

PRIVACY POLICY

1. Purpose

The following policy aims to ensure that Damascus College collects, uses, stores, accesses and discloses personal information for legitimate purposes relevant to the goals of the College.

2. Review

Review of this policy will take place during an internal audit or as a result of new laws and technology, changes to the Colleges operations and practices and to make sure it remains appropriate to the changing College environment.

3. Responsibilities

The Principal and Leadership team are responsible for the implementation of this policy.

4. Scope

This policy applies to Damascus College being bound by the Australian Privacy Principles (APPs) contained in the Commonwealth Privacy Act 1988. In relation to health records, the College is also bound by the Health Records Act 2001 (Vic) and the Health Privacy Principles in that act.

5. Definitions

Personal information is defined as including (but not limited to) any information held about an individual recorded in any form.

Personal information - Personal information means information Damascus College holds about an individual from which identity is either apparent or can be reasonably determined. Examples include names, addresses, telephone numbers, dates of birth and criminal record. This includes personal information shared verbally with staff.

Health information - Any information or opinion about the health or disability of an individual, an individual's expressed wishes about the future provision of health services to him or her or a health service provided, or to be provided to an individual. Examples include health records, certificates, details of medical background, health assessment results.

Australian Privacy Principles (APPs) - Principles established under the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth) that set out minimum standards on how organisations deal with the collection, use and disclosure, transfer, handling and storage of personal information.

Identifier - A number assigned to an individual to identify uniquely that individual for the purposes of an organisation's work, e.g. a Medicare number. Unique identifiers are used to facilitate data matching. As data matching can reduce privacy, under the APPs organisations are prohibited from adopting government or authority identifiers as their own identifiers.



6. Procedures

6.1 Collection and storage of personal information.

The College collects and holds personal information, including health and other sensitive information about:

- Students and parents and/or guardians (parents) before, during and after the course of a student's enrolment at the College
 - Name, contact details (including next of kin), DOB, gender, language background, previous College and religion.
 - Parents education, occupation and language background
 - Medical information (e.g. details of disability and/or allergies, and details of any assistance the student receives in relation to those disabilities, medical reports, names of doctors)
 - Conduct of complaints record, or other behavioral notes, College attendance and College reports.
 - Information about referrals to government welfare agencies
 - Counselling reports
 - Health fund details and Medicare number
 - Any court orders
 - Volunteering information (including Working With Children Checks)
 - Photos and videos at College events
- Job applicants, staff members, volunteers and contractors;
 - 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 College events
 - Workplace surveillance information
 - Work emails and private emails (when using work email address) and internet browsing history

Any other individuals who come into contact with the College, including name, contact details and any other information necessary for the particular 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 students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than Parents and students (such as job applicants and contractors) provide personal information to the College

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 College. The type of information the College may collect from another College may include:

- Academic records and/or achievement levels



- Information that may be relevant to assisting the new College meet the needs of the student including any adjustments

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. The College handles staff health records in accordance with the Health Privacy Principles in the *Health Records Act 2001 (Vic.)*.

Anonymity: The College needs to be able to identify individuals with whom it interacts and to collect identifiable information about them to facilitate the delivery of schooling to its students and its educational and support services, conduct the job application process and fulfil other obligations and processes. However, in some limited circumstances some activities and interactions with the College may be done anonymously where practicable, which may include making an inquiry, complaint or providing feedback.

6.2 Use and disclosure of personal information

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 Collegeing to students enrolled at the College (including educational and support services for the student), 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 Schooling, through correspondence, newsletters and magazines
- Day-to-day administration of the College
- Looking after students' educational, social and medical wellbeing
- To satisfy the College's legal obligations and allow the College to discharge its duty of care
- To satisfy the College service providers' legal obligations, including the Catholic Education Commission of Victoria Ltd (CECV) and the Catholic Education Offices.

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 the student to take part in a particular activity.



Job applicants and contractors: In relation to personal information of job applicants and contractors, the College's primary purpose of collection is to assess and (if successful) to engage the applicant, or contractor, as the case may be.

The purposes for which the College uses personal information of job applicants 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
- 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 Sustainable Racing Team and rowing program. This enables the College and the volunteers to work together, to confirm their suitability and to manage their visits.

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 and sometimes people's images, may be used for marketing purposes.

Who might the College disclose personal information to and store your information with?

The College may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes. This may include to:

- College service providers which provide educational, support and health services to the College, (either at the College or off campus) including the Catholic Education Commission of Victoria Ltd (CECV), Catholic Education Offices, specialist visiting teachers, volunteers, counsellors, sports coaches and providers of learning and assessment tools
- Third party service providers that provide online educational and assessment support services, document and data management services, or applications to Colleges and College systems including the Integrated Catholic Online Network (ICON), Microsoft Office 365 suite, including email and, where necessary, to support the training of selected staff in the use of these services
- CECV and Catholic Education offices to discharge its responsibilities under the *Australian Education Regulation 2013* (Regulation) and the *Australian Education Act 2013* (Cth) (AE Act) relating to students with a disability.
- Other third parties which the College uses to support or enhance the educational or pastoral care services for its students or to facilitate communications with parents
- Another College including its teachers to facilitate the transfer of a student
- Federal and State government departments and agencies
- Health service providers



- Recipients of College publications, such as newsletters and magazines
- Student's parents or guardians and their emergency contacts
- Assessment and educational authorities including the Australian Curriculum, Assessment and Reporting Authority
- Anyone you authorise the College to disclose information to
- Anyone who we are required or authorised to disclose the information to by law, including child protection laws.

