited personal information

Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

APP 4 – Dealing with unsolicited personal information

Outlines how APP entities must deal with unsolicited personal information.

APP 5 – Notification of the collection of personal information

Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

APP 6 – Use or disclosure of personal information

Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

APP 7 – Direct marketing

An organisation may only use or disclose personal information for direct

marketing purposes if certain conditions are met.

APP 8 – Cross-border disclosure of personal information

Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

APP 9 – Adoption, use or disclosure of government related identifiers

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

APP 10 – Quality of personal information

An App entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11 – Security of personal information

An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12 – Access to personal information

Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

APP 13 – Correction of personal information

Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.

ALIGNMENT TO SCHOOL STRATEGIC PLAN:

Towards a Preferred Future – A Strategic Plan for St Peter's College 2011 – 2014 underpins this policy & procedure.

POLICY:

What is personal information?

Personal information is defined in the Act as being “*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.* “

Personal information includes, for example, names, addresses, telephone numbers, email addresses, dates of birth, passport numbers and photographs.

The Act also covers a subset of personal information known as sensitive information, and regulates how this can be collected and used. Sensitive information is defined in the Act to include the following, amongst other matters:

- information or an opinion about an individual's racial or ethnic origin, religious beliefs or affiliations, political opinions, sexual orientation or practices or criminal record;
- health information; and
- genetic information that is not otherwise health information.

What kind of personal information does the School collect and how does the School collect and store it?

The type of information the School collects and holds includes (but is not limited to) Personal Information, including Sensitive Information, about:

- students and parents and/or guardians ('parents') before, during and after the course of a student's enrolment at the School, including when students become old scholars,
- job applicants, staff members (past and present), volunteers and contractors, and
- other people who come into contact with the School, e.g. donors to the School or its associated bodies, including the Old Scholar's Association, and The St Peter's College Foundation Inc ("Foundation").

The School will generally collect personal information held about an individual by way of forms filled out by parents, students, job applicants, staff members, contractors and volunteers, face-to-face meetings and interviews, queries submitted to the School through its website or by email and telephone calls. On occasions people other than parents and students provide personal information about a student.

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

Personal information may be held in paper and electronic files. We take all reasonable steps to ensure that the information we collect is stored securely. The School is required by law to retain records for certain periods of time depending on the type of record, and will comply with its legal obligations. These records may contain personal information of individuals.

The Australian Privacy Principles require the School not to store personal information longer than necessary. Accordingly, the School will dispose of records in accordance with acceptance standards and legislative requirements. Personal information is disposed of in accordance with accepted destruction standards, legal requirements as applicable and normal administrative practice, via a secure service provider.

If a person does not wish the School to collect certain information about them, they will need to advise the School's Privacy Officer. Any consequences this may have will be discussed with the individual.

Exception in relation to employee records

Under the Act the Australian Privacy Principles do not apply to an employee record (defined to mean a record of personal information relating to the employment of the employee). As a result, the practices described in this Privacy Policy do not apply to the School's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the School and employee. It is possible for an employee to engage with the School in multiple capacities (e.g. as an employee as well as a parent of a student). The employee records exception will be applied by the School accordingly, and when it is not relevant, the requirements of this Privacy Principle will apply.

How will the School use the personal information collected?

The School will use personal information it collects for the primary purpose of that collection, and for such other secondary purposes that are normally or might reasonably be related to the primary purpose of collection, or to which the individual has consented. In general, the School will collect, hold, use and disclose personal information for the purposes of providing educational services, to provide pastoral support, to maintain safety and wellbeing of students and related ancillary activities, including fundraising.

By providing the School with personal information, individuals consent to the School using and disclosing that personal information for the following purposes:

- providing that person with news and information about our products and services;
- sending you marketing and promotional material that we believe you may be interested in, either from us, any of our related entities (including the Old Scholar's Association and Foundation) or a third party business which we consider may be of interest to you;
- personalising your experience with our activities, for example, via connectivity with social media services; and
- for job applicants and people tendering to provide goods or services to the School, assessing eligibility for employment by the Company, or engagement by the Company as a contractor.

Individuals may opt out of receiving marketing and promotional material from the School at any time by contacting the Privacy Officer.

