

# POLICY

## PRIVACY



### PREAMBLE

Federal Privacy Laws, which became effective from 21 December 2001, regulate the way schools can collect, use, keep secure and disclose personal information. Schools are required to handle personal information in accordance with the Australian Privacy Principles as outlined in the legislation.

### POLICY

Scotch College is bound by and supports the Australian Privacy Principles for handling personal information. Scotch can collect information about students and parents and/or guardians before, during and after the course of a student's enrolment at the School; as well as that of job applicants, staff members, volunteers and contractors.

The purposes for which the School collects, holds, uses and discloses personal information include:

- assessing a student's application for enrolment
- keeping parents/guardians informed about their child's education
- look after the educational needs, safety, care and wellbeing of its students
- seek donations and fundraising for the School
- satisfying the School's legal obligations and duty of care to its students
- assist with the general educational and administrative purposes of the School
- assess and if appropriate engage persons as employees, volunteers or contractors.

### COLLECTION OF PERSONAL INFORMATION

The School will generally collect personal information held about an individual on forms completed by parents/guardians or students, and through face-to-face meetings and interviews, telephone calls, etc.

The School will also collect personal information from job applicants, volunteers and contractors who seek to be involved with the School. Information about these persons may also be obtained from referees, or other organisations for whom they have worked.

The School may also be obliged to collect particular information about its staff, parents and students to comply with its obligations under the Education and Training Reform Act 2006 and to discharge its duty of care to its students and staff.

The kinds of personal information that the School collects and holds includes:

- student information such as date of birth, identity documents, photographs, health information, academic results and performance
- contact details and addresses
- employment history, qualifications, police records, references.

### PERSONAL INFORMATION PROVIDED BY OTHER PEOPLE

In some circumstances the School may be provided with personal information about an individual from a third party; e.g., a report provided by a medical professional or a reference from another school.

### HOW WILL THE SCHOOL USE THE PERSONAL INFORMATION?

The School's main purpose in collecting personal information is to enable it to provide schooling for each student. The School may use the personal information of students and parents in the following ways:

- to keep parents informed about matters related to their child's schooling, through correspondence, newsletters, magazines and reports;
- for day-to-day administration;
- to ensure students' educational, social and medical well-being;
- to seek donations and marketing for the School; and
- to satisfy the School's legal obligations and allow it to discharge its duty of care to its students and staff.

Scotch understands an individual's right to keep his or her personal information private, and is committed to protecting and maintaining the privacy, accuracy and security of personal information.

### TO WHOM MIGHT THE SCHOOL DISCLOSE PERSONAL INFORMATION?

The School may disclose personal information, including sensitive information, held about an individual when it is reasonably necessary for, or directly related to, its educational functions and activities, including to:

- another educational institution, as required;
- government departments;
- medical practitioners;
- law enforcement agencies in relation to their enforcement related activities (such as Victoria Police);
- service providers to the School, including specialist visiting teachers and sports coaches;
- recipients of School publications; e.g., newsletters and magazines;
- parents; in the case of teachers – the Victorian Institute of Teaching; and
- any other agencies, organisations or persons specifically authorised by a student, parent or guardian and
- any disclosure that is required or authorised by or under an Australian law or a court order.

The School may be required or authorised under the Child Information Sharing Scheme or the Family Violence Information Sharing Scheme to disclose or share personal information with other information sharing entities. Personal information may be disclosed or shared under the Child Information Sharing Scheme for the purpose, among others, of promoting the wellbeing or safety of children. Personal information may be disclosed or shared under the Family Violence Information Sharing Scheme for the purpose, among others, of managing a risk of a person committing family violence or a person being subjected to family violence.

# POLICY

## PRIVACY



The School is likely to only disclose personal information to overseas recipients if it is directly relevant to an overseas trip being undertaken by students and then only with the consent of the individual concerned (which consent may be implied). It is not practicable to specify in this policy the countries in which the recipients of such information are likely to be located. Personal information about students will usually be collected from their parents/guardians although there may be times when the School will also collect such information directly from the students themselves. The School will usually disclose personal information about its students to their parents/guardians. However, there may be occasions when it is appropriate that access to and disclosure of such information to parents/guardians, and even to the students themselves, should be lawfully denied.

### HOW WILL THE SCHOOL TREAT SENSITIVE INFORMATION?

Sensitive information means information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences, criminal record, and health information. Unless authorised, or it is allowed by law, sensitive information will be used and disclosed only for the purpose for which it was provided, or for a directly related secondary purpose.

### MANAGEMENT AND SECURITY OF PERSONAL INFORMATION

The School has steps in place to protect the personal information it holds, including locked storage of paper records and passworded access rights to computerised records.

### FAILURE TO PROVIDE INFORMATION

If the information the School requests is not provided the main consequences may be that the School cannot enroll or continue to enroll a student, or employ or continue to employ a staff member, volunteer or contractor, or allow a student to participate in a school activity or to provide or allow services to be provided to the student.

### ACCESS TO PERSONAL INFORMATION

A person may request access to personal information that the School holds about him or her and the School will respond within a reasonable time.

The School will take reasonable steps to ensure that all personal information held by it is up to date, complete, relevant, not misleading and accurate. A person may ask for their personal information to be corrected if it is inaccurate.

The personal information of an unsuccessful job applicant, volunteer or contractor will be destroyed unless the School is given consent to the information being held for future positions that might arise.

In some circumstances it may be lawful for the School to refuse a person to have access to the personal information the School holds about them.

Further, the Australian Privacy Principles do not apply to an employee record. Therefore, this Privacy Policy does not apply to the School's practices in relation to employee records if such practices relate to a current or former employment relationship and an employee record held by the School concerning that relationship.

Requests to access or correct information the School holds about an individual or a child should be sent to the Principal, Scotch College, 1 Morrison Street, Hawthorn 3122 or email: [administration@scotch.vic.edu.au](mailto:administration@scotch.vic.edu.au)

### COMPLAINTS

A person may make a complaint to the School if he or she considers that the School has interfered with his or her privacy because of an alleged breach of the Australian Privacy Principles.

# POLICY

## PRIVACY



The procedure to make a complaint is:

- the complaint is to be in writing and must be forwarded to the Principal, Scotch College, 1 Morrison Street, Hawthorn or email [administration@scotch.vic.edu.au](mailto:administration@scotch.vic.edu.au)
- the complaint must specify the details of the alleged breach
- the Principal, or other person to whom the task is delegated, will consider the complaint and make a determination within 45 days and will inform the complainant of the outcome in writing
- if the Principal determines that there has been a breach of the Australian Privacy Principles by the School he will advise the relevant persons at the School in writing of any action required to remedy the breach and if the breach is not remedied within 30 days the Principal is to be informed
- the School will maintain a record of all complaints and determinations and of the action taken to remedy any breach.

For more information about the way the School manages the personal information it holds, please contact Director of HR, Scotch College; 1 Morrison Street, Hawthorn 3122 or email: [administration@scotch.vic.edu.au](mailto:administration@scotch.vic.edu.au)

Further information on privacy legislation may be obtained by contacting the office of the Federal Privacy Commissioner. See the website: [www.privacy.gov.au](http://www.privacy.gov.au)