



POLICY AND PROCEDURES MANUAL

Privacy Policy

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1. OVERVIEW

First released:	17 March 2015
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Approver:	Senior Leadership Team
Owner:	Compliance Officer
Stakeholders:	Staff, students, parents, volunteers
Child Safety:	National Principles 1-5, 7, 8, 10

Rehoboth Christian College seeks to provide a learning environment in which all students are protected from harm and places the highest possible priority upon the safety and nurture of young people. The College expects all stakeholders to espouse this approach and to be aware of the Child Safe Framework, accessible from the College website.

- a) Privacy relates to the use, security, and accessibility of information collected about an individual. During the normal course of its operations, Rehoboth Christian College collects a range of personal information in order to conduct its educational programs and related business efficiently. The College is committed to the integrity of its collection and management processes for the safety and security of the students, families, staff and others it collects information about.
- b) The College is bound by the Australian Privacy Principles (APPs) contained in the **Privacy Act 1988** and the **Privacy Amendment Act 2013**, and this policy has been designed to meet these APPs. The College will, from time to time, review and update this Privacy Policy to reflect changes to laws and technologies and the College's operations and practices to ensure that the privacy of individuals is protected within the College environment.

2. RATIONALE AND SCOPE

- a) The purpose of this policy is to outline how the College manages the personal information that it collects or that is otherwise provided to it, as well as how stakeholders may access this information.
- b) This policy applies to all stakeholder groups: parents, students, staff, and visitors to the College (including contractors). It also applies to individuals making application for positions of employment within the College.



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- c) This policy also includes scope for a **Privacy Impact Assessment** to be conducted in relation to the College's other policies, procedures, and activities as required.

3. ATTACHMENTS AND REFERENCES

This policy should be read in conjunction with the following publications:

- Visual Images Policy
- Any Privacy Impact Assessment conducted in conjunction with another policy, procedure, or activity
- Australian Government – Privacy Fact Sheet 17: Australian Privacy Principles

4. DEFINITIONS

The **Privacy Act 1988** contains full definitions of all terms relating to the issue of privacy. For the purposes of this policy, the College has adapted the following key terms:

- a) The **Act** means the **Privacy Act 1988** and any related legislative requirements as are implemented from time to time.
- b) **Consent** means express consent or implied consent.
- c) **Health information** may refer to information or an opinion about the health or a disability of an individual, an individual's expressed wishes about the future provision of health services to him or her, or other personal information collected in order to provide a health service.
- d) **Personal information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information is true or not and whether the information or opinion is recorded in a material form or not. The College regards this as information or an opinion that may be used to reasonably identify an individual.
- e) **Sensitive information** means information or an opinion that may include, but is not limited to, an individual's race or ethnic origin, political opinion, religious beliefs, professional associations, criminal record, etc.



5. COLLECTION OF PERSONAL INFORMATION

5.1 Purpose of Collecting Personal Information

The College's primary purpose in collecting personal and sensitive information is to facilitate the provision of its educational programs, including pastoral care.

5.2 Types of Information the College Collects

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

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

5.3 Personal Information You Provide

- a) The College will generally collect personal information held about an individual by way of forms completed by parents or students either prior to their submission at the College or during the course of face-to-face meetings, interviews, emails, or telephone calls. On occasion, people other than parents and students may provide personal information. Typically, the types of personal information collected by the College include names, residential and/or postal addresses, telephone numbers, email addresses, marriage status, church membership, medical history, and so on.
- b) The College will also seek consent to collect photographic and videographic information from students and staff in particular, and, on occasion, from parents and other stakeholders. Please refer to the College's Media Restrictions Policy for more information.

5.4 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, a Court order, or a reference from another school.



5.5 Exception in Relation to Employee Records

- a) Under the **Privacy Act 1988**, the APPs 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.
- b) In certain circumstances, such as in the provision of a health service, the privacy of a staff member's personal information is also protected by relevant confidentiality agreements.
- c) Staff should refer to section 11 regarding making a request to access employee records.

6. DEALING WITH UNSOLICITED PERSONAL INFORMATION

In cases where the College receives personal information about an individual that it has not requested, the College will:

- a) determine whether or not it could have collected the information under normal circumstances;
- b) destroy the information in an appropriate manner if it determines it would not have ordinarily collected such information;
- c) store and manage the information as though it had collected it under normal circumstances, if it determines the information could have been collected in such a case.

