

Privacy Policy and Privacy Notice

PURPOSE

This *Privacy Policy* sets out how Matthew Flinders Anglican College (the College) uses and manages personal information provided to or collected by it, and contact details in the event of any privacy concerns. The College is bound by the *Australian Privacy Principles* (APPs) which are outlined in the *Privacy Act 1988 (Cth)* (Privacy Act). This policy outlines how the College collects, uses, holds and discloses personal information.

SCOPE

This policy applies to the Board of Directors, Committee 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 the enclosed '*Privacy Notice*' for specific details regarding privacy in relation to students and their parents.

Exception in relation to employee records: Under the *Privacy Act*, the APPs do not apply to an employee record held by the employing entity. 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 the employee.

RESPONSIBLE PERSON

Director of Business and Operations

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.

LEGISLATION

Privacy Act 1988 (Cth)

Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)

Child Protection Act 1999 (Qld)

Information Privacy Act 2009 (Qld)

1. What is Personal Information?

Personal information is any information or an opinion about an identified individual or an individual who can be reasonably identified from the information or opinion. Information, or an opinion, may be personal information regardless of whether it is true.

2. What kinds of personal information does the College Collect?

The College will collect different types of personal information from you, depending on how you interact with the College. The type of information the College collects and holds includes (but is not limited to) personal information, sensitive information and health information about:

- Students and parents and/or guardians 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.

Sensitive information is a type of personal information including information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious belief or affiliation, philosophical belief, membership of a professional or trade association, membership of a trade union, sexual preference or practice, criminal record, health information and biometric information about an individual.

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

Personal information you provide

The College will generally collect personal information about an individual by way of forms filled out by College personnel, parents and/or guardians, students, face-to-face meetings and interviews, telephone calls, CCTV security cameras and ID scanning. Other individuals may also provide personal information in their dealings with the College. The College undertakes ID scanning for the purposes of pre-employment screening and to satisfy the requirements of the *Working with Children (Risk Management and Screening) Act 2000*.

CCTV security video surveillance is undertaken in accordance with the College's Security Video Surveillance Policy, in conjunction with this Privacy Policy.

Personal information collected from third parties

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 the *Privacy Act 1988 (Cth)*.

3. How will the College use the personal information you provide?

The College will use personal information (including sensitive 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.

In relation to personal information of parents and students, the College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying the needs of parents, the needs of the student and the needs of the College throughout the whole period the student is enrolled and 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;
- day-to-day administration;
- looking after student's educational, social and medical wellbeing;
- seeking donations;
- conducting marketing and promotional activities;
- to satisfy the College's legal obligations and allow the College to discharge its duty of care; and
- recovering any outstanding fees owed to 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.

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 collects, uses, holds and discloses 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.

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 Matthew Flinders Foundation Limited or the Old Flinderian's Association (Alumni organisation). There is an opportunity 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 aggregated personal information, may be used for marketing purposes.

4. Who might the College disclose personal information to?

The College may use your personal information to send you fundraising information and College publications (such as newsletters and magazines, websites and social media platforms). You can contact us at any time (see details below) if you no longer wish to receive marketing or fundraising materials from us.

There are a range of people and organisations to whom the College may disclose personal information. The particular party the College discloses personal information to will depend on the dealings the individual has with us.

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;
- anyone you authorise the College to disclose information to;
- third parties such as debt collection agencies for the purposes of recovering any outstanding fees owed to the College;
- Blue Card Services;
- service providers who provide us with business, technology, marketing, operational, professional and other services; and
- Anglican Schools Commission; and
- anyone 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 to facilitate a school exchange. 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 Australian without:

- obtaining the consent of the individual (or in some cases this consent will be implied);
- complying with the *National Privacy Principles*.

5. How do we store and hold 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 mostly holds personal information electronically in its IT systems, secure servers and databases, but we also hold personal information in paper records. The College has in place steps to protect the personal information that 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.

All scanned identification documents are digitally stored within the College's TASS system. The TASS System Administrator is responsible for the identification of employees who are able to access this information and the provision of secured password access. The digital record is maintained whilst the employee, or volunteer, is currently engaged with the College. Once the engagement is terminated, by either party, the record is archived.

