



## INTRODUCTION

Mary Ward strove to educate in and for society not apart from it. Without being simplistic or defensive she would encourage us to be open and yet discerning of the various movements of our time.

*Loreto Schools of Australia Mission Statement 2010*

## RATIONALE

The purpose of this Privacy Policy is to:

- Identify the implications of the Ten National Privacy Principles contained in *The Privacy Amendment (Private Sector) Act 2000*, upon present and future collection, use, storage, updating, disclosure and disposal of personal information;
- Ensure correspondence, newsletters, magazines and fundraising/marketing strategies comply with the ten National Privacy Principles (NPP); and
- Facilitate administration.

## GUIDING DOCUMENTS INCLUDE

- *Anti-discrimination Act 1991 (Qld)*;
- *Privacy Act 2000*;
- *Privacy Amendment (Private Sector) Act 2000*;
- *Commission for Children and Young People & Child Guardian Act 2000*;
- *Discrimination Law Amendment Act 2002*;

The 10 National Privacy Principles and their implications are briefly summarised:

**Collection** – The collection of personal information must be relevant to one or more of the organisation’s primary functions or activities. The way it is collected must be lawful and fair. If possible, information should be collected directly from the individual to whom it relates.

**Use and Disclosure** - There are restrictions on the way in which an organisation may use or disclose personal information where that use or disclosure is for a purpose other than the primary purpose for which it was collected.

**Data Quality** – relates to the quality of the data held by an organisation. The organisation must take reasonable steps to ensure data is accurate, complete and up to date.

**Data Security** – requires an organisation to take reasonable steps to ensure that the personal information it holds is secure, and to destroy and de-identify personal information which is no longer required.

**Openness** – requires an organisation to be open about what personal information it holds and to

communicate its policy on the management of personal information.

**Access and Correction** – permits access to and correction of personal information held by an organisation, by the individual to whom the personal information relates.

**Identifiers** – prohibits the use of identifiers assigned by a Commonwealth agency such as Medicare and tax file numbers.

**Anonymity** – states that individuals must have the option of not identifying themselves when entering into transactions with organisations, if it is lawful and practicable to remain anonymous.

**Trans border Data Flows** – regulates the transfer of personal information held by an organisation in Australia about an individual, to someone in a foreign country.

**Sensitive Information** – limits the ability of an organisation to collect sensitive information.

## **POLICY STATEMENT**

Privacy is important. Each person working in the Loreto College Coorparoo community must comply with this Privacy Policy and its adoption of the ten National Privacy Principles which were established by the *Privacy Amendment (Private Sector) The Act 2000* relating to the collection, use, disclosure, security, access and disposal of personal information by private sector organisations.

Prior to any personal information being obtained the individual must be advised what information is needed, the reason or purpose for which it is being collected, to whom the information will be disclosed and the consequences which will flow from non-disclosure.

Personal information sought by the College, Parents & Friends', Past Pupils' Association and College committees will be collected and handled in a manner consistent with the primary purpose as stated with the request for information.

## **DEFINITIONS**

**A Record** is a document, data base or photograph containing personal information.

## **PERSONAL INFORMATION THAT WILL BE COLLECTED BY THE COLLEGE**

- For **students** this includes name, address, phone number, date of birth, next of kin details, emergency contact numbers, names of doctors, school reports, assessments, referrals (e.g. government welfare agencies/departments), and correspondence with parents, photos, current/previous school, health fund details and Medicare number.
- For **parents** this includes name, address, email address, phone number, date of birth, occupation, education, marital status, parenting order, doctor's name and contact information, Medicare number, other children's details. For parents who are past pupils, graduation year, further education, professional experience and personal news may be asked for if appropriate.

## **SENSITIVE INFORMATION**

Sensitive information is personal information relating to an individual detailing:

- Racial or ethnic origin;
- Political opinions;
- Membership of a political association;
- Philosophical beliefs;
- Membership of a professional trade association;
- Membership of a trade union;
- Sexual preference or practices.

Collection of sensitive information which is named as exempt is permitted.

**Exempt sensitive information** is personal information relating to an individual detailing:

- Racial or ethnic origin;
- Religious beliefs or affiliations;
- Health information about an individual.

The College will collect exempt sensitive information.