7. COLLEGE USE OF PERSONAL INFORMATION

The College will use the personal information it collects from you for the **primary** purpose of enabling the College to efficiently deliver its educational programs, and for such other secondary purposes that are related to the primary purpose of collection and which could be reasonably expected by the stakeholder, or to which you have consented.

7.1 Students and Parents

- a) The primary purpose of collection of personal information relating to a student and/or parents is the provision of education for that student. This includes satisfying the needs of parents, the needs of the student, and the needs of the College for the duration of the student's enrolment in the College.



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- b) The purposes for which the College may use the personal information it collects about students and parents includes:
- i. keeping parents informed about matters relating to their child's education. This is typically achieved through correspondence, newsletters, and other publications of the College;
 - ii. the day-to-day administration of the College;
 - iii. looking after the student's educational, social, and medical welfare;
 - iv. use in marketing and promotional opportunities that are in the best interests of promoting the good name of the College and its community;
 - v. seeking donations or fundraising for activities of the College and its community; and
 - vi. satisfying the College's legal obligations and allowing the College to discharge its duty of care.
- c) 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.

7.2 Job Applicants, Staff Members, and Contractors

- a) In relation to personal information about applicants for positions of employment at the College, current 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.
- b) The purpose for which the College uses personal information relating to job applicants, staff members, and contractors include:
- i. administering the individual's employment or contract, as the case may be;
 - ii. for insurance purposes;
 - iii. use in marketing and promotional opportunities that are in the best interests of promoting the good name of the College and its community;
 - iv. seeking donations or fundraising for activities of the College and its community; and
 - v. satisfying the College's legal obligations; for example, in relation to child protection legislation.

7.3 Volunteers

- a) The College also obtains information about volunteers who assist in various capacities or conduct associated activities, such as Canteen rosters or classroom assistance.
- b) The purposes for which the College collects the personal information of volunteers include:
- i. the administration of volunteers; and
 - ii. enabling the College and volunteers to work together effectively.



7.4 Marketing and Promotions

Though the College relies primarily on positive word of mouth for its promotion, there are occasions where other methods of promotion and marketing will be employed. The College also collects personal information for advertising and related purposes, where parents have provided consent for this occur. College publications, such as newsletters, yearbooks, Annual Reports, and websites may be used for marketing purposes.

7.5 Fundraising

- a) The College regards fundraising as an important part of ensuring the provision of a quality learning environment that is in keeping with the needs of parents for the education and nurturing of their children. Personal information held by the College may be disclosed to organisations that are able to assist the College with fundraising; for example, the College's Building Development Campaign, Rehoboth Past Students Association, or, on occasion, an external fundraising organisation.
- b) Parents, staff, contractors, and other members of the wider College community may from time to time receive fundraising information.

8. COLLEGE DISCLOSURE OF PERSONAL INFORMATION

8.1 Disclosure for Primary Purposes

- a) There are a variety of circumstances in which the College may disclose personal information, including sensitive information, held about an individual.
- b) Disclosure of personal information mainly occurs in relation to the stated primary purpose of facilitating the College's educational programs and those items outlined in section 7 and may include disclosure to:
 - i. government departments;
 - ii. medical practitioners or other health services;
 - iii. people providing services to the College, including counsellors, specialist visiting teachers, and sports coaches;
 - iv. recipients of College publications, such as newsletters and yearbooks;
 - v. parents;
 - vi. another school;
 - vii. anyone to whom we are required to disclose the information to by law;
 - viii. anyone the individual authorises the College to disclose information to; or



- ix. Anyone the individual would reasonably expect the College to use or disclose the information to.

8.2 Disclosure for Secondary Purposes

- a) There are a number of circumstances in which disclosure of personal information may take place for a secondary purpose. These circumstances include those in which:
 - i. the individual has provided consent for;
 - ii. the individual would reasonably expect the College to use or disclose that information;
 - iii. the College is authorised by Australian law (e.g. by court order) to disclose that information
 - iv. the College believes the disclosure is reasonably necessary for a law enforcement activity, or to a law enforcement body;
 - v. a general situation arises which is not related to the primary purpose of information collection.
- b) In the majority of these circumstances, the College will make all reasonable attempts to contact the individual either to acquire permission or to notify of the disclosure (where the circumstance permits).

