

Privacy Policy

1. Purpose

This Privacy Policy sets out how Cornish College manages personal information provided to or collected by it. The College is bound by the Australian Privacy Principles contained in the Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012 (referred to as the Privacy Act), and the Privacy Amendment (Notifiable Data Breaches) Act 2017. In relation to health records, the College is also bound by the Victorian Health Privacy Principles which are contained in the Health Records Act 2001 (Vic).

2. Scope

This policy applies to all members of the Cornish College staff, volunteers, contractors, students and alumni. All staff, volunteers and contractors are required by law to protect the personal and health information the College collects and holds.

3. Key Responsibilities

Position/Roles	Responsibilities
College Board	<ul style="list-style-type: none"> Ensure the College has policies and procedures in place to comply with Commonwealth and State Legislation
Executive Leadership Team (ELT)	<ul style="list-style-type: none"> Ensure that the College has the Privacy Policy and procedures in place Provide support for staff in undertaking their responsibility in this area, including: Briefing staff each year on the Privacy Policy and procedures Referencing the Privacy Policy in all staff contracts Providing for staff to debrief on any incidents in a confidential manner Upskill staff on how to keep accurate and appropriate case notes in professional and objective manner
All staff	<ul style="list-style-type: none"> Comply with the College's Privacy Policy and procedures by ensuring the security and privacy of personal details and information

4. Key Elements of the Policy

4.1 Collection of personal information

The type of information the College collects and holds includes (but is not limited to) 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, 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 (eg details of disability and/or allergies, absence notes, medical reports and names of doctors)
 - Results of assignments, tests and examinations
 - 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
 - Police Checks, WWCC Check or VIT registration details
 - References written and verbal
 - Salary and payment information, including superannuation details
 - Medical information (eg 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; and
- Other people who come into contact with the College including name and 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 paper and electronic 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 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 and Health Records Act 2001 (Vic), the Australian Privacy Principles and Health 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 Victorian Health Privacy Principles with the Victorian Health Records Act (Vic) 2001.

4.2 The Purpose for which and how the College will use the personal information you provide

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 schooling to students enrolled at the College, exercise its duty of care, and perform necessary associated administrative activities, which enable students to take part in all 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
- Celebrating the efforts and achievements of our students
- Seeking donations and marketing¹ 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 the student to take part in a particular activity. Refer to our *Enrolment Policy*.

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:

¹ Use of a student's photo/image requires parent consent.

- Assessing the individual's employment or contract, as the case may be
- For insurance purposes
- Seeking donations and marketing for the College; and
- To satisfy the College's legal obligations eg 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, such as, postal address and email address held by the College may be disclosed to related College organisations that assist in the College's fundraising, for example, the alumni organisation Cornish Collegians and the Parents 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.

Collection and use of student imagery and/or works: At various times students will be involved in activities that are of interest to the wider community and showcase the students, their works, and the College. Personal information in the form of imagery (eg photographs, videos, video/audio presentations, event or meeting recordings, text, graphics) of students may be used by the College and its agents (eg local sporting associations) in:

- Publications (including but not limited to newsletters, magazines and on websites)
- Social media sites (such as Facebook, LinkedIn, Twitter or Instagram) and video streaming sites (full names of students are never used on social media only first names if necessary)
- Promotional materials, newspapers or other media (we always ask permission from parents if we would like to use their child in photoshoots for advertising campaigns); and in
- Recording and broadcasting of special student events, activities or meetings for educational purposes or that are of interest to the College community (broadcasts are only made available to the general public with prior notification)

There are also times when student work may be displayed, published or photographed for educational or promotional purposes.

Imagery is taken with the knowledge of the College, arranged by the Community Relations Office, or by staff responsible for a particular activity. There are also times when student work (such as art, design and constructions) may be displayed, published or photographed for educational or promotional purposes.

If, for any reason, you do not wish your child's name or image or works to be used in some or all of the communications listed above, please contact Community Relations on 9781 9000

or communications@cornishcollege.vic.edu.au to advise what restriction(s) you would like applied.

