



LOYOLA COLLEGE

PRIVACY POLICY

Intended audience	Loyola College Community
Author	Loyola College Privacy Compliance Committee
Ratified	Semester 1 2019
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Preamble

As a Catholic co-educational College, guided by the motto Justice, Mercy, Faith, Loyola College is committed to using and managing personal information provided to or collected by the College in an ethical manner and in accordance with the *Commonwealth Privacy Act 1988* inclusive of the *Australian Privacy Principles* and other such changes as provided by the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*, the *Health Records Act 2001 (Vic)*, inclusive of the *Health Privacy Principles* as well as the Privacy Policy of the Catholic Education Commission of Victoria.

Loyola College may from time to time collect information about staff, students, parents and/or guardians, volunteers, contractors and job applicants. The collection of this information is in compliance with the relevant legislation and it assists with the efficient and effective delivery of various aspects of learning and teaching, student wellbeing, school operations and administration, as well as marketing and fundraising.

Rationale

This Privacy Policy applies to Loyola College and sets out how the College manages personal and sensitive information provided to it or collected by it.

In dealing with personal and sensitive information about individuals, the College is bound by the *Australian Privacy Principles* contained in the *Commonwealth Privacy Act 1988* and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*. In relation to health records, the College is also bound by the *Health Records Act 2001 (Vic)*.

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

Definitions

Personal information is information the College holds about an individual from which his or her identity is either apparent or can be reasonably determined. Such information includes names, addresses, telephone numbers and dates of birth. Personal information does not include health information.

Health information is 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. Such information includes health records, certificates, details of medical background and health assessment results.

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

Sensitive information relates to a person's racial or ethnic origin, political opinions, religious beliefs or affiliations, trade union or other professional or trade association membership, sexual preferences or criminal record that is also personal information, health information and biometric information about an individual.

Identifier is a number assigned to an individual to uniquely identify that individual for the purposes of an organisation's work.

What kinds of information does Loyola College collect and how does the College collect it?

The type of information the College collects and holds includes, but is not limited to, personal information, health and other sensitive information, about:

- students, parents and guardians before, during and after the course of a student's enrolment at the College
- job applicants, staff members, volunteers and contractors, and
- other individuals who come into contact with the College.

Loyola College will generally collect personal information held about an individual by way of forms filled out by the individual, face-to-face meetings and interviews, telephone calls, emails and other electronic means. On occasions others provide personal information about an individual. Metadata regarding an individual's web browsing of the College website may be collected by the College's Internet Service Provider (ISP).

In some circumstances Loyola College may be provided with personal information about an individual from a third party.

Exception in relation to employee records

Under the *Privacy Act* and the *Health Records Act 2001 (Vic)*, the *Australian Privacy Principles* and the *Health Privacy Principles* do not apply to an employee record. As a result, the Loyola College Privacy Policy does not apply to the College's treatment of an employee record unless required by law, where the treatment is directly related to a current or former employment relationship between the College and an employee. Loyola College handles staff health records in accordance with the *Health Privacy Principles* in the *Health Records Act 2001 (Vic)*.

How Loyola College uses the personal information an individual provides?

Personal Information you provide: The College will generally collect personal information held about an individual by way of forms filled out by parents and guardians or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parents, guardians 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 school. The type of information the College may collect from another school may include:

- academic records and/or achievement levels
- information that may be relevant to assisting the new school meet the needs of the student including any adjustments

Students, parents and guardians: In relation to personal information of students, parents and guardians Loyola College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying the needs of parents and guardians, 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 and guardians include:

- to keep parents and guardians 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
- seeking donations and marketing for the College
- the purpose of School Review and in particular, the collection of data via the CEMSIS (Catholic Education Melbourne School Information Surveys)
- 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/guardian, 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 participate in a particular activity.

Job applicants, staff members and contractors: In relation to personal information of job applicants and contractors, Loyola College's primary purpose of collection is to assess and, if successful, to engage the applicant or contractor.

In addition, the College uses personal information of job applicants, staff members and contractors for the purpose of:

- administering the individual's employment or contract, as the case may be
- insurance
- seeking donations and marketing for the College, and
- satisfying the College's legal obligations, for example, in relation to child protection legislation.

Volunteers: Loyola College also obtains personal information about volunteers to assist the College in its functions or to conduct associated activities.

Marketing and fundraising: Loyola 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 held by the College may be disclosed to external organisations that assist in the College's fundraising.

Parents, guardians, staff, contractors and other members of the wider College community may from time to time receive fundraising information. College publications, which include personal information, may be used for marketing purposes.

Who might the College disclose personal information to and store an individual's information with?

The College may disclose personal information, including sensitive information, held about an individual to:

- another school or educational provider
- government departments
- medical practitioners
- people providing services to the College, including specialist visiting teachers, counsellors and sports coaches, the Catholic Education Office Melbourne (CEOM), the Catholic Education Commission and other diocese
- recipients of College publications
- parents and guardians
- anyone they authorise the College to disclose information to, and
- anyone to whom the College is required or authorised to disclose the information to by law.

Nationally Consistent Collection of Data on School 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.

Sending and storing information overseas: Loyola College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. 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.

Loyola College may also store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.

How does Loyola 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 the individual agrees otherwise, or the use or disclosure of the sensitive information is allowed by law.

Management and security of personal information

Loyola College is required to respect the confidentiality of the personal information of students, parents and guardians and the privacy of individuals.

Loyola 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.

Access and correction of personal information

Under the *Commonwealth Privacy Act 1988* and *Health Records Act 2001* (Vic) an individual has the right to obtain access to any personal information which Loyola College holds about them and to advise the College of any perceived inaccuracy. There are some exceptions to this right, as set out in the Act. Students will generally be able to access and update their personal information through their parents or guardians, but older students may seek access and correction themselves.

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

To make a request to access or update any personal information the College holds about parents, guardians or their child, Loyola College may require parents and guardians to verify their identity and specify what information they require. The College may charge a fee to cover the cost of verifying their 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 the College is unable to provide the parent or guardian with access to that information, the College will provide them with written notice explaining the reasons.

Consent and rights of access to the personal information of students

Loyola College respects the right of every parent and guardian to make decisions concerning their child's education.

Loyola College will refer any requests for consent and notices in relation to the personal information of a student to the student's parent or guardian. The College will treat consent given by parents and guardians as consent given on behalf of the student, and notice to parents and guardians will act as notice given to the student.

Parents and guardians may seek access to personal information held by the College about them or their child by contacting the College Principal - see contact details below. 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 a staff member or student.

Loyola 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 parent or guardians. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

Enquiries and complaints

If an individual wishes to receive further information about the way the College manages the personal information it holds, or if the individual believes that the College has breached the *Australian Privacy Principles* then he or she will be required to contact the College Principal. Loyola College will investigate any concern and will notify the individual of its decision in relation to their concern as soon as is practicable after it has been made.

Principal
Loyola College
325 Grimshaw Street, Watsonia 3087
Phone: 9434 4466
Email: office@loyola.vic.edu.au

Relevant Documents**Policies**

Privacy Policy of the Catholic Education Commission of Victoria.

Legislation

Commonwealth Privacy Act 1988

Privacy Amendment (Enhancing Privacy Protection) Act 2012

Health Records Act 2001 (Vic)

Principles

Australian Privacy Principles

Health Privacy Principles