Personal information collected from students and their parents will be used in the administration of a student's enrolment, academic progression through the School, graduation, the provision of services to students, parents and other school community members and for directly related purposes in ways that you would reasonably expect to occur at a school like the School. This includes disclosure of information to the Old Scholar's Association, and the Foundation, and by providing personal information to us, individuals consent to this.

The Old Scholar's Association uses the personal information of former students to inform them about Old Scholar activities and for fundraising. Old scholars may update or amend their personal details by contacting the Alumni Officer.

The St Peter's College Foundation Inc uses the personal information of parents and old scholars to provide them with marketing material and inform these parties of its fundraising activities, and seek their participation.

Who might the School disclose personal information to?

The School will from time to time disclose personal information it holds to the Old Scholar's Association, the Foundation, the Collegians' Association and/or the Friends of Saints to enable them to undertake their activities and keep in touch with the School community.

In addition to the Old Scholar's Association, the Foundation, the Collegians' Association and the Friends of Saints, the School may be required to disclose some personal information to Courts, or Tribunals, or to State or Commonwealth government agencies to comply with other laws, for example, provide statistics, and for mandatory reporting to government departments.

PRIVACY POLICY & PROCEDURE

Personal information may also be required to be disclosed as part of evidence in Court or Court proceedings, including if the School is subpoenaed.

The School may disclose personal information it holds in exceptional circumstances if it is considered imperative for reasons of health and safety.

The School may use personal information to contact parents regarding satisfaction surveys we conduct from time to time that help us to evaluate and improve our education services.

The School will seek consent from individuals prior to the use or disclosure of their personal information for purposes other than those described in this document.

Students and Parents

In relation to personal information of students and parents, the School's primary purpose of collection is to enable the School to provide schooling and educational services for the student. This includes satisfying both the needs of parents and the needs of the student throughout the whole period the student is enrolled at the School.

The purposes for which the School uses personal information of students and parents include:

- pre-enrolment matters;
- to keep parents informed about matters related to their child's schooling, through correspondence, newsletters, magazines, other publications and the website;
- day-to-day administration;
- looking after students' educational, social and medical well-being;
- organising functions and other School activities;
- seeking donations for the School;
- promotion and marketing of the School; and
- to satisfy the School's legal obligations and allow the School to discharge its duty of care.

In some cases where the School requests personal information about a student or parent and this is not supplied, the School may not be able to enrol or continue the enrolment of the student.

Job applicants, staff members and contractors

In relation to personal information of job applicants and contractors, the School'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 School uses personal information of, staff members and contractors include:

- in administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking funds for the School;
- promotion and marketing of the School; and
- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

When a person applies for a position, or on commencement of employment at the School, they are asked to supply information to the School to enable processing of the person's employment and to maintain ongoing employment

PRIVACY POLICY & PROCEDURE

related functions. Generally this information includes: Name, Address, Telephone Number/s, Fax Numbers, Email address/s, Date of Birth, Gender, Citizenship, Ethnic origin, Passport Details, Disabilities, Health details, Web Address, Previous Employment details, Qualifications, Salary details, Bank Account details and Tax File numbers.

At the time information is being collected, staff will be advised if there is a legal requirement to supply the information requested (for example, if it is required by immigration or tax law).

Human Resources collects personal information as part the School's contractual relationships with individuals to ensure payment for employment services rendered.

Personal information collected or held by Human Resources will be used for managing processes associated with the employment relationship with the School. Activities may include payroll, human resource management, superannuation, risk management (workers compensation insurance), recruitment and internal/external audits.

Personal information may also be used in statistical or aggregated forms for School planning, or for purposes required by Australian government bodies, for example, the Australian Taxation Office.

In general, the School will only disclose personal information to third parties if the staff member has authorised the third party (such as financial institutions or superannuation funds), to have access to personal information with the following exceptions:

- The School will disclose personal information when required to do so by law. This could be as a requirement to satisfy warrants, subpoenas, Court orders or Workers Compensation orders.
- The School may also disclose personal information to a third party if there are reasonable grounds to consider that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the staff member or another person.

