



## Seymour College Privacy Policy

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Reviewed by:	Executive
Policy version number:	2
References:	<ul style="list-style-type: none"> <li>• <i>The Privacy Act 1988 &amp; Privacy Amendment (Enhancing Privacy Protection) Act 2012</i> together with the <i>Australian Privacy Principles (APPS)</i></li> <li>• <i>National Catholic Education Commission and Independent Schools Council of Australia, Privacy Compliance Manual, November 2019</i></li> <li>• <i>Seymour College Data Breach Response Protocol</i></li> <li>• Office of the Australian Information Commissioner website</li> </ul>
Policy owned by:	Director Finance and Operations

### 1. Purpose

- 1.1. This Privacy Policy sets out how Seymour College manages personal information provided to or collected by it.
- 1.2. The College is bound by the Australian Privacy Principles contained in the Commonwealth *Privacy Act 1988*.
- 1.3. The 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 school environment.
- 1.4. For the purposes of this policy, the term *parent* applies to parents or legal guardians of students

### 2. Application

- 2.1. This policy applies to all employees, students, staff, volunteers, parents, Old Collegians (hereinafter collectively referred to as 'Community') contractors including international agents and visitors and other people who are associated with, or come in contact with, Seymour College.

### 3. Collection of Information

3.1. In this policy, personal information means any information about an identified individual or an individual who is reasonably identifiable or as otherwise defined by applicable data protection law.

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

3.2.1 Students and 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 (e.g. 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
- photos and videos at College events

3.2.2 Job applicants, staff members, volunteers and contractors, including:

- name, contact details (including next of kin), date of birth, and religion
- information on job application
- psychometric and other behavioural survey information completed with consent
- professional development history
- salary and payment information, including superannuation details
- medical information (e.g. 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

3.2.3 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.

3.3. The College will generally collect personal information held about an individual by way of 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.

3.4. 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.

3.5. Under the Privacy Act, the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the School's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the School and employee.

#### **4. Use and Disclosure of Personal Information**

4.1. Seymour College only uses personal information for the primary purpose for which the information was collected. Seymour College may use or disclose personal information for a secondary purpose for which the information was collected if the secondary purpose is related to the primary purpose, and where the individual to whom the information relates could reasonably expect Seymour College to use the information for that purpose or to which you have consented.

##### **4.2. Students and parents**

4.2.1. 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 school, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all the activities of the School. This includes satisfying the needs of parents, the needs of the student and the needs of the School throughout the whole period the student is enrolled at the College.

4.2.2. The purposes for which the College uses personal information of students and parents include:

- Admissions and enrolment matters
- 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
- drawing upon the expertise of members of the College community to assist with functions and other operations of the College
- seeking donations or financial support for the College
- marketing and promotion for the College

- to satisfy the College's legal obligations and allow the College to discharge its duty of care.

4.2..3. 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.

#### 4.3. Prospective Employees, Contractors and Volunteers

4.3..1. 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.

4.3..2. The purposes for which the College uses personal information of job applicants and contractors include:

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

4.3..3. The College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities, such as the Seymour College Old Collegians Association and the Parents and Friends Association, to enable the School and the volunteers to work together.

#### 4.4. Marketing and Fundraising

4.4..1. 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 held by the College may be disclosed to organisations that assist in the College's fundraising, for example, the College's Old Collegians Association or, on occasions, external fundraising organisations.

4.4..2. Parents, staff, volunteers 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.

### 5. Disclosure of Information

5.1. Seymour College may disclose personal information, including sensitive information for administrative and educational purposes. This may include disclosing information to:

- other schools
- government departments
- credit reporting bodies

- medical or other health practitioners
- people involved in providing services to Seymour College; people providing educational, support and health services to the School, including specialist visiting teachers, coaches, volunteers, and counsellors
- providers of specialist advisory services and assistance to the School, including in the area of Human Resources, child protection and students with additional needs
- providers of learning and assessment tools
- 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
- providers of school competitions
- people providing administrative and financial services to the College
- recipients of Seymour College publications
- students' parents and guardians
- any other parties to whom Seymour College is authorised to disclose information
- anyone to whom we are required or authorised to disclose the information to by law, including child protection laws

5.2. The 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.

5.3. The College uses 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. The service provider that the College uses is Microsoft Office365. 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 server which may be situated outside Australia.

5.4. College personnel and its service providers may have the ability to access, monitor, use or disclose emails, communications (e.g. instant messaging), documents and associated administrative data for the purposes of administering this and ensuring its proper use.

## 6. Sensitive Information

6.1. In referring to 'sensitive information', the School means: information relating to:

- racial or ethnic origin
- political opinions
- religion
- trade union or other professional or trade association membership
- philosophical beliefs
- sexual orientation or practices
- criminal record
- health information or biometric information.

6.2. 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.

