



PRIVACY POLICY

Title	Carmichael College Privacy Policy
Category	College Operational
Policy Owner	Executive Committee
Approver	Board of Directors
Related Documents	<ul style="list-style-type: none"> ● <i>Privacy Act 1988 (Cth)</i> ● <i>Privacy Amendment (Enhancing Privacy Protection) Act 2012</i> ● Carmichael College Child Protection Policy ● Carmichael College Disability Discrimination Policy ● Carmichael College Complaints Handling Policy - Parents & Students ● Carmichael College IT Policy and Procedures ● Carmichael College Data Breach Policy
Published Location	<p><u>Internal</u> - Dropbox > Carmichael College> Policies > Current > College Operational</p> <p><u>External</u> - Carmichael College Website</p>

Revision Record					
Version	Approval Date	Approved By	Effective Date	Review Cycle	Next Review
January 2017	January 2017	Principal	January 2017	Annual	2018
February 2023	February 2023	Board of Directors	February 2023	Annual	February 2024

1. Purpose and Scope

- 1.1 Carmichael College is bound by the Australian Privacy Principles contained in the *Privacy Act 1988 (Cth)*. This statement outlines the privacy policy of the school and describes how the school uses and manages personal information provided to or collected by it.
- 1.2 The policy applies to board members, employees, volunteers, parents/guardians and students, contractors, and people visiting the school site; and describes the type of information the school collects, how the information is handled, how and to whom the information is disclosed, and how the information may be accessed.

2. Exemption in Relation to Employee Records

- 2.1 Under the *Privacy Act 1998 (Cth)* ("Privacy Act"), the Australian Privacy Principles do not apply to an employee record held by the employing entity. As a result, this Privacy Policy 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 School and employee.

3. Introduction

- 3.1 A Privacy Policy is needed to inform individuals about the practices of the School in relation to personal information. It also serves as a guide to the School's staff as to the standards to be applied in respect of handling personal information and ensure consistency in the School's approach to privacy.
- 3.2 'Personal information' within the meaning of the Privacy Act includes information or an opinion about an identified individual (or an individual who is reasonably identifiable). Personal information may also be classified as sensitive information or health information, as defined by the Privacy Act.
- 3.3 Sensitive information includes 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.
- 3.4 The School may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the School's operations and practices and to make sure it remains appropriate to the changing school environment.

4. What Kinds of Personal Information Does the School Collect and How Does the School Collect It?

- 4.1 The type of information the School 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 College.
 - job applicants, staff members, volunteers and contractors, and
 - other people who come into contact with the College.
- 4.2 **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.

4.3 **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 transfer note from another College.

4.4 Collection of Sensitive Information – We only collect sensitive information if it is:

- reasonably necessary for the College’s functions and activities.
- reasonably necessary for the College’s functions and activities, with the individual’s consent.
- necessary to lessen or prevent a serious threat to health and safety.
- another permitted general situation, or
- another permitted health situation.

5. How Does the College Use Personal Information?

5.1 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.

6. Pupils and Parents

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

6.2 The College’s primary uses of personal information of pupils and parents for the purpose of providing schooling to the pupil includes:

- 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 pupils' educational, social, spiritual and medical wellbeing.
- marketing, promotional and fundraising activities, and
- to satisfy the College's legal obligations and allow the College to discharge its duty of care.

6.3 In some cases where the College requests personal information about a pupil or parent, if the information requested is not provided, the College may not be able to enrol or continue the enrolment of the pupil or permit the pupil to take part in a particular activity.

7. Job Applicants, Staff Members and Contractors

7.1 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.

7.2 Uses of personal information of job applicants, staff members and contractors for that primary purpose will include:

- administering the individual's employment or contract, as the case may be.
- for insurance purposes.

- marketing, promotional and fundraising activities, and
- satisfying the College's legal obligations, for example, in relation to work health and safety and child protection legislation.

7.3 Personal information including sensitive information of staff members and contractors will be disclosed to Carmichael College Ltd (as the legal entity which employs staff at Carmichael College) for the purposes described above.

8. Volunteers

8.1 The College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities to enable the College and the volunteers to work together.

9. Marketing and Fundraising

9.1 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 pupils and staff thrive.