The School will not sell, rent or trade staff members' personal information. Personal information is not released outside the School except in the circumstances described above.

No personal information about staff will be released to the media by Human Resources without the consent of the individual concerned and in consultation with the Communications & Marketing Department and in line with the School's Media Policy.

Volunteers

The School also obtains personal information about volunteers who assist the School in its functions or to conduct associated activities - such as the Friends of Saints - to enable the School and the volunteers to work together.

Marketing and Fundraising

The School treats marketing and seeking donations for the future growth and development of the School as an important part of ensuring that the School continues to be a quality learning environment in which both students and staff thrive. Personal information held by the School

PRIVACY POLICY & PROCEDURE

may be disclosed to an organisation that assists in the School's fundraising, for example, the St Peter's College Foundation, the Collegians' Association or the Friends of Saints.

Parents, staff, contractors and other members of the wider School community may from time to time receive fundraising information from the School or one of its associated organisations, including the Foundation. School publications, like newsletters, magazines and the website, which may contain personal information, may be used for marketing purposes.

How does the School treat sensitive information?

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

Management and security of personal information

The School's staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals. All staff members are bound by a Confidentiality Agreement as part of their employment obligations.

The School has in place steps to protect the personal information the School holds from misuse, loss, unauthorized access, modification or disclosure by use of various methods including locked storage of paper records and password protected access rights to computerised records.

Updating personal information

The School 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 contacting the School's main Reception or the Privacy Officer at any time.

Individuals have the right to check what personal information the School holds.

Under the Act, an individual has the right to obtain access to any personal information which the School holds about them and to advise the School of any (perceived) inaccuracy and require its correction. There are some exceptions to this right set out in the Act.

Students will generally have access to their personal information through their parents, but older students may seek access themselves.

To make a request to access any information the School holds about an individual (or that person's child, if a parent), that individual should please contact the Privacy Officer in writing.

The School may require the individual to verify their identity and specify what information is required. The School may charge a fee to cover the cost of verifying an application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the School will advise the likely cost in advance.

Consent and rights of access to the personal information of students

The School respects every parent's right to make decisions concerning their child's education.

Generally, the School will refer any requests for consent and notices in relation to the personal information of a student to the student's parent(s) or primary caregivers. The School will treat consent given by the parents as consent given on behalf of the student, and notice to parents will act as notice given to the student.

Parents may seek access to personal information held by the School about them or their child by contacting the Privacy 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 School's duty of care to the student.

The School may, at its discretion, on the request of a student permit a student access to information held by the School 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.

Cross-Border Disclosure

As at the date of this Privacy Policy, the School is not likely to disclose personal information to any overseas recipients. If in future it does propose to disclose personal information overseas, the School will do so in compliance with the requirements of the Act and will, where practicable, advise affected individuals of the countries in which any overseas recipients are likely to be located.

By providing personal information to us, individuals consent to us disclosing their personal information to any such overseas recipients for purposes necessary or useful in the course of operating our business, and agree that Australian Privacy Principle 8.1 will not apply to such disclosures. For the avoidance of doubt, in the event that an overseas recipient breaches the Australian Privacy Principles, that entity will not be bound by, and you will not be able seek redress under, the Act.

If individuals do not want the School to disclose your information to overseas recipients, please let us know.

Complaints

If a person has concerns or complaints regarding the handling of their personal information, these concerns or complaints can be raised, in writing, with the Privacy Officer.

Complaints will be dealt with in an efficient and fair manner.

Enquiries

Further information about the way the School manages the personal information it holds can be obtained by contacting the Privacy Officer.

COMMUNICATION:

POLICY HISTORY:

This Policy will be promulgated by the Headmaster and can be accessed via the School's website and its Information System – Keystone.

HISTORY	
Date Approved	Amendments made (summary of major changes)
July 2010	June 2013 (to bring in line with amendments to Privacy Act – March 2014)
Updates approved by SLT	February 2014 (to bring in line with amendments to Privacy Act – March 2014)
	April 2014 (to bring in line with amendments to Privacy Act – March 2014)
	June 2014 (to include that photographs are identified as personal information).
	February 2015 – updates made as per recommendations from Child Protection Desk Audit November 2014