6.3 Data Collection

Nationally Consistent Collection of Data on College Students with Disability

The College is required by the Federal *Australian Education Regulation (2013)* and *Australian Education Act 2013 (Cth)* (AE Act) to collect and disclose certain information under the *Nationally Consistent Collection of Data (NCCD)* on students with a disability. The College provides the required information at an individual student level to the Catholic Education Offices and the CECV, as an approved authority. Approved authorities must comply with reporting, record keeping and data quality assurance obligations under the NCCD. Student information provided to the federal government for the purpose of the NCCD does not explicitly identify any student.

Background information- Nationally defined background characteristic information is to be collected for all Australia students participating in national testing, including those enrolled in Victorian government and non-government Colleges. This information is to be combined with student outcome data for the various national tests, aggregated and used for national reporting purposes. More information on the purpose of national reporting and 'national goals for Colleageing in the 21st century' can be found at <http://www.education.vic.gov.au> This information is protected by the privacy act of 1988 and will not be used for any other purpose.

6.4 Access and correction of personal information

Access by the individual to information about them

Under the relevant privacy legislation, an individual may seek access to information held about him or her and parents may seek access to information held by the College about their child. Damascus College may require verification of identity and details of the information required.

Generally, Damascus College will refer any requests 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

There will be occasions when access is denied. Such occasions would include where the release of 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 a student.

Damascus College may, at its discretion, on the request of a student, grant that student



access to information held by the College about him/her, or allow a pupil to give or withhold consent to the use of his/her personal information, independently of his/her parents. This would normally be done only when the maturity of the student and or/the student's personal circumstances so warranted.

Access by another organisation or individual to information held by Damascus College

Damascus College may disclose information, including sensitive information, held about an individual to;

- Anyone that the College gives permission to disclose information to;
- Another College;
- Catholic Education Office or Diocesan office;
- Government departments;
- Health practitioners;
- Professionals providing a service to the College; and
- Recipients of Damascus College publications.

Damascus College will not send personal information about an individual outside Australia without;

- obtaining the consent of the individual (may be implied); or
- otherwise complying with the relevant legislation.

Damascus College endeavours to ensure that the personal information it holds is accurate, complete and up to date. A person may seek to update the information held by the College about them by contacting the Damascus College at any time.

6.5 Notifiable Data Breach Scheme

Changes to the Privacy Act 1988 (Cth) make it compulsory for Colleges and other organisations to notify specific types of data breaches to individuals affected by the breach, and to the Office of the Australian Information Commissioner (OAIC). A data breach occurs when personal information is lost or subject to unauthorised access, modification, disclosure, or other misuse or interference.

Where a data breach has occurred that is likely to result in serious harm to any of the individuals to whom the information relates, it is considered 'eligible' and must be reported to the OAIC. Serious harm could include serious physical, physiological, emotional, economic and financial harm, as well as reputation.

The College follows procedures according to the Damascus College Data Breach Response Plan. This requires that any breaches are reported to the Principal and a risk assessment is conducted. If a serious breach is identified, then the Principal will make a statement in line with OIAC requirements.

Notification to the OAIC is only required if the consequences of a data breach are likely to cause serious harm. Examples of data breaches that may likely to cause series harm and include;



- Loss or theft of a laptop or other device containing the personal information of students or staff;
- Hacking of a database containing personal information; and
- Mistaken provision of personal information to the wrong person.

6.6 Responding to enquiries and complaints

For information on Damascus College management of personal information, requests by an individual to access personal information, or complaints in relation to the collection or use of personal information or access to personal information held by Damascus College please contact:

The Principal

Damascus College
1412 Geelong Road
Mount Clear Victoria 3350
Email: principal@damascus.vic.edu.au

7. Associated Documents

The following legislation as amended from time to time forms the legislative context of this policy.

Commonwealth Copyright Act 1968
Commonwealth Privacy Act 1988
Privacy Amendment (Private Sector) Act 2000
Victorian Public Records Act 1973
Victorian Freedom of Information Act 1982
Victorian Information Privacy Act 2000
Victorian Health Records Act 2001
Charter of Human Rights and Responsibilities Act 2006
Privacy Amendment (Enhancing Privacy Protection) Act 2012
Guidelines from CECV
Records management and archives policy
Damascus College Data Breach Response Plan.

8. Records

Records of College staff and students to be maintained for the nominated period as per the records management and archives policy.