Purpose
The policy acknowledges that from 21 December 2001, St Charbel’s College is bound by the National Privacy Principles and has therefore implemented practices to respect the privacy rights of all individuals in the workplace. Furthermore, the policy has been established to ensure that all staff comply at all times with their obligations under the Privacy Act 1998.

Policy
St Charbel’s College staff will comply with the requirements of the Privacy Amendment (Private Sector) Act 2000 [Privacy Act] as set out in the National Privacy Principles (NPPs).

The new Act regulates the way private sector organisations can collect, use, keep secure and disclose personal and sensitive information. It gives individuals the right to know what information an organisation holds about them and the right to correct that information if it is wrong.

Definitions

Personal Information
Personal information is information or an opinion (including information or an opinion forming part of a database), whether true or not and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained from the information or opinion.

Sensitive Information
Under the Act sensitive information means information or an opinion about an individual's racial or ethnic origin; political opinion; membership of a political organisation; religious belief or affiliation; philosophical belief; membership of a professional trade organisation; membership of a trade union; sexual preference or practice; criminal record and health information about an individual.

Employee Records
Certain acts or practices directly relating to employee records are exempt from the scope of the Act. Employee records are records relating to the employment of an employee of the employer. Examples of this type of information include the terms and conditions of employment, personal contract details, performance and conduct, disciplining, salary, termination and trade union membership.
Ten National Privacy Principles ("NPP")

The College is bound by the National Privacy principles contained in the Commonwealth Privacy Act, 1998. These principles are as follows:

NPP1 – Collection
An organisation can only collect personal information that is necessary for its activities. The collection must be done lawfully, by fair means and not in an unreasonably intrusive manner.

NPP2 – Use and Disclosure
An organisation may only use or disclose information for the purpose it was collected unless consent is sought.

NPP3 – Data Quality
An organisation must take reasonable steps to make sure that the personal information it collects uses or discloses is accurate, complete and up to date.

NPP4 – Data Security
An organisation must take reasonable steps to protect the personal information it holds and destroy personal information no longer needed for any purpose under NPP2.

NPP5 – Openness
An organisation must have a policy document outlining its information handling practices and make this available to anyone who asks.

NPP6 – Access and Correction
An organisation must give an individual access to personal information it holds about that individual on request.

NPP7 – Identifiers
An organisation must not use an identifier assigned by a Commonwealth Government agency (e.g. Medicare or Tax File Number).

NPP8 – Anonymity (Privacy)
Organisations must give people the option to interact anonymously whenever it is lawful and practical to do so.

NPP9 – Transborder Data Flows
An organisation can only transfer personal information to a recipient in a foreign country in circumstances where the information will have appropriate protection.

NPP10 – Sensitive Information
An organisation must not collect sensitive information unless the individual has consented; it is required by law or in other specified circumstances.
Procedures and Practices

1. What kind of personal information is collected and how is it obtained?

The type of information the College collects and holds includes (but is not limited to) personal information, including 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.

1.1 Personal Information
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, and telephone calls. On occasions people other than parents and pupils provide personal information.

1.2 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 College.

1.3 Exception in relation to employee records:
Under the Privacy Act the National 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.

2. How does the College 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, or to which you have consented.

2.1 Pupils and Parents:
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 both the needs of parents and the needs of the pupil throughout the whole period the pupil is enrolled at the College.

The purposes for which the College uses personal information of pupils and parents include:
• to keep parents informed about matters related to their child’s schooling, through correspondence, newsletters and magazines;

• day-to-day administration;

• looking after pupils’ educational, social and medical wellbeing;

• seeking donations and marketing for the College;

• 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 pupil or parent, if the information requested is not obtained, the College may not be able to enrol or continue the enrolment of the pupil.

2.2 Job applicants, staff members and contractors:
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, as the case may be.

The purposes for which the College uses personal information of job applicants, staff members and contractors include:

• in administering the individual’s employment or contract, as the case may be;

• for insurance purposes;

• seeking funds and marketing for the College;

• to satisfy the College’s legal obligations, for example, in relation to child protection legislation.

2.3 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.

2.4 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 be a quality learning environment in which both pupils and staff thrive. Personal information held by the College may be disclosed to an organisation that assists in the College’s fundraising, for example, the College’s Parents and Friends 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.

3. **Who might the College disclose personal information to?**

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

- another College;
- government departments;
- medical practitioners;
- people providing services to the College, including specialist visiting teachers and sports coaches;
- recipients of College publications, like newsletters and magazines;
- Parents; and
- any one you authorise the College to disclose information to.

3.1 **Sending information overseas:**
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 National Privacy Principles.

4. **How does the 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 you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

4.1 **Management and security of personal information**
The College’s staff is 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, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and passworded access rights to computerised records.

5. **Updating personal information**
The College endeavors 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.

The National Privacy Principles require the College not to store personal information longer than necessary.

Under the Commonwealth 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. There are some exceptions to this right set out in the Act. Pupils will generally have access to their personal information through their parents, but older pupils may seek access themselves.

To make a request to access any 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.

6. **Consent and rights of access to the personal information of pupils**

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.

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.

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.

**Implementation date:** 20th July 2006  
**Revision date:** December, 2007  

**Reference used:** CCH Privacy Compliance Toolkit, 2001.