4.3 Disclosure and storage of personal information

The College may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes in line with the primary purpose of collection mentioned above and under the Australian Privacy Principles. 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 College, including specialist visiting teachers, counsellors and (sports) coaches and volunteers
- Providers of specialist advisory services to the College, including in the area of Human Resources, child protection and students with additional needs
- Assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA) and NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN)
- Agencies and organisations to whom we are required to disclose personal information for education, funding and research purposes
- People providing administrative and financial services to the College
- Legal representatives for collection of non-payment of fees
- Recipients of College publications, such as newsletters and magazines
- Student's parents or guardians
- Anyone you authorise (in writing) the College to disclose information to; and
- Anyone to whom we are required or authorised to disclose the information to by law, including child protection laws

Sending information overseas: The College may disclose personal information about an individual to overseas recipients, to facilitate a school exchange or overseas College trip.

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); or
- Otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

Storing information in cloud servers: The College may use reputable 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.

The College will use prudence in selecting such online or 'cloud' services providers to ensure their systems are reputable and known to be secure. An example of such a cloud service provider is Google. Google provides the G Suite for Education, including Gmail, and stores and processes limited personal information for this purpose. College personnel and the College and its service providers may have the ability to access, monitor, use or disclose emails, communications (eg instant messaging), documents and associated administrative data for the purposes of administering G Suite for Education and ensuring its proper use.

4.4 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.

4.5 Management and security of personal information

The 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 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.

In accordance with the Privacy Act, the College is required to notify specific types of data breaches to individuals affected by the breach and to the Office of the Australian Information Commissioner (OAIC). A notifiable breach is defined as a data breach that is likely to result in serious harm to any of the individuals to whom the information relates. Serious harm could include serious physical, psychological, emotional and financial harm, as well as serious harm to reputation. The College has implemented a Data Breach Response Plan to provide direction to staff on the management of a data breach.

4.6 Access and correction of personal information

The College endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by the College by contacting the College Registrar at any time. The Australian Privacy Principles require the College not to store personal information longer than necessary.

Under the Privacy Act and the Health Records Act 2001 (Vic), 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. Students will generally be able to access and update their personal information through their parents, but older students may seek access and correction themselves. There are some exceptions to these rights set out in the applicable legislation.

To make a request to access or update any personal information the College holds about you or your child, please contact the College Registrar 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 (unless, in light of the grounds for refusing, it would be unreasonable to provide reasons).

4.7 Consent and rights of access to the personal information of students

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 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.

Parents may seek access to personal information held by the College about them or their child by contacting the College Registrar 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 so warranted.

4.8 Collection, use and storage of financial details

The use of the College's online payment system indicates acceptance by users of our Privacy and Security Policies in regard to the collection and use by the College of any information provided for payment purposes.

Identifiable information collected through online payments will be used only for the purpose of processing that individual payment transaction. Non-identifying information may be used for statistical, reporting and research purposes.

The College may store parent credit card or bank account details for the purposes of fee payment for the duration of the student's enrolment at the College.

5. Review

Cornish College may, from time to time, review and update this *Privacy Policy* to take account of new laws and technology, changes to the College's operations and practices and to make sure it remains appropriate to the changing College environment.

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6. Enquiries and complaints

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 Business Manager in writing. 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. See the College's *Concerns and Complaints Policy* for more information.

7. References

Resource used in preparing this policy:

Privacy Compliance Manual (November 2019) by Independent Schools Council of Australia and National Catholic Education Commission.

Australian Privacy Principles contained in the *Privacy Act 1988* and Privacy Amendment (Enhancing Privacy Protection) Act 2012 (referred to as the Privacy Act), and the Privacy Amendment (Notifiable Data Breaches) Act 2017.

Victorian Health Privacy Principles which are contained in the Health Records Act 2001 (Vic).

8. Related College Policies

Data Breach Response Plan POL – 011

Concerns and Complaints Policy SGPOL – 010

Enrolment Policy SGPOL – 040

Terms of Business