



## WILLIAM CLARKE COLLEGE

### Executive Policy

#### PRIVACY

<b>Policy</b>	<b>William Clarke College commits to having robust practices so that all personal, sensitive and health information that is collected from parents, students and staff remains private. Such information will only be divulged to persons or organisations in compliance with relevant legislation.</b>
<b>Purpose</b>	The purpose of the policy is to assist the College in complying with the requirements of the relevant Privacy legislation.
<b>Relevant Compliance Legislation or Linked Document</b>	<p><b>Relevant Legislation</b>            Privacy Act 1988            The Australian Privacy Principles            Health Records and Information Privacy Act 2002            Health Privacy Principles            The Privacy Amendment (Enhancing Privacy Protection Act) 2012</p> <p><b>Forms and Related Policies</b>            Privacy Policy - Standard Collection Notice            Privacy Policy – Alumni Collection Notice            Privacy Policy – Employment Application Collection Notice            Privacy Policy – Volunteer &amp; Contractor Collection Notice            Privacy: Summary of College Obligations            Privacy Policy – Website            Employment application form            Application for enrolment form            Conditions of Enrolment</p> <p><b>Source Information</b>            ISCA Privacy Compliance Manual; August 2017 (via AISNSW)</p>
<b>Scope</b>	<p>The College is bound by the Commonwealth <i>Privacy Act 1988</i> and by the <i>Australian Privacy Principles</i> contained in that Act. The Policy details how we protect privacy and how we comply with the requirements of the Privacy Act and the 13 Australian Privacy Principles.</p> <p>In relation to Health records, the College is also bound by the <i>Health Privacy Principles</i> contained in the <i>Health Records and Information Privacy Act 2002 (NSW)</i>.</p> <p>The College’s position in relation to photos and videos of students is covered in the Standard Collection Notice, Student photo permission guidelines and the Conditions of Enrolment.</p> <p><b>What kinds of personal information does the College collect and how is it collected?</b></p> <p>The type of information William Clarke College collects and holds includes (but is not limited to) personal information, including sensitive information about:</p> <ul style="list-style-type: none"> <li>- Students and parents and/or guardians before, during and after the course of a student's enrolment at the College, including but not limited to:               <ul style="list-style-type: none"> <li>o Name, contact details, next of kin, date of birth, gender, language background, previous school and religion;</li> <li>o Parents’ education, occupation and language background;</li> </ul> </li> </ul>



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	<ul style="list-style-type: none"><li>○ Medical information, including details of disability, allergies, absence notes, medical reports, names of doctors, health fund details and Medicare number;</li><li>○ Conduct and complaint records, or behaviour notes and school reports;</li><li>○ Information about referrals to or from government welfare agencies;</li><li>○ Counselling reports;</li><li>○ In the case of applicants for financial scholarship or bursary, financial information of the parents or guardians including information about the current employment, health and family circumstances;</li><li>○ Any court orders;</li><li>○ Volunteering information; and</li><li>○ Photos and videos at College events.</li></ul> <ul style="list-style-type: none"><li>- job applicants, staff members, volunteers and contractors:<ul style="list-style-type: none"><li>○ Name, contact details, next of kin, date of birth and religion;</li><li>○ Information on job applications, including interests, qualifications and experience and previous employment;</li><li>○ Professional development history;</li><li>○ Working With Children Check;</li><li>○ Salary and payment information, including superannuation and taxation details;</li><li>○ Medical information, including disability, allergies, medical certificates, medication, name of doctors;</li><li>○ Complaint records and investigation reports;</li><li>○ Leave details;</li><li>○ Photos and videos at College events;</li><li>○ Workplace surveillance information, including data on security and access systems; and</li><li>○ Work emails and private emails (when using the work email address) and internet browsing history (when using College internet services).</li></ul></li><li>- other people who come into contact with the College:<ul style="list-style-type: none"><li>○ name and contact details and any other information necessary for the particular contact with the School;</li><li>○ Where applicable Working With Children Certificates and relevant information.</li></ul></li></ul> <p><b>Exception in relation to employee records:</b> An act done, or practice engaged in, by the College that is or was an employer of an individual is exempt from the scope of the Privacy Act if the act or practice is directly related to:</p> <ul style="list-style-type: none"><li>- A current or former employment relationship between the employer and the individual; and</li><li>- An employee record held by the organisation relating to the individual.</li></ul> <p>An 'employee record' is defined broadly to be a record of personal information relating to the employment of an employee. Examples of this type of information include the terms and conditions of employment, personal contact details, performance and conduct, disciplining, salary, termination and trade union membership.</p>
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<b>Definitions</b>	<p><b>Collects:</b> the acquisition of personal information for inclusion in a record or generally available publication.</p> <p><b>Consent:</b> means express consent of implied consent.</p> <p><b>Employee record:</b> a record of personal information relating to the employment of the employee.</p> <p><b>Generally available publication:</b> a magazine, book, article, newspaper or other publication that is, or will be, generally available to members of the public whether or not it is published in print, electronically or in any other form and whether or not it is available on the payment of a fee.</p> <p><b>Health information:</b> information or opinion about the health or a disability of an individual or an individual's expressed wishes about the future provision of health services to him or her or a health service provided to an individual that is also personal information.</p> <p><b>Personal information:</b> information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.</p> <p><b>Record:</b> includes a document or an electronic record but does not include a generally available publication or anything kept in a library, art gallery or museum for the purposes of reference, study or exhibition.</p> <p><b>Sensitive information:</b> information or an opinion about an individual's:</p> <ul style="list-style-type: none"> <li>- racial or ethnic origin;</li> <li>- political opinions;</li> <li>- membership of organisations;</li> <li>- religious beliefs or affiliations;</li> <li>- philosophical beliefs;</li> <li>- sexual orientation or practices;</li> <li>- criminal record</li> <li>- health or biometric information.</li> </ul>
<b>Procedures</b>	<p><b>COLLECTION OF PERSONAL INFORMATION:</b></p> <p><b>Personal information provided by students and parents:</b> The College will generally collect personal information about an individual in both written and electronic format, that are completed by parents and students, obtained during face-to-face meetings and interviews, or received via emails and telephone calls.</p> <p><b>Personal information provided by job applicants, staff and contractors:</b> The College will generally collect personal information by way of, but not limited to, job application forms, resumes, contract documents for the appointment of staff, payroll records, human resource records and medical records both at the time of appointment and post appointment.</p> <p><b>Personal information provided by other people:</b> The College may be provided with personal information about an individual from a third party, such as, but not limited to, a medical practitioner or a reference from another school.</p>