6. Access to and correction of personal information

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. The College endeavours to ensure that the personal information it holds is accurate, complete and up to date.

An employee may seek to update their personal information held by the College by contacting the Human Resources Office. The College may require an individual to verify their identity and specify what information they require. The College cannot give you information about anyone else. 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.

We will allow access or make the changes requested unless we consider the *Privacy Act* or another relevant law requires us to withhold the information, or not make the changes. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal. If we refuse you access or to correct your personal information, you can make a complaint about this, by following the complaint procedures in this *Privacy Policy* (see details below).

7. 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 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 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.

8. 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 APPs, please contact the Principal. The College will investigate any complaint and will notify the complainant of the making of a decision as soon as is practicable after it has been made.

If you remain unsatisfied with the way in which we have handled a privacy issue, you may approach an independent advisor or contact the Office of the Australian Information Commissioner for guidance on alternative courses of action which may be available.

9. Using other websites

The College's website may contain links or references to other websites to which this *Privacy Policy* may not apply. You should review the *Privacy Policy* of each of those websites and assess whether those policies are acceptable to you before using those websites.

10. Changes to this Policy

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 College environment.

Privacy Notice

1. Matthew Flinders Anglican College (the College) collects personal information, including sensitive information and health information about students and parents or guardians before and during the course of a student's enrolment at the College. The primary purpose of collecting this information is to allow the College to exercise its functions and activities and ultimately enables the College to provide schooling for your child.
2. The information the College collects is to satisfy our legal obligations, particularly to enable the College to discharge its duty of care.
3. Certain Public Health and Child Protection laws governing or relating to the operation of schools require that certain information is collected and, in some circumstances, disclosed.
4. '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.
5. '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 and is a subset of sensitive information within the terms of the *Australian Privacy Principles (APPs)* and under the *Privacy Act 1988 (Cth)*. The College may ask you to provide medical reports about students from time to time.
6. If the College does not obtain the information referred to above, we may not be able to enroll or continue the enrolment of your son/daughter.
7. The College from time to time discloses personal and sensitive information to others for administrative and educational purposes, in order to facilitate the transfer of a student. This includes to other schools, government departments, the Anglican Schools Commission, medical practitioners, and people providing services to the College, including specialist visiting teachers, coaches and volunteers.
8. Personal information collected from you may also be disclosed by the College to debt collection agencies for the purpose of recovering outstanding tuition fees; however, this action would not be taken unless amounts owed to the College were considerably overdue.
9. The College takes reasonable steps to protect personal, sensitive and health information held from misuse, loss, unauthorised access or unauthorised disclosure. If you have concern that an APP has been breached or would like to make a complaint, please follow the procedure in the College's *Privacy Policy*.
10. Personal information collected from students is regularly disclosed to their parents or guardians.
11. The College's *Privacy Policy* sets out how parents or students may seek access to personal information collected about them. However, there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the College's duty of care to the student or where students have provided information in confidence.
12. On occasion, information (text and/or photographs) such as academic and sporting achievements, name and year level, student activities and other news will be used by the College for the purpose of creating marketing material to market the College externally. This marketing material could take the form of (including but not limited to) the College Prospectus, newsletters, and magazines, DVDs and may be published on both of the College's websites www.mfac.edu.au, and/or the College's social media sites. The College may also disclose marketing material to third parties (e.g. media outlets) for the purpose of marketing the College to the general public. The College will obtain separate permission from the students' parent or guardian prior to publication.
13. The College from time-to-time engages in fundraising activities. Information received from you may be used to make an appeal to you. It may also be disclosed to organisations that assist in the College's fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.
14. We may include students and students' parents' contact details in a class list and College directory.

Approved By: Principal
Date Approved: April 2020

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Next Review Due: November 2022

This policy may be updated or revised from time-to-time. The current version is available on the myFlinders portal.

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15. If you provide the College with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the College. Please tell them the reason why you are disclosing their information, what it will be used for and that they may access the information if they wish by contacting the College. Please also inform them that while the College does not usually disclose the information to third parties, this may be necessary and let them know the types of organisations to which the College would disclose their information (e.g. hospitals or health care facilities).