

1. Introduction

Loreto College acknowledges the amount of personal and sensitive information it collects and stores for the primary purpose of providing quality educational services to its students. All information collected by the College is treated as confidential and is stored in secure locations.

2. Scope

This policy applies to Board members, Employers, Employees, Volunteers, Parents/Guardians, Students, contractors and people visiting the College. It describes the type of information the College collects, how the information is handled, how and to whom the information is disclosed, and how the information may be accessed.

3. Related Legislation, Documentation & Policies

- Commonwealth Privacy Act 1988
- Privacy Amendment (Enhancing Privacy Protection) Act 2012
- Privacy Amendment (Notifiable Data Breaches) Act 2017
- Australian Privacy Principles
- Data breach preparation and response — A guide to managing data breaches in accordance with the Privacy Act 1988 (OAIC)
- Enrolment Application Forms
- Admission/Enrolment Contract
- Child Policies & Procedures
- Disabilities Policy
- Complaint Resolution Policy & Procedures

4. Definitions

Breach: Unauthorised access and disclosure of personal information of individuals. This includes circumstances where there has been a possible unauthorised access or disclosure which compromises personal data.

Eligible data: Personal information of a confidential / sensitive nature which could result in significant harm / damage or risk to those affected by a breach. Examples of eligible data breaches include:

- Disclosures of Medical numbers or Financial Accounts;
- Disclosure of mental illness, disability, or home addresses of “protected people”.

The consequences of eligible data breaches can include:

- Threat to emotional wellbeing;
- Damage to reputation;
- Defamation.

Employee: Individual employed by the College, including applicants and prospective employees.

Employee Record: A record as defined in the Act. (Employment Records are exempt from Privacy protection.)

Health Information: A subset of sensitive information. It is information or an opinion about the health or disability of an individual and information collected to provide, or in providing a health service.

Mandatory Notification: The College must notify the Australian Information Commissioner when an eligible breach has occurred.

Personal information: 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.

Sensitive information: A type of personal information. It 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.

Response Team: Delegated staff whose role is to respond to alleged or known breaches of personal information held by the College.

Response Plan: The Plan used by the Response Team following an actual or suspected breach of data.

5. Procedures

Loreto Coorparoo is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988. From time to time, the College may review and update this 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 college environment.

5.1. Types of personal information the College collects and how it collects it

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

- pupils and parents and/or guardians ('Parents') before, during and after the course of a pupil's enrolment at the School, including:
 - name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
 - parents' education, occupation and language background;
 - 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 school 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, including:
 - 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 School 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 School, including name and contact details and any other information necessary for the particular contact with the School.

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, emails 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

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.

5.2. How the College uses the personal information provided

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.

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 education to students enrolled at the college, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all the activities of the College. 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 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 education, through correspondence, newsletters and magazines;
- day-to-day administration of the College;
- looking after students educational, social and medical wellbeing;
- seeking donations and marketing for the College; and
- 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 provided, the College may not be able to enrol or continue the enrolment of the Student or permit them to take part in a particular activity.

On occasions, information such as academic and sporting achievements, student activities or similar news is published in then College newsletters and magazines and on our website. This may include photographs and videos of student activities such as sporting events, college camps and excursions. The College will obtain permissions annually from the student's parent / guardian if we include such photographs or videos (or other identifying material) in our promotional material or otherwise make this material available to the public via social media and other internet sites.

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:

- administering the individual's employment or contract, as the case may be;
- for Insurance purposes;
- seeking donations and marketing for the College; and
- satisfying 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 provide a quality learning environment in which both students and staff thrive. Personal information held by the College may be disclosed to organisations that assist in the College's fundraising, for example, the Past Pupils Association, Community groups and the Parents and Friends Association.

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.

5.3. Disclosure of personal information

The College may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes. This may include 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, coaches, volunteers, and counsellors;
- providers of learning and assessment tools;
- assessment and educational authorities, including:
 - the Australian Curriculum
 - ACARA – Australian Curriculum, Assessment and Reporting Authority
 - NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN)
 - QCAA – Queensland Curriculum and Assessment Authority
 - QTAC – Queensland Tertiary Admissions Centre
 - QCEC - Queensland Catholic Education Commission
- people providing administrative and financial services to the College;
- recipients of College publications, such as newsletters and magazines;
- Parents/guardians of a student;
- Anyone authorised by the College to disclose information to; and
- anyone to whom the College is required or authorised to disclose the information to by law, including child protection laws.

Sending and storing information overseas

The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a student 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);
- otherwise complying with the Australian 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 Microsoft Office 365. Microsoft provides the 'Microsoft Office 365 Suite for Education, and stores and processes limited personal information for this purpose. Loreto Coorparoo, its personnel 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 Microsoft Office 365 and ensuring its proper use.

5.4. Treatment of 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.

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.

5.5. Management and security of personal information

College 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, 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.

5.6. Data Breaches

It will be deemed that an 'eligible data breach' has occurred if:

- there has been unauthorised access to, or unauthorised disclosure of, personal information about one or more individuals (the affected individuals)
- a reasonable person would conclude there is a likelihood of serious harm to any affected individuals as a result
- the information is lost in circumstances where:
 - unauthorised access to, or unauthorised disclosure of, the information is likely to occur
 - assuming unauthorised access to, or unauthorised disclosure of, the information was to occur, a reasonable person would conclude that it would be likely to result in serious harm to the affected individuals.

Serious harm may include serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation.

If the College suspects that an eligible data breach has occurred, it will carry out a reasonable and expedient assessment/investigation within 30 days.

If such an assessment/investigation indicates there are reasonable grounds to believe an eligible data breach has occurred, then the College will be required to lodge a statement to the Privacy Commissioner (Commissioner). Where practical to do so, the College will also notify the affected individuals. If it is not practicable to notify the affected individuals, the College will publish a copy of the statement on its website, or publicise it in another manner.

An exception to the requirement to notify will exist if there is a data breach and immediate remedial action is taken, and as a result of that action:

- there is no authorised access to, or unauthorised disclosure of, the information
- there is no serious harm to affected individuals, and as a result of the remedial action, a reasonable person would conclude the breach is not likely to result in serious harm.

5.7. Access and correction of personal information

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

Under the Commonwealth Privacy Act, an individual has the right to seek and 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 past pupils may seek access and correction themselves.

A person may seek to access or update their personal information by contacting the College at any time. To make a request to access or update any personal information that the College holds about you or your child, please contact the Principal in writing. Parents may update some personal information relevant to themselves or their child through the secure parent portal, Parent Lounge.

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.

5.8. 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 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 by telephone or in writing. However, there may 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 warrant it.

6. Enquiries and complaints

If you would like further information about the way the College manages the personal information it holds, or wish to make a complaint that you believe the College has breached the Australian Privacy Principles please contact the Principal. 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.