8.3 Disclosure of Personal Information to the College Chaplain

In order to facilitate its primary purpose, the College will disclose relevant personal and sensitive information to the College Chaplain for the provision of pastoral care.

8.4 Sending Information Overseas

- a) The College may disclose personal information about an individual to overseas recipients; for instance, when storing personal information with cloud computing providers where the provider's infrastructure is located outside of Australia. The College is satisfied that such services provide robust security for the storage of personal information; however, it will not send personal information about an individual outside of Australia without:
 - i. obtaining the consent of the individual (in some cases this consent will be implied); or
 - ii. otherwise complying with the APPs or other applicable privacy legislation.
- b) In the event that the College becomes dissatisfied with the level of security afforded by a given cloud storage provider, it will seek to remove any personal information stored there at the first available opportunity.



9. TREATMENT OF 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.

10. MANAGEMENT AND SECURITY OF PERSONAL INFORMATION

- a) College staff are required as a condition of their employment to respect the confidentiality of students' and parents' personal information and the privacy of individuals.
- b) The College has in place steps to protect the personal information it holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of methods including password access rights to electronic records and cloud storage, and locked storage of hard copy records.
- c) Disclosure by a staff member of a student's or parent's personal information without proper authorisation will result in disciplinary action being taken.

11. ACCESS AND CORRECTION OF PERSONAL INFORMATION

Under the **Privacy Act 1988**, 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 via their parents, but students in Year 11 or 12 may seek access and correction themselves. There are some exceptions to these rights as set out in the applicable legislation.

11.1 Procedure for Making a Request to Access Personal Information

The procedure for making a request to access personal information is as follows:

- a) Contact the CEO via the College Business Office in writing:

By email	business@rehoboth.wa.edu.au
By post	PO Box 82, Cannington WA 6987
In person	92 Kenwick Road, Kenwick WA 6107



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The correspondence should adequately outline the nature of the request, the types of personal information required, and current contact details in order for the Business Office to forward the information once released.

- b) The College may require verification of the applicant's identity. If so, this will be required in person by the provision of a valid Driver's Licence or Passport with photographic evidence.
- c) The College will make every effort to respond to the application within seven days of initial receipt. Depending on the extent of the personal information requested, this will either be with the information, or with an estimate of when it will be available.
- d) The College reserves the right to charge a nominal fee to cover the cost of verifying the application and locating, retrieving, reviewing, copying, and updating any material requested. The amount charged will be at the discretion of the Finance Manager. If the information is extensive or more than seven years old, the College will advise the applicant of the expected cost in advance.
- e) If the College is unable to provide the applicant with access to the requested personal information within the timeframes specified above, it will provide a written notice explaining the reasons for refusal.

11.2 Staff Procedure for Making a Request to Access Employee Record

- a) As stated in section 5.3, employee records are exempt from the APPs in cases where the record is being used in a manner that is directly related to a current or previous employment relationship. However, the College is committed to protecting the confidential nature of the personal information retained in employee records and maintains the same standards of security for information relating to staff as it does with personal information of its other stakeholders.
- b) While this means that the College is not ordinarily obligated to grant a staff member access to his or her employee record under the Act, the College is happy to release information upon request and for a reasonable intent. The following procedure should be followed where a staff member wishes to make a request to access personal information:
 - i. Contact the CEO via the College Business Office in writing:

By email business@rehoboth.wa.edu.au

By post PO Box 82, Cannington WA 6987

In person 92 enwick Road, Kenwick WA 6107



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- ii. The correspondence should adequately outline the nature of the request, the types of personal information required, and current contact details in order for the Business Office to forward the information once released.
- iii. If the applicant is a previous employee, the College may require verification of the applicant's identity. If so, this will be required in person by the provision of a valid Driver's License or Passport with photographic evidence.
- iv. The College will make every effort to respond to the application within seven days of initial receipt. Depending on the extent of the personal information requested, this will either be with the information, or with an estimate of when it will be available.
- v. The College reserves the right to charge a nominal fee to cover the cost of verifying the application, and locating, retrieving, reviewing, copying, and updating any material requested. The amount charged will be at the discretion of the Finance Manager. If the information is extensive or more than five years old, the College will advise the applicant of the expected cost in advance.
- vi. If the College is unable to provide the applicant with access to the requested personal information within the timeframes it specifies, it will provide a written notice explaining the reasons for refusal.