Personal information (but not sensitive or health information) held by the College may be disclosed to organisations that assist in the College's fundraising, for example, the College's Building Fund or, on occasions, external fundraising organisations.

9.2 You may request that the College does not disclose your personal information for marketing and fundraising purposes by contacting admin@carmichael.qld.edu.au

9.3 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. A student photo or media item may be used for marketing. Please let the College know if you do not wish this to occur.

10. Who Might the College Disclose Personal Information To?

10.1 The College may disclose personal information about an individual, including sensitive information, for purposes directly related to the primary purpose for collection, or for a secondary purpose where you have provided consent or would otherwise reasonably expect the personal information to be disclosed in that manner.

10.2 Information may be disclosed to:

- Another College (upon receipt of a transfer note or otherwise by consent).
- Carmichael Early Learning Centre and Carmichael Outside School Hours Care.
- Creekside Community Church.
- Interseed Ltd.
- Government departments.
- Medical practitioners.
- People providing services to the College, including specialist visiting teachers, counsellors and sports coaches.
- Recipients of College publications, such as newsletters and magazines.
- Parents.

- Anyone you authorise the College to disclose information to, and
- Anyone to whom we are required to disclose the information to by law.

10.3 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.

11. Sending Information Overseas

11.1 The College may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers which are situated outside Australia or to facilitate a College exchange. This may include trusted sites such as 'Edmodo', 'Google Docs' and 'Dropbox'.

11.2 Otherwise, 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
- satisfying ourselves that the overseas recipient is compliant with the Australian Privacy Principles, or a similar privacy regime.

12. Management and Security of Personal Information

12.1 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, 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. It is College policy to maintain complete student files indefinitely.

12.2 On 22 February 2018 new 'data breach' privacy laws came into effect. Under these laws action must be taken if there has been an 'eligible data breach'.

13. Access and Correction of Personal Information

13.1 Under the Privacy Act, an individual has the right to obtain access to any personal information which the College holds about them and to advise the College of any perceived inaccuracy.

13.2 Pupils will generally be able to access and update their personal information through their parents, but older pupils may seek access and correction themselves. The College will consider any such requests from students on a case-by-case basis, considering the student's age and maturity, and the nature of the information in question.

13.3 There are some exceptions to these rights set out in the applicable legislation.

13.4 To make a request to access or update any personal information the College holds about you or your child, please contact the 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.

If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

14. Consent and Rights of Access to the Personal Information of Pupils

- 14.1 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.
- 14.2 As mentioned above, parents may seek access to personal information held by the College about them or their child by contacting the 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.
- 14.3 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.

15. Enquiries and Complaints

- 15.1 If you would like further information about the way the College manages the personal information it holds or wish to complain that you believe that 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.

Appendix 1 - Summary of Key Changes

Version	Key Changes
February 2023	Revised by Corney & Lind. Whole document reviewed, but specifically updated to include inter-entity information sharing details (Section 10)

Appendix 2 - Standard Collection Notice

1. The College collects personal information, including sensitive information about pupils and parents or guardians before and during a pupil's enrolment at the College. This may be in writing or during conversations. The primary purpose of collecting this information is to enable the College to provide schooling to the pupil and to enable them to take part in all the activities of the College.
2. Some of the information we collect is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care.
3. Laws governing or relating to the operation of a College require certain information to be collected and disclosed. These include relevant Education Acts, and Public Health and Child Protection laws.
4. Health information about pupils is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. We may ask you to provide medical reports about pupils from time to time.
5. The College from time to time discloses personal and sensitive information to others for administrative and educational purposes, including to facilitate the transfer of a pupil to another College. This includes to other Colleges, government departments, medical practitioners, and people providing services to the College, including specialist visiting teachers, coaches, volunteers and counsellors.
6. Personal information collected from pupils is regularly disclosed to their parents or guardians.
7. Generally the College does not store personal information in the 'cloud' outside Australia. There are limited occasions when cloud storage may involve servers situated outside Australia, in which case appropriate data handling and security arrangements are in place - as required in Australia.
8. The College's Privacy Policy sets out how parents or pupils may seek access to personal information collected about them. However, there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the College's duty of care to the pupil, or where pupils have provided information in confidence.
9. The College Privacy Policy also sets out how you may complain about a breach of privacy and how the College will deal with such a complaint.
10. As you may know the College from time to time engages in fundraising activities. Information received from you may be used to make an appeal to you. It may also be disclosed to organisations that assist in the College's fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent. Provision is also made for individuals to opt-out from direct marketing.
11. On occasions information such as academic and sporting achievements, pupil activities such as College camps and excursions and similar news is published in College newsletters, magazines and on our online media channels. This may include photographs and video clips.
12. We may include pupils' and pupils' parents' contact details in a class list and College directory.
13. If you provide the College with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the College and why, that they can access that information if they wish and that the College does not usually disclose this information to third parties.

