



# Lake Joondalup Baptist College

## **Privacy Policy #: 96**

**Policy reviewed date: March 2022**

# Privacy Policy

## **Your privacy is important**

This Privacy Policy outlines the College's policy on how the College uses and manages any personal information it provides or collects.

The College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act as well as Western Australian State legislation on the use of health and medical records relating to students of the College.

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.

## **What kind of personal information does the College collect and how is it collected?**

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 ('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

## **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.

## **Exception 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 or others for the primary purpose (ie providing schooling) for which it is collected, and for such other secondary purposes that are related to the primary purpose of collection and would be reasonably expected, 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. This includes satisfying both the needs of parents and the needs of the student 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, school reports, publicity (eg article or photo in newspaper or a College website)
- day-to-day administration
- looking after the educational, social and medical wellbeing of students
- 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 obtained, the College may not be able to enroll or continue the enrolment of the student or allow an enrolled student to participate in particular activities.

## **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 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
- 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 the Parent Participation Program, P&F or volunteers involved in other activities, to enable the College and the volunteers to work together.

## **To whom might the College disclose personal information?**

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

- another school
- Government departments
- medical practitioners
- people providing services to the College, including specialist visiting teachers and sports coaches
- recipients of College publications, like newsletters and magazines
- parents/guardians
- anyone you authorise the School to disclose information to and
- any other person, agency or organisation to whom we are required to disclose the information to by law

## **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 student exchange program. 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

Wherever possible, 'cloud'-based services are used that are known to comply with Australian Privacy Principles.

Currently the College uses a Microsoft program for a cloud-based back-up storage facility for databases located in Sydney and Melbourne using a fully encrypted, password protected filing system.

## **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, sexual preferences or criminal record and health 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**

College staff are required to respect the confidentiality of personal information about students and parents and the privacy of individuals.

The College has in place steps to protect the personal information the College holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods, including access restrictions and locked storage of paper records. Information stored digitally is protected by strong passwords.

## **Updating 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 College at any time.

The Australian Privacy Principles require the College not to store personal information longer than necessary.

## **You have the right to check what personal information the College holds about you**

Under the Commonwealth Privacy Act, a student or parent/guardian 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. 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 College holds about you or your child, please contact the College Principal in writing. 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.

If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

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 charge the cost in advance.

## **Notifiable Data Breach**

In terms of the Privacy Amendment (Notifiable Data Breach) amendment Bill 2016, the College is required to notify the Office of the Australian Information Commissioner (OAIC) and the affected individual(s) of a notifiable data breach. An eligible data breach, which requires notification, occurs in circumstances where:

- there is unauthorised access to or unauthorised disclosure of information and a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any of the individuals to whom the information relates; or
- the information is lost in circumstances where unauthorised access to or unauthorised disclosure of the information is likely to occur and a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any of the individuals to whom the information relates;

For there to be an eligible data breach, the breach must have the likelihood of causing "serious harm". Serious harm includes serious physical, psychological, emotional, economic and financial harm, and includes serious harm to reputation.

If the College becomes aware of an eligible data breach it must:

- prepare a statement in accordance with the Act; and
- give a copy of the statement to the OAIC as soon as practicable after the school becomes aware of the eligible data breach.

## **Enquiries**

If you would like further information about the way the College manages the personal information that it holds, please contact the College Principal.

## **Legislation**

The *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Privacy Amendment Act)

The *Privacy Act 1988* (Privacy Act).

The *Privacy Regulation 2013*, made under the Privacy Act

The Privacy Amendment (Notifiable Data Breach) amendment Bill 2016

## **For further information**

<http://www.oaic.gov.au/privacy/privacy-act/privacy-law-reform>