12. DISCLOSURE LOG

- a) The College will maintain an accurate log summarising the personal information it has disclosed and the date of release following a successful request. The log will include: the date the information was released; an administrative number assigned to the request; and a summary of the information requested.
- b) This log is for internal College use only and will remain secure as per the College's standards.

13. CONSENT AND RIGHT OF ACCESS TO THE PERSONAL INFORMATION OF STUDENTS

- a) The College respects every parents' right to make decisions concerning their child's education and nurturing.
- b) Generally, the College will refer any requests for consent and notices in relation to the personal information of a student to that 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.
- c) As outlined in section 10, parents may seek access to personal information held by the College about them or their child by contacting the Business Office. However, there are occasions when access may be denied. Such occasions would include:



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- i. where release of the information would have an unreasonable impact on the privacy of others; or
 - ii. where the release may result in a breach of the College's duty of care to the student.
- d) 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 the 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.

14. PRIVACY IMPACT ASSESSMENTS

There are a number of policies, procedures, or initiatives undertaken by the College that will, either directly or indirectly, impact on an individual's privacy. As part of its risk management procedures, the College will conduct an assessment of this impact and make recommendations to manage or minimise any identified risks to privacy. A copy of the assessment is contained in Appendix 1.

15. ENQUIRIES AND COMPLAINTS

If you would like further information about the way the College manages the personal information it holds, or wish to lodge a complaint that you believe the College has breached the Australian Privacy Principles, please contact the Business Office. The College will investigate any complaint in accordance with its Complaints and Grievances procedures and will notify you of the making of a decision in relation to your complaint as soon as is practicable after it is made.



16. APPENDIX 1: PRIVACY IMPACT ASSESSMENT FORM

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Privacy Impact Assessment

This form is to be used to evaluate the degree to which a policy or project undertaken by the College will impact upon an individual's privacy, and provides options for managing, minimising, or eliminating those risks. The form is general in nature – staff are requested to make a judgment on the impact their activity may have on personal information held by the College or collected specifically for this activity. Please refer to the College's Privacy Policy for more information. Completed forms are to be submitted to the Business Office, who will prepare a brief report based on the assessment provided.

1. DETAILS OF THE ACTIVITY

Name of person submitting assessment

Campus/Department/Area of work

Name of person responsible for the activity (if different to the person submitting)

Campus/Department/Area of work

Title of activity

Date this assessment was conducted

Please provide a brief description of the activity

What is the expected timeframe of this activity?

2. THRESHOLD ASSESSMENT

Does the activity require the collection of any personal information?

Yes

No

Does the activity require any personal information to be utilised?

Yes

No

Will any personal information be disclosed as a result of this activity?

Yes

No

Does the activity require external contractors or other third parties?

Yes

No

If personal information is to be collected, used, or disclosed, who are the primary stakeholders? (Tick all appropriate)

Parents

Staff

Students

Contractors or other visitors

3. PERSONAL INFORMATION FLOWS

Please describe the personal information to be collected, used, or disclosed



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Please describe how the personal information will be stored and secured

Please list who will have access to the personal information collected

Will individuals still have access to their personal information upon request?

Yes

No

Please describe how this information is important to the activity

4. RISK ANALYSIS AND MANAGEMENT

In your judgment, what is the level of risk to the unintentional disclosure of the individual's personal information?

Very high

High

Medium

Low

In your judgement, what is the level of risk to the individual being identified through the use or disclosure of their personal information?

Very high

High

Medium

Low

Staff should seek to **minimise**, or where possible **eliminate**, the need to collect, use, or disclose personal information wherever possible. If, however, personal information remains a requirement for the activity in question, please describe the steps taken to minimise a) the need to collect and use information, and b) the risk for unintentional disclosure

Individuals have the right to be able to access personal information held about them by the College, and have the right to withdraw their consent for the use of that information at any time. If the activity in question will infringe upon these rights, the person responsible must make appropriate revisions to ensure they will be met.

5. BUSINESS OFFICE USE

Received by

Date

Are you satisfied that:

Personal information will be stored securely and accessible only to authorised staff?

Yes

No

Areas of risk have been adequately addressed?

Yes

No

Where required, permission from the individual has been acquired?

Yes

No

Please list any recommendations



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PRINT NAME

SIGNATURE

DATE SIGNED