

Purpose

Matthew Flinders Anglican College (the College) is bound by the Australian Privacy Principles (APPs) which are outlined in the *Privacy Act 1988* (Cth). This policy outlines how the College collects, uses, manages and discloses personal information.

Policy scope

This policy applies to Board members, employees, volunteers, Parents, Students and people visiting College property. This policy outlines how the College collects, uses and discloses relevant information. Please refer to our Privacy Notice for specific details regarding privacy in relation to Students and their Parents.

Under the *Privacy Act 1988* (Cth) the APPs do not apply to employee records. 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.

Definitions

Parent means the legal guardian of the child and / or a person who exercises parental authority. Parental authority is defined in the *Family Law Act 1975* (Cth) and means the duties, powers, responsibilities which, by law, parents have in relation to their children.

Student means all current, prospective and past students.

POLICY CONTENT

Purpose of Collection

The College collects personal information so it can exercise its functions and activities and so it can fulfill its relevant duties and obligations. The College collects and holds personal information, sensitive information and health information about Students and Parents.

This information is generally regarding:

- Students and 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 College requires personal information to look after Student wellbeing and to satisfy legal obligations. Where a request for personal information is not complied with, the College may not be able to enroll or continue the enrolment of the Student.

Personal Information

Personal Information is information or an opinion, whether true or not, and whether recorded in material form or not, about an identified individual or an individual whose identity is reasonably apparent, or can be determined, from the relevant information or opinion.

Collection

The College collects personal information about an individual by way of forms filled out by College personnel, Parents, Students, fact-to-face meetings and interviews and telephone calls. Other individuals may also provide personal information in their dealings with the College.

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 organisation.

Collection of personal information from a third party will only be undertaken where it is reasonably necessary to fulfill and pursue a legitimate function of the College. Any personal information that is unsolicited will be dealt with in accordance with the APPs and *Privacy Act 1988* (Cth).

Disclosure

The College will use and disclose personal information it collects from individuals for:

- the primary purpose of collection;
- for such other secondary purposes that are related to the primary purpose of collection;
- where it is reasonably expected; or
- where the Parents have consented.

The College may disclose personal 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;
- debt collection agencies; or
- anyone the individual authorises the College to disclose information to.

Sensitive Information

Sensitive information is a type of personal information.

'Sensitive Information' includes information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preference or practice, or criminal record. Sensitive information also includes biometric information that is used for the purpose of automated biometric verification, biometric identification or biometric templates.

Collection

Sensitive information will be collected by the College where it is reasonably necessary for one or more of the College's functions or activities. It will only be collected with consent, unless one of the exceptions under the APPs applies.

Disclosure

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

Health Information

Health information is a subset of sensitive information.

'Health Information' is information or an opinion about the health or disability of an individual and information collected to provide, or in providing a health service.

'Health Service' includes an activity performed to assess, record, maintain or improve an individual's health, to diagnose an illness or disability, to treat an individual, or the dispensing on prescription of a drug or medicinal preparation by a pharmacist.

Collection

The College will collect health information where a 'permitted health situation' exists. Health information will be collected with consent, unless one of the exceptions under the APPs applies.

Disclosure

Health information will be used and disclosed only for the purpose for which it was provided or a directly related purpose, unless you agree otherwise; or if the use or disclosure of the sensitive information is allowed by law.

All collection, use and disclosure of personal information will adhere to the APPs and Privacy Act 1988.

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 the College continues to be a quality learning environment in which both Students and staff thrive. Non-sensitive information held by the College may be disclosed to an organisation that assists in fundraising, for example, the College's Horizon or the Old Flindersians Association (Alumni organisation.) Please note that if you wish you are able to opt out of direct marketing.

Parents, staff, contractors and other members of the wider College community may from time to time receive fundraising information. College publications including, but not limited to, newsletters, magazines, the Prospectus and the College websites and social media sites, which include personal information, may be used for marketing purposes.

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. The College will take all steps reasonable in the circumstances to ensure that the overseas recipient complies with the APPs.

The College will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (or in some cases this consent will be implied); and
- complying with the APPs.

Access to 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 Principal of the College at any time.

The APPs require the College to not store personal information longer than necessary.

Under the *Privacy Act 1988* (Cth), 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. 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 information the College holds the Principal can be contacted in writing.

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

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, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerised records.

Parental Rights

The College respects every Parent's right to make decisions concerning their child's education. Generally, the College will refer any request 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.

Parents may seek access to personal information held by the College about them or their child by contacting the 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.

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 (for example, if the Student was over 16 years of age and living independently).

Job Applicants, Staff Members and Contractors

Personal information of job applicants, staff members and contractors may be collected for the College's primary purpose of assessment of suitability for employment

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

- in administering the individual's employment or contract;
- for insurance purposes;
- in seeking funds 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 who conduct associated activities, such as serving in alumni associations that enable the College and volunteers to effectively work together. The College may also collect information in relation to child protection legislation and working with children checks in order to satisfy legal obligations.

Making a Complaint

If you believe that the College has breached the APPs and you would like to make a complaint please contact the College.

All complaints should be in writing and directed to the Principal. The College will investigate complaints in a timely manner and respond in writing.

General

A copy of this policy and the Privacy Notice is accessible on the College's website www.mfac.edu.au. If information is required about the way the College manages the personal information it holds, the College can be contacted through the Principal.

Legislation

Privacy Act 1988 (Cth)

Privacy Amendment Act 2004

Child Protection Act 1999 (Qld)

Information Privacy Act 2009 (Qld)

Contact: Registrar's Officer, Human Resources Manager

Developed: December 2001

Last reviewed: February 2014

Next review due: February 2016

Authorised by: Principal

* This policy will be reviewed on this date unless required earlier to incorporate changes to the risk profile of the College or relevant legislation.