For **students** this includes Religion, language spoken at home, whether Indigenous, nationality, country of birth, Parish, Certificates of Baptism, Confirmation, Eucharist and Reconciliation and copies of school reports, medical background, immunisation records, medical records, medical treatments, accident reports, absentee notes, medical certificates, nutrition and dietary requirements, assessment results for vision, hearing and speech, reports of physical disabilities, medical, psychological, psychiatric and psychometric information, diagnosis of disorder, assessment for speech, hearing, sight, in fact any difficulties, knowledge of which would increase College's ability to understand and give Pastoral Care.

For **parents** this includes Religion, country of birth, nationality, family configuration, any Parenting order and level of academic study.

## **MARKETING AND FUNDRAISING**

Personal information held by the College may be disclosed to an organisation that assists in the College's fundraising provided that parents assent to this.

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.

## **SCOPE**

This Policy is relevant to all committees, parents, students, staff, past pupils, contractors, job applicants and volunteers associated with Loreto College Coorparoo Community.

## **IMPLEMENTATION**

**Each Person working within the College community** will be expected to comply with the Policy, support the principles of privacy and the need for confidentiality.

The **College Principal** has delegated responsibility for:

- dissemination of the Policy to the College community;
- overseeing the monitoring for compliance;
- reviewing of the Policy;
- applying the Policy to all appointments and enrolments;
- handling requests for access to information in accordance with Privacy Principles and this Policy;
- handling complaints in relation to a breach of this Policy and/or Privacy Principles.

## **PRIMARY PURPOSE OF COLLECTION OF INFORMATION**

In relation to personal information of students and parents, the primary purpose of collection is for the function and activities of the educational services at Loreto College Coorparoo. This includes satisfying both the needs of parents and the needs of the students throughout the whole period of involvement with the College.

For job applicants, volunteers and contractors the primary purpose of collection is for selection of personnel who can fulfil their professional duties within the College ethos, insurance purposes, and to satisfy other legal obligations, for example, in relation to child protection legislation.

## **TYPE OF INFORMATION COLLECTED BY THE COLLEGE**

The type of information collected and held includes, but is not limited to, personal information, sensitive information and health information about:

- Staff;
- Students and parents and/or guardians before, during and after the course of enrolment at the school;
- Job applicants, volunteers and contractors.

## **METHOD OF COLLECTION**

A Privacy Notice must be provided to the person (prospective employees, volunteers, contractors or parents) at the time of collection. This notice must address the following:

- Identity of the College;

- Access arrangements;
- Purpose of collection;
- Usual recipient of information;
- Any legal requirements; and
- Consequence of failure to provide requested information.

Personal information will generally be collected by way of forms filled out by applicants/parents/students. Other methods of collecting may include face-to-face meetings, interviews and telephone calls.

In some circumstances personal information about an individual may be provided from a third party, for example a report provided by a medical professional or referee.

### **USING INFORMATION**

Personal information must only be used and disclosed for the primary purpose for which it was collected, e.g. information disclosed on a student enrolment form must only be used for the purpose of assisting in educating and caring for that student within the context of the ethos of the College.

### **DISCLOSURE OF PERSONAL INFORMATION**

An individual's consent will be obtained before disclosing personal information, including for fundraising and marketing purposes.

With this permission the College may disclose Personal Information held about an individual to:

- Another school;
- Government departments;
- Medical practitioners;
- People providing services, including specialist visiting teachers and sports coaches;
- Recipients of Loreto College Coorparoo publications, e.g. newsletters;
- Parents; and
- Anyone authorised (by the person to whom the information relates) to receive information.

Nothing in this policy restricts the proper compliance by the College with a summons, subpoena, search warrant or other legal process requiring the production of documents or disclosure of information.

The College's commitment to the safety and well-being of each person working and involved in the College may require the disclosure of personal information (for example where child protection legislation, student health needs require its disclosure).

### **SENDING INFORMATION OVERSEAS**

No personal information about an individual will be sent outside Australia without first obtaining the consent of the individual and ascertaining that the country to which the information is to be sent has laws similar to the National Privacy Principles.

### **TREATMENT OF SENSITIVE INFORMATION**

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

### **MANAGEMENT AND SECURITY OF PERSONAL INFORMATION**

The employer and staff are required to respect the confidentiality and privacy of students, participants, parents, contractors and volunteers.