## 7. Credit Information

7.1. Credit information and credit eligibility information is information which according to the Act, is personal information about individuals or organisations/businesses that is:

- identification information
- consumer credit liability information
- repayment history information
- a statement that an information request has been made about you by a credit provider, mortgage insurer or trade insurer
- the type of consumer credit or commercial credit, and the amount of credit, sought in an application
- that has been made by you to a credit provider
- in connection with which the provider has made an information request in relation to you
- default information
- payment information
- new arrangement information
- court proceedings information
- personal insolvency information
- publicly available information
- that relates to your activities in Australia or the external Territories and the individual's credit worthiness
- that is not court proceedings information about you or information about the individual that is entered or recorded on the National Personal Insolvency Index; or

- the opinion of a credit provider that you have committed, in circumstances specified by the provider, a serious credit infringement in relation to consumer credit provided by the provider to you.

7.2. How does Seymour College collect credit information? The College will collect credit information through a number of methods including:

- directly from the parent
- from credit reports obtained from credit reporting bodies
- internally through the College's own records
- credit references from another credit provider with which the parent has or had a credit account; and
- from publicly available information including personal insolvency information about the parent entered or recorded in the National Personal Insolvency Index

7.3. Seymour College collects this information for the purpose of:

- Internal management in assessing the credit eligibility of parents/guardians;
- Assessing whether it will consent to provide education services to parents/guardians for their daughters on deferred payment (credit) terms;
- to manage the payment and recovery of amounts payable to us by parents/guardians for education services; and
- to ensure the College keeps adequate records of amounts outstanding and payable to it from time to time.

7.4. If a parent fails to make payments to the College when they are due or commits a credit infringement it may disclose details of such events to a credit reporting body, which may use such information provided by the College in reports given to other credit providers.

## 8. Information Quality

8.1. Seymour College will take reasonable steps to ensure that the personal information that is collected, used and disclosed is accurate and up to date. Seymour College will update its records within fourteen business days when an individual provides any new information or information that has changed.

## 9. Management and security of personal information

9.1. Employees are required to treat the information received from others confidentially. Seymour College will take reasonable steps to protect personal information 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.

9.2. Seymour College will take reasonable steps to ensure that information is destroyed when it is no longer required by law save and except for information retained for archival/historical records.

## 10. Access and correction of personal information

- 10.1. Under the Commonwealth Privacy Act, an individual has the right to seek and obtain access to any personal information which the School 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.
- 10.2. There are some exceptions to these rights set out in the applicable legislation.
- 10.3. To make a request to access or to update any personal information the College holds about you or your child, please contact the College telephone or 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).

## 11. Consent and rights of access to the personal information of students

- 11.1. The College respects every parent's right to make decisions concerning their child's education.
- 11.2. 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.
- 11.3. Parents may seek access to personal information held by the College about them or their child by contacting the College by telephone or 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 School's duty of care to the student.
- 11.4. The College may, at its discretion, on the request of a student grant that student access to information held by the School 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 warrant it.

## 12. Data Breach

- 12.1. A data breach happens when personal information is accessed, disclosed without authorisation or is lost.
- 12.2. A data breach may be caused by malicious action (by an external or insider party), human error, or a failure in information handling or security systems. Examples of data breaches include:
- loss or theft of physical devices (such as laptops and storage devices) or paper records that contain personal information



- unauthorised access to personal information by an employee
- inadvertent disclosure of personal information due to 'human error', for example an email sent to the wrong person
- disclosure of an individual's personal information to a scammer, as a result of inadequate identity verification procedures.

12.3. Under the *Notifiable Data Breaches* scheme, the College will comply with its notification obligations under the Privacy Act and notify affected individuals and the Office of Australian Information Commissioner of eligible data breaches.

12.4. An eligible data breach occurs when there is unauthorised access to or disclosure of personal information held by an entity that is likely to cause serious harm to one or more individuals to whom the information relates and the entity has been unable to prevent the likely risk of serious harm with remedial action.

12.5. The College has a Data Breach Protocol in place to guide staff in action to be taken should a data breach or suspected data breach occur.

### 13. Enquiries and Complaints

13.1. If you would like further information about the way the School manages the personal information it holds or wish to complain that you believe that the School has breached the Australian Privacy Principles please contact the College Principal by writing or telephone.

**Principal**  
**Seymour College Inc**  
**546 Portrush Rd**  
**Glen Osmond, SA 5064**  
**Telephone: 8303 9006**  
**Email: [principalsoffice@seymour.sa.edu.au](mailto:principalsoffice@seymour.sa.edu.au)**

13.2. The School 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.

13.3. If an individual has a complaint about how Seymour College has collected, stored or used personal information, please contact the School by phone or email. Seymour College will endeavour to deal with your complaint and take any steps necessary to resolve the matter within 14 business days.

13.4. If your complaint is unable to be resolved within 14 business days, Seymour College will advise you in writing including letting you know when it expects to provide a response.

13.5. If you are unhappy with the College's response, you can refer your complaint to the Office of the Australian Information Commissioner.

**Office of the Australian Information Commissioner**  
**GPO Box 5218**  
**Sydney NSW 2001**  
**Telephone: 1300 363 992**  
**Email: [enquiries@qaic.gov.au](mailto:enquiries@qaic.gov.au)**