Appendix 3 - Employment Collection Notice

1. In applying for this position, you will be providing Carmichael College with personal information. We can be contacted at:

Carmichael College, 793 Oakey Flat Rd, Morayfield, Qld 4506.
Email: admin@carmichael.qld.edu.au
Phone: 07 5421 1201.
2. If you provide us with personal information, for example, your name and address or information contained on your resume, we will collect the information to assess your application for employment. We may keep this information on file if your application is unsuccessful in case another position becomes available.
3. The College's Privacy Policy contains details of how you may complain about a breach of the Australian Privacy Principles or how you may seek access to personal information collected about you. However, there may be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others.
4. We will not disclose this information to a third party without your consent.
5. We may use the information you have provided to conduct a criminal record check, collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws. We may also collect personal information about you in accordance with these laws.
6. The College may store personal information in the 'cloud' - which may mean that it resides on servers which are situated outside Australia, e.g., Dropbox in USA.
7. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the College and why, that they can access that information if they wish and that the College does not usually disclose the information to third parties.
8. If your application is successful, you consent to us sharing personal information with Carmichael College Ltd (as the legal entity which employs staff at Carmichael College) for the purpose of administrative and legal requirements in relation to your employment.

Appendix 4 - Contractor/Volunteer Collection Notice

1. In applying to provide services to the College, you will be providing Carmichael College with personal information. We can be contacted at:

Carmichael College, 793 Oakey Flat Rd, Morayfield, Qld 4506.
Email: admin@carmichael.qld.edu.au
Phone: 07 5421 1201.
2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information to assess your application. We may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information for 12 months.
4. The College's Privacy Policy sets out how you may seek access to your personal information and how you may complain about a breach of the Australian Privacy Principles.
5. We will not disclose this information to a third party without your consent.
6. We are required to conduct a criminal record check, collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws. We may also collect personal information about you in accordance with these laws.
7. The College may store personal information in the 'cloud' - which may mean that it resides on servers which are situated outside Australia, e.g., Dropbox in USA.
8. If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to the College and why, that they can access that information if they wish and that the College does not usually disclose the information to third parties.

Appendix 5 - Summary - Privacy Planning - Carmichael College

Table 1 - Summary - Collection - Items of Information

What	Circumstances	Place/Method	Time	Storage
Student Details Personal (includes address, email address), medical, family/guardian, educational info	For enrolment, on-going education	College Various methods - hard copy, phone, electronic, face to face	Any time through year	Secured hard storage. Electronic (e.g., TASS) [Sydney]
Staff Details Personal, medical, financial (e.g., TFB, bank accounts)	For employment	College Various methods - hard copy, phone, electronic etc.	Any time through year	Secured hard storage. Electronic (pay software)
Parental/Guardian Personal, financial, contact numbers, emergency numbers	For child enrolment, on-going education	College Various methods - hard copy, phone, electronic etc.	Any time through year	Secured hard storage. Electronic (e.g., TASS) [Sydney]
Volunteer Details Personal, medical	For help at College	Via College forms or electronic media	Prior to work at College	Secured hard storage. Electronic (secured computer network drives) [Dropbox]
Contractors and Suppliers: Name, address, contact information, WHS info (WorkCover/ insurance details, work method statements), company details	To perform contract work at College; supply of products	Hard copy, phone, electronic etc.	When services procured. WHS info annually	Secured hard storage. Electronic (secured computer network drives) [Dropbox]

Appendix 6 - Miscellaneous Issues

BYOD - Portable Electronic Devices

BYOD or Bring Your Own Device refers to the practice where staff use their own personal devices (such as smartphones and tablets) for work-related purposes. The considerations below also apply to College- owned portable devices such as iPads and laptops at Carmichael College.

