

# Living Waters Lutheran College

## PRIVACY POLICY

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### Your privacy is important

This statement outlines the policy on how the College uses and manages personal Information provided to or collected by it.

The College is bound by the National Privacy Principles contained in the Commonwealth Privacy Act, The *Privacy Amendment Enhancing Privacy Protection) Act 2012*, and the Privacy Amendment (Notifiable Data Breaches) Act 2017, so as to also regulate the way private sector organisations, including non-government schools and systems, handle 'personal information' of individuals.

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

### What kind of personal information does the School collect and how does the School collect it?

The type of information the College collects and holds includes (but is not limited to) personal information, including sensitive information, about:

- Pupils and parents and /or guardians ("**Parents**") before, during and after the course of a pupil'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 pupils, face to face meetings and interviews, and telephone calls. On occasions people other than Parents and pupils 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:** As a result, this Privacy Police does not apply to the School'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, or to which you have consented.

**Pupils and Parents:** In relation to personal information of pupils and Parents, the School's primary purpose of collection is to enable the College to provide schooling for the pupil. This includes satisfying both the needs of Parents and the needs of the pupil throughout the whole period the pupil is enrolled at the College.

The purposes for which the College uses personal information of pupils 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 pupil's educational, social and medical well-being;
- Seeking donations and marketing for the College;
- To satisfy the College's legal obligation and allow the College to discharge its duty of care.

In some cases where the College requests personal information about a pupil or Parent, if the information requested is not obtained, the College may not be able to enroll or continue the enrolment of the pupil.

**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;
- Seeing funds and marketing for the College;
- 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 (alumni associations), to enable the College and the volunteers to work together.

**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 that the College continues to be a quality-learning environment in which both pupils and staff thrive. Personal information held by the College may be disclosed to an organisation that assists in the College's fundraising, for example, the College's Foundation or alumni organisation.

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

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

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

- other schools and teachers at those schools;
- government departments (including for policy and funding purposes);
- medical practitioners;
- people providing educational, support and health services to the School, including specialist visiting teachers, [sports] coaches, volunteers, and counsellors;
- providers of learning and assessment tools;

- assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA), School Curriculum and Standards Authority (SCSA) 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 School publications, such as newsletters and magazines;
- pupils' parents or guardians;
- anyone you authorise the School to disclose information to; and
- anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

***Sending information overseas:*** 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 National Privacy Principles.

The School may use online or 'cloud' service providers to store personal information and to provide services to the School 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.

### **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, that is also personal information; 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**

The College's 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, loss, unauthorized access, modification or disclosure by use of various methods including locked storage of paper records and pass worded access rights to computerized records.

### **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 Registrar at any time.

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

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

Under the Commonwealth Privacy Act, an individual has the right to obtain access to any personal information that 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. Pupils will generally have access to their personal information through their Parents, but older pupils 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.

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.

## **Consent and rights of access to the personal information of pupils**

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 pupil to the pupil's Parents. The College will treat consent given by parents as consent given on behalf of the pupil, and notice to Parents will act as notice given to the pupil.

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 pupil.

The College may, at its discretion, on the request of a pupil grant that pupil access to information held by the College about them, or allow a pupil 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 pupil and/or the pupil's personal circumstances so warranted.

## **Enquiries**

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

<b>Privacy Policy</b>		
<b>Version</b>	<b>Action</b>	<b>Date</b>
V1	<i>Ratified by College Board</i>	<i>Unknown</i>
V2	<i>Minor changes by Principal</i>	<i>19 Feb 18</i>
	<i>Review</i>	<i>19 Feb 21</i>