

# Privacy Policy

Procedures for management of personal information provided or collected by Oxley College



## Purpose and Scope

In accordance with Commonwealth Privacy laws, the College is required to have a privacy policy that is available to all people associated with the College for whom records are maintained.

These privacy laws govern how the College can collect, use, hold and disclose personal information. The College is bound by the Australian Privacy Principles contained in the *Privacy Act 1988* (Cth). The information collected enables the College to provide its educational services and discharge its duty of care. Any notifiable data breaches must be reported by the College to the Office of the Australian Information Commissioner where required to do so under the *Privacy Act 1988* (Cth).

This Privacy Policy sets out how the College manages personal information provided to or collected by it in accordance with the Australian Privacy Principles. The policy applies to all staff, students, volunteers, contractors, visitors, or other persons associated with, or who come into contact with, the College.

The College will regularly 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.

## What Kind of Information is Collected and how is it Collected?

The College collects and holds includes personal information, including health and other sensitive information, about:

- students and parents and/or legal guardians ("parents") before, during and after the course of a student's enrolment at the College;
- job applicants, staff members, volunteers, and contractors; and
- other people who come into contact with the College.

The types of personal information the College collects and holds varies depending on the circumstances of the information collection. For students, the School collects information such as name, age, contact details, academic record, and history, and may collect sensitive information such as information about a student's health, racial or ethnic origin. For persons who deal with the School in some other capacity, such as a staff member, parent or guardian, former student, volunteer, contractor or visitor, the College may collect the relevant person's name, contact details, and any other information they choose to provide to the School, such as salary and payment information for staff members, or past employment details for job applicants.

The College may also collect personal information indirectly through its use of closed-circuit television cameras ("CCTV") that are installed around the College campus to assist the College in fulfilling its duty of care, particularly in assisting the College to provide a safe and secure environment for students, staff, and visitors. Except where required to assist with an ongoing investigation, or otherwise for the protection of lawful interests, CCTV footage is retained for a limited period before being deleted.

*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 may provide personal information.

Some laws governing or relating to schools also require certain information to be collected, including Public Health and Mandatory Notification laws.

Health information about students is 'sensitive' information within the terms of the *Privacy Act 1988* (Cth). The College may ask parents to provide medical reports and other sensitive information from time to time, which may, on occasion, be provided to staff to enable the College to discharge its duty of care.

*Personal Information provided by others:* 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.

If you provide the College with personal information about other people, such as doctors or an emergency contact, as required in the Enrolment Application, parents are encouraged to inform them that their information is being disclosed to the College, the reasons for the disclosure, that they can access the information from the College, and that the College does not usually disclose information to third parties.

*Exception in relation to employee records:* Under the *Privacy Act 1988* (Cth) and *Health Records and Information Privacy Act 2002* (NSW) ("Health Records Act"), the Australian Privacy Principles (and Health Privacy Principles) do not apply to an employee record. Consequently, 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.

### 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.

*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 students enrolled at the College, to exercise its duty of care, and to perform necessary associated administrative functions, which will enable students to take part in all College activities. This includes satisfying the needs of parents / guardians, the student and the College throughout the whole period the student is enrolled at the College.

Photographs of a student may be placed in the College's records, displayed from time to time around the College, including footage on the College's CCTV monitors, and published in College publications, including PinOak. For promotional and other marketing material including the College's website, the College's social media accounts, video footage and other mediums, specific consent will be obtained if the student's identity could be established within the design framework. No student image linked with the student's name will be included in any marketing or promotional material or vehicle without prior written consent.

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.

If the College requests personal information about a student or parent and the requested information is not provided, the College may not be able to enrol or continue the enrolment of the student, or to permit them to take part in a particular activity.

*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.

The purposes for which the College uses personal information of job applicants, staff members and contractors include:

- administering the individual's employment or contract;
- insurance purposes;
- seeking donations and marketing for the College; and
- satisfying 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 associations, to enable the College and the volunteers to work together.

*Marketing and fundraising:* The College treats marketing and the seeking of 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 alumni organisation (or, on occasions, external fundraising organisations).

Parents, staff, contractors, and other members of the 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.

### **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.

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

Under the *Privacy Act 1998 (Cth)* and the *Health Records 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 Head of 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, you will be provided with written notice explaining the reasons for refusal.

### **To Whom Might the College Disclose Personal Information to?**

The College may disclose personal information, including sensitive information, held about an individual for administrative, educational, and support purposes. Such information may be disclosed to:

- another school;
- government departments. Including for policy and funding purposes;
- medical and other health practitioners;
- people providing educational, support, and health services to the College, including specialist visiting teachers, counsellors, music, and sports coaches;
- providers of specialist advisory services and assistance to the School, including in the areas of staff services (human resources), child protection 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);
- people providing administrative and financial services to the School;
- recipients of College publications, such as newsletters and magazines;
- student or parents;
- 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 protection laws.

#### Sending and Storing 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. 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.

#### 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; or health, genetic, or 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.

## 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 Head of 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 so warranted.

## Enquiries and Complaints

If you would like further information about the way the College manages the personal information it collects and holds or believe that the College has breached the Australian Privacy Principles, please contact the Head of College or the Business Manager.

The College takes seriously all complaints raised. It will ensure that any complaint regarding privacy is fully investigated promptly, with the person raising the complaint being notified of the outcome of the investigation as soon as is practicable.

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**Reviewing Staff:** Em Cassin

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**Legal Review:** Russel Kennedy Lawyers

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**Approved by:** Board

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