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##### USE OF PERSONAL INFORMATION PROVIDED:

##### How will the College use personal information?

William Clarke College will use personal information it collects for the primary purpose of the collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which purposes the provider has consented.

**Students and Parents:** In relation to the personal information of students and parents, the College's primary purpose of collection is to enable the College to provide schooling to the 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 period the student is enrolled at the College.

The purposes for which William Clarke College uses personal information of students and parents include:

- a. to keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines in both written and electronic forms;
- b. day-to-day administration of the College;
- c. looking after students' educational, social and medical wellbeing;
- d. seeking donations and marketing for the College; and
- e. to satisfy 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 obtained, the College may not be able to permit the student to take part in a particular activity.

**Job applicants, staff members and contractors:** In relation to personal information of job applicants, staff members and contractors, William Clarke 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

- a. administering the individual's employment or contract, as the case may be;
- b. for insurance purposes;
- c. seeking donations and marketing opportunities for the College; and
- d. to satisfy legal obligations, for example, in relation to child protection legislation or NESA accreditation.

**Volunteers:** William Clarke College also obtains personal information about volunteers who assist in its functions or conduct associated activities, such as Reading and Mathematics groups, events or camps, to enable the College and the volunteers to work together and to protect the safety of the College community.

**Marketing and Fundraising:** William Clarke College treats marketing and seeking donations for the future growth and development of the College as an important part of ensuring that it continues to provide a quality learning environment in which both students and staff thrive. Personal information held by William Clarke College may be disclosed to an organisation that assists the College in fundraising, for example, the

