

# PRIVACY POLICY

**Created Date:** 2014

**Updated Date:** 2017

**Next Review Date:** 2020



## Rationale

Protecting the personal and health information of staff and students is a serious moral, professional and legal responsibility that Navigator College recognises and accepts.

## Aim

The College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988. This privacy policy outlines how the College uses and manages personal information provided to or collected by it.

The College may, from time to time, review and update this Privacy Policy to take into account new laws and technology, changes to the College's operations and practices and to make sure it remains appropriate to the changing College environment.

## Implementation: What kind 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 sensitive information about;

- Students and parents and/or guardians before, during and after the course of a student's enrolment at the College
  - name, contact details (including next of kin), date of birth, previous school and religion;
  - medical information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors);
  - conduct and complaint records, or other behaviour notes, and College 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 College 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 (e.g. details of disability and/or allergies, and medical certificates);
  - complaint records and investigation reports;
  - leave details;
  - photos and videos at College events;
  - workplace surveillance information;
  - work emails and private emails (when using work email address) and Internet browsing history; and
  
- 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:**

Navigator 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 provide personal information.

**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 college/school.

**Exemption in relation to employee records:**

Under the Privacy Act the Australian 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.

**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.

**Pupils 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 students. This includes satisfying both the needs of parents, the needs of the student and the needs of the Lutheran School System, throughout the whole period the student is enrolled at the College.

The purpose for which the College and the Lutheran School System uses personal information of students and parents include:

- To keep Parents and or Guardians informed about matters related to their child's schooling, through correspondence, newsletters and magazines.
- On occasion information such as academic and sporting achievements, student's activities and other news is published in newsletters, magazines, class blogs and on our website.
- Day to day administration.
- Looking after students' educational, social, spiritual and medical wellbeing.
- Seeking donations and marketing for the College.
- To satisfy the Lutheran School Systems and the College's legal obligations and allow the College to discharge its duty of care.
- The College may include parents contact details in a class list or College Directory. If parents do not agree to this they must advise the College in writing.

In some cases where the College requests personal information about a student or parent, if the information requested is not obtained, the College may not be able to enroll or continue the enrolment of the student or permit the student to participate in a particular activity.

As part of Navigator College operations, photographs are regularly taken of the College and its community. Parents need to advise us (in writing) if they do not consent to incidental photographs being taken throughout the year for use in College publications, including newsletters, Community News, magazines, web pages, archival records and other promotional documents.

#### **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 purpose 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 funds and marketing for the College.

- To satisfy the Lutheran School System's and 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, to enable the College and the volunteers to work together.

#### **Marketing and Fundraising:**

The College treats marketing and fundraising for the future growth and development of the College as an important part of ensuring that the College continues to be a quality learning environment in which both students and staff thrive. Parents, staff, contractors and other members of the wider 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.

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

#### **Exception in relation to related schools:**

The privacy act allows each school, being legally related to each of the others schools conducted in the Lutheran School System to share personal (but not sensitive) information with other schools conducted by the Lutheran School System. Other Lutheran schools may then only use this personal information for the purpose for which it was originally collected by the Lutheran Schools System. This allows schools to transfer information between them, for example, when a pupil transfers from a Lutheran School to another school conducted by the Lutheran System.

#### **Who might the College disclose personal information to?**

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

- another school and teachers at those schools
- government departments
- the Lutheran Schools Association (of South Australia and Northern Territory Inc.)
- medical practitioners
- people providing services to the College, including specialist visiting teachers, counsellors, sports coaches and volunteers and 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

- Parents or guardians
- anyone you authorise the College to disclose information to
- anyone to whom we are required to disclose the information to by law, including child protection laws.

### **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.

The College may ask parents to provide medical reports about students from time to time. 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 Staff are required to respect the confidentiality of pupils' 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 Commonwealth Privacy Act, an individual has the right to obtain access to any personal information which the College or Lutheran Education System holds about them and to advise the College or Lutheran Education System 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.

All requests for information (other than brief, easy to retrieve information solely about the person making the request, or standard information requests from parents about their children or information requested by staff in the course of their work about students) will need to be referred to the Principal or their delegate, in writing. There are some exceptions to these rights set out in the applicable legislation. 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.

### **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. 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 of their personal information, independently of their parents. This would normally be done only when the maturity of the student/or the student's personal circumstances are warranted.

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.

#### **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 Australia 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. School 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.

#### **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 Principal by writing or telephone. 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.