The College will have in place procedures to protect the personal information held from misuse, loss, unauthorised access, modification or disclosure.

### **UPDATING PERSONAL INFORMATION**

Procedures must be in place to ensure that the personal information held is accurate, complete and up-to-date. A person may seek to update his/her personal information held by the College.

The National Privacy Principles, as adopted by the College, require personal information to be stored only as long as necessary.

### **PERSONAL ACCESS TO PERSONAL INFORMATION**

Under the Act, an individual has the right to obtain access to any personal information held about him/her and to advise the organisation of any perceived inaccuracy.

There are some exceptions to this right set out in the Act. Children will generally have access to their personal information through their parents.

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 duty of care. Reasons will be provided for the refusal of access.

### **STUDENT/PARTICIPANTS ACCESS TO PERSONAL INFORMATION**

The College may at its discretion, on the request of a student, grant that person access to information held about them, or allow that person to give or withhold consent to the use of their personal information, independently of their parents. This would normally be done only when the student/participant involved had reached 18 years of age, but could be done in other circumstances

when the maturity of that person and/or personal circumstances so warranted.

### **RESPONDING TO REQUESTS FOR ACCESS**

Applicants wishing to access any of their personal information should make the initial request in writing to the Principal's secretary. Applicants will need to verify identification and specify what information is required.

### **COMMUNICATION OF POLICY**

Privacy notices will be included with all requests for information. (Appendices A, B, C and D are examples of such statements)

### **POLICY BREACH**

A person who considers that any action breaches this Privacy Policy or the National Privacy Principles can make a complaint. The complaint needs to be in writing and needs to set out in detail the reasons for the complaint. Complaints are to be made to the Principal.

If a person is not satisfied with the response to the complaint, he/she can contact the Commonwealth Privacy Commissioner's hotline on 1300 363 992.

### **APPENDIX A**

On the Application for Enrolment it is stated:

"Information is being collected for the primary purpose of creating a waiting list of applicants. The use of this information will be governed by the *Privacy Amendment (Private Sector) Act 2000* and the *Loreto College Coorparoo Privacy Policy*."

### **APPENDIX B**

On the forms for yearly collection of personal and sensitive information while the student is enrolled at the College it is stated:

"This information is being collected for the primary purpose of providing appropriate educational instruction, safety procedures and pastoral care for your daughter. The use of this information will be governed by the *Privacy Amendment (Private Sector) Act 2000* and the *Loreto College Coorparoo Privacy Policy*."

Questions are asked:

- Do you authorise the College to provide information to the Parents and Friends' for functions and fundraising?  
YES NO (please circle)

- Do you authorise the College to provide personal information to an outside organisation for marketing or fundraising?

YES NO (please circle)

#### **APPENDIX C**

In replying to applicants for advertised positions we include the following:

“Your application includes personal information and in accordance with the *Privacy Amendment (Private Sector) Act 2000*, the following employment collection notice applies:

- The personal information you have provided in your curriculum vitae is information collected by Loreto College Coorparoo for the purpose of assessing your application to work at the College.
- You agree that the information will be stored for a period up to two years.
- You may seek access to personal information that the College holds about you if you are unsuccessful for the position. There will be occasions when access is denied. Such occasions will include situations where access will have an unreasonable impact on the privacy of others.
- If you have provided us with the personal information of others, you are encouraged to inform them that you have disclosed information to the College and the reason for such disclosure. You are also encouraged to inform them that they may have access to their information and that the College does not usually disclose the information to third parties. They should also be informed that their information will be stored for a period of up to two years.”

#### **APPENDIX D**

In replying to unsolicited applications for a position at the College we include the following:

“You have provided us with personal information and in accordance with the *Privacy Amendment (Private Sector) Act 2000*, the following employment collection notice applies:

- The personal information you have provided in your resume is information collected by Loreto College Coorparoo for the purpose of assessing your application to work at the College.
- Your information will be stored for a period up to two months and will not be disclosed to a third party without your consent.
- If you have provided us with the personal information of others, you are encouraged to inform them that you have disclosed information to the College and the reason for such disclosure. You are also encouraged to inform them that they may have access to their information and that the College does not usually disclose the information to third parties. They should also be informed that their information will be stored for a period of up to two months.”