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	<p>College's Foundation or Alumni association.</p> <p>Parents, staff, contractors and other members of the wider College community may from time to time receive fundraising information. College publications, such as College magazines, which include personal information, may be used for marketing purposes.</p> <p><b>Google Analytics &amp; 3rd Party Advertising Privacy Statement</b> The College website uses Google Analytics to help analyse how users interact with the site.</p> <p>The tool uses "cookies," which are text files placed on your computer, to collect standard Internet log information and visitor behaviour information in an anonymous form.</p> <p>The information generated by the cookie about your use of the website (including your IP address) is transmitted to Google. This information is then used to evaluate visitors' use of this website and to compile statistical reports on website activity.</p> <p>We will never and will not give permission to any third party, use the statistical analytics tool to track or to collect any Personally Identifiable Information of visitors to our site. According to Google, they will not associate your IP address with any other data held by Google. We will not link an IP address with the identity of a computer user.</p> <p>You may refuse the use of cookies by selecting the appropriate settings on your browser, however, please note that if you do this you may not be able to use the full functionality of this website.</p> <p>By using the College website, you consent to the processing of data about you by Google in the manner and for the purposes set out above. <a href="https://policies.google.com/technologies/partner-sites">https://policies.google.com/technologies/partner-sites</a></p> <p>We also use 3rd party advertising partners Facebook, Instagram &amp; Twitter. <a href="https://www.facebook.com/privacy/explanation">https://www.facebook.com/privacy/explanation</a> These partners use cookies to personalise and refine targeting for advertising purposes. We do not share any personally identifiable data with these 3rd party partners.</p> <p><b>DISCLOSURE OF PERSONAL INFORMATION:</b> <b>Who might William Clarke College disclose personal information to?</b></p> <p>William Clarke College may disclose personal information, including sensitive information, held about an individual to:</p> <ol style="list-style-type: none"> <li>a. another College, school or educational institution and teachers at these organisations as permitted by legislation;</li> <li>b. government departments, (including for policy and funding purposes);</li> <li>c. medical practitioners;</li> <li>d. people providing educational, support and health services to the College, including specialist visiting teachers and sports coaches;</li> <li>e. provider of learning and assessment tools;</li> <li>f. assessment and educational authorities, including the Australian Curriculum Assessment and Reporting Authority (ACARA), NAPLAN Test Administration Authority and the NSW Education Standards Authority (NESA);</li> <li>g. people providing administrative and financial services to the College;</li> </ol>
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- h. recipients of College publications, such as newsletters and magazines;
- i. parents or guardians;
- j. anyone a parent, student or staff member authorises the College to disclose information to; and
- k. Anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

**Sending information overseas:** William Clarke College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange or for the purpose of obtaining visas for overseas students. However, William Clarke 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, or to authenticate users that access services.

The College uses [centralised] information management and storage systems provided by third party service providers. Personal information is stored with and accessible by the third-party service providers for the purpose of providing services to the College in connection with the Systems.

#### **TREATMENT OF PERSONAL INFORMATION:**

##### **How does William Clarke College treat 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 agreed otherwise, or the use or disclosure of the sensitive information is allowed by law.

##### **Management and security of personal information.**

William Clarke College's 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 it holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and pass worded access rights to computerised records.

##### **Access and correction of personal information.**

Under the Commonwealth Privacy Act and the Health Records 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 students with demonstrated maturity and understanding may seek access and correction themselves.

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	<p>There are some exceptions to these rights set out in the applicable legislation.</p> <p>To make a request to access or to update any personal information the College holds about a parent or their child, please contact the Headmaster by telephone or in writing. The College may require individuals to verify their identity and specify the information required. The College may charge a fee to cover the cost of verifying applications and locating, retrieving and copying any material requested. If the information sought is extensive, the College will advise the likely cost in advance. If access to that information cannot be provided, the College will give appropriate written notice.</p> <p><b>Consent and rights of access to the personal information of students.</b> William Clarke College respects every parent's right to make decisions concerning their child's education.</p> <p>Generally, William Clarke 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.</p> <p>Parents may seek access to personal information held by William Clarke College about them or their child by contacting the Headmaster. 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.</p> <p>William Clarke College may, at its discretion, on the request of a student, grant that student access to information held 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 warrant.</p> <p><b>Enquiries and complaints.</b> If a parent, student or staff member would like further information about the way the College manages the personal information it holds then they should contact the Headmaster.</p> <p>If a person wishes to make a complaint about the way the College handles personal information, then that person should refer to the College's Complaints Handling process via the Connect portal or the College website.</p>	
<b>Delegation &amp; Responsibilities</b>	<b>Responsibilities:</b>	
	As per procedures	
	Period of Delegation	Indefinite
	Accountability	As listed above
	Review	The College may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes in the College operations and practices and to make sure it remains appropriate to the changing College environment.



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	Publication	<p>This statement is intended to be made available to students, parents, prospective parents, job applicants, staff, volunteers and others including past students, contractors, visitors and others that come in contact with the College.</p> <p>As appropriate, publication of the Policy or relevant extracts will occur on the Website, Connect Parent Portal, Connect Student Portal and the Connect Staff Portal.</p>
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#### DOCUMENT STATUS

Document Approver	Executive
Document Author	Business Manager
Version	4
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Date for Review	See College Policy Register

#### PREVIOUS VERSION HISTORY

Version 1	February 2015
Version 2	November 2017
Version 3	26 March 2019