The use of personal devices for work purposes has numerous benefits for employers and employees alike, such as the lift in productivity for companies and increased flexibility and convenience for staff.

Aside from allowing staff to check their emails and calendars while they are out of the office, staff can work faster when working on devices they are more familiar with, such as their own.

But the benefits portable devices bring to employers also come along with a raft of risks that range from issues of data security, human resources to intellectual property.

The use of portable devices means that risks that once remained only an issue in the physical workplace are now a risk wherever they can be used – and that is just about anywhere. That means companies could be exposed to a range of risks that occur outside the workplace, such as being potentially liable for the conduct of an employee whenever they use their BYOD or an employee’s smartphone being hacked into by malicious software.

At least eight categories of potential risk are identified, which include:

- Data security, where company IT security could be breached via a BYOD.
- Privacy, where the privacy of work colleagues and clients need to be always respected.
- Confidentiality, where company information can be exposed by devices being used in public.
- Resignation of a staff member, where company information is still stored on a BYOD.
- Legal liability, which can relate to intellectual property issues or whether a device can be used in illegal activity.
- Lost/stolen devices, which could expose company data.
- Compatibility of devices, where not all BYODs may be compatible with the workplace IT system.
- Costs, which relates to the cost of supporting, maintaining and data costs of a BYOD.

At Carmichael College the IT Use Policy articulates how computers including personal and portable devices should be used by staff. This includes:

- Security of devices and data privacy.
- Network Usage.
- Copyright Regulations.
- User Agreement.

The User Agreement must be signed by staff prior to using their device as an acknowledgement that they understand the implications and their responsibilities in accessing company information.

On induction, staff are also required to sign a statement committing to confidentiality of information encountered during their employment.

Digital Photocopiers and Multi-Function Printers

Inadvertent Collection and Storage of Personal Information

Most digital photocopiers and MFPs now incorporate a digital scanner and a high-capacity hard drive which can store thousands of scanned images. Many such devices save, and store scanned images created in the process of making copies, scanning documents, emailing or sending faxes. Businesses that offer photocopying or scanning services may be inadvertently collecting large amounts of personal information from their clients.

Similarly, any agency or organisation whose employees use office facilities to scan or copy personal information may be inadvertently accumulating and storing that information. Agencies and organisations that collect personal information, deliberately or inadvertently, may be subject to obligations under the Privacy Act in respect of the handling of that information.

[‘Personal information’ within the meaning of the Privacy Act includes any document that contains information that can be linked with a person’s identity].

Carmichael College procedure when buying or leasing a new photocopier or MFP:

- ask the manufacturer or supplier about the options available with respect to privacy and information security - preferably to automatically delete or overwrite scanned images once copying or scanning operations are completed.
- networked devices are protected behind a ‘firewall’, so that they cannot be accessed via the internet by unauthorised persons.
- ensuring that a device capable of sending scanned images by email, is configured to send email to authorised accounts only (such as internal office email accounts).
- ensuring that personal information is not disclosed when selling, returning, or disposing of a photocopier or MFP.

Appendix 7 - Management of Personal Information Checklist

The Privacy Policy of Carmichael College must contain the following information:

Item	College Response
1. The kinds of personal information that the College collects and holds	Refer Table 1 (above)
2. How the College collects and holds personal information	Refer Table 1 (above)
3. The purposes for which the College collects, holds, uses and discloses personal information	Refer Table 1 (above) Refer Collection Notice/Privacy Policy section
4. How an individual may access personal information about the individual that is held by the College and seek the correction of such information	By writing to the Principal (refer Privacy Policy section 13)
5. How an individual may complain about a breach of the Australian Privacy Principles and how the College will deal with such a complaint	Contact Principal (refer Privacy Policy section 13)
6. Whether the College is likely to disclose personal information to overseas recipients	May include overseas 'cloud' storage. Refer Collection Notice
7. If the College is likely to disclose personal information to overseas recipients - the countries in which such recipients are likely to be located if it is practicable to specify those countries in the policy	USA - e.g., Google Docs; Edmodo; Dropbox
8. What happens to unsolicited personal information that is received; also, when individuals are no longer associated with Carmichael College	Personal information to be de-identified or destroyed - noting the exception relating to employee records