



Padua College Privacy Policy

1. Policy Statement

This Privacy Policy sets out how Padua College manages personal information provided to or collected by the College.

Padua College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988, as amended from time to time. 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 College environment.

2. Purpose

The primary purpose of collecting and recording information is to support the students enrolled at the College, exercise its duty of care, and perform necessary associated administrative activities, which will enable Students to take part in all the activities in the tradition of Padua College. In addition, some of the information we collect, and record is to satisfy the College's legal obligations, particularly in relation to our duty of care to students and parents/guardians.

3. Glossary

The Australian Privacy Act 1988 applies to personal information that is captured in a written record.

The Australian Privacy Principles (APPs) are contained in Schedule 1 of the *Privacy Act 1988* outline how most Australian Government agencies, all private sector and not for profit organisations with an annual turnover of more than \$3 million, all private health service providers and some small businesses (collectively called 'APP entities') must handle, use and manage personal information.

Sensitive Information refers to personal information that is of a sensitive nature, including information about health, genetics, biometrics or disability; racial or ethnic origin; religious, political or philosophical beliefs; professional association or trade union memberships, sexuality or criminal record.

Primary purpose refers to the primary purpose for which information is collected.

Secondary purpose is any purpose other than the primary purpose for which the APP entity collected the personal information.

4. Type of Collection

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



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Students and Parents and/or guardians ('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 College 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);
 - conduct and complaint records, or other behaviour notes, and College reports;
 - information about referrals to government welfare agencies;
 - counselling reports;
 - health fund details and Medicare number;
 - any court orders;
 - volunteering information; and
 - photos and videos at College events.
- Job applicants, staff members, volunteers and contractors, including:
- name, contact details (including next of kin), date of birth, and religion;
 - information on job application;
 - 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; and
 - work emails and private emails (when using work email address) and Internet browsing history.
- Other persons who come into contact with the College, including name and contact details and any other information necessary for the particular contact with the College.

Personal information relates to information or an opinion about an identified individual or an individual who is reasonably identifiable whether the information is true or not. It includes all personal information regardless of its source.

5. Method of Collection

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. The third-party information may include medical report and Family Court Orders.



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6. Purpose of Collection

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 by you, or to which you have consented.

In relation to personal information of students and parents, the College's primary purpose of collection is to enable the College to provide quality education to its students, exercise its duty of care and perform necessary associated activities, which will enable the students to take part in all activities of the College. This includes satisfying the needs of the student, the needs of the parent and the needs of the College the entire period the student is enrolled at the College

I. Students and Parents

- 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;
- seeking donations and marketing for the College; and
- 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 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 an activity.

II. 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 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; and
- to satisfy the College's legal obligations, for example, concerning student protection, student protection and related legislation.

Under the Privacy Act 1988 the Australian Privacy Principles do not protect information about an employee record. As a result, this Privacy Policy does not apply to Padua College's treatment of an employee's record, where the treatment is directly related to a current or former employment relationship between Padua College and employee.



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III. 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. In relation to the personal information about volunteers, the College's primary purpose of collection is to assess (and if successful) engage the volunteer as the case may be. Personal information is then used for the primary purpose of:

- Administering the volunteer contact, engagement with the College as the case may be;
- For insurance purposes; and
- Satisfying the College's legal obligations, for example, in relation to student protection.

Personal information will only be used for secondary purposes where it can be done so in accordance with the *Privacy Act 1988*. This may include where you have consented to this secondary purpose, or where the secondary purpose is related to the primary purpose and you would reasonably expect us to use or disclose the information for the secondary purpose, where it is required or authorised by law or a situation exists to prevent a serious threat to safety or similar.

IV. 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 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, a College's Foundation or alumni.

*Images and names of students will not be used for marketing purposes **without express** consent of parents/guardians. 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.*

7. Disclosing Information

The College may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes.

This may include:

- other Colleges and teachers at those Colleges;
- government departments (including for policy and funding purposes);
- medical practitioners;
- people providing educational, support and health services to the College, including specialist visiting teachers, coaches, volunteers, and counsellors;
- providers of specialist advisory services and assistance to the College, including in the area of Human Resources, student protection and students with additional needs;
- providers of learning and assessment tools;



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- 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);
- people providing administrative and financial services to the College;
- recipients of College publications, such as newsletters and magazines;
- students' parents or guardians;
- anyone you authorise the College to disclose information to; and
- anyone to whom we are required or authorised to disclose the information to by law, including student protection laws.

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; and
- to satisfy the College's legal obligations, for example, concerning student protection, student protection and related legislation.

8. Sending and storing information overseas

The College may disclose personal information about a person to overseas recipients, for instance to allow storing information with “cloud” service providers which are situated outside Australia, or to facilitate a College student exchange. However, the College will not send personal information about an individual outside Australia without:

- A. Obtaining the consent of the individual (in some cases this consent will be implied);
or
- B. Otherwise being reasonably satisfied that the recipient is subject to a legally binding contract which complies with or substantially reflects the Australia Privacy Principles.

9. Managing information; including sensitive information

The College's staff are required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals. Sensitive information may be collected under the obligations imposed by the Apps. Sensitive information may only be collected when:

- Consent has been provided;
- It is authorised by law; and
- A permitted general situation exists such as to prevent a serious threat to safety.

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.



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The 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.

10. College websites and portals

When using College websites and portals hosted in padua.qld.edu.au domain, servers automatically record information that your browser sends whenever you visit. These server logs may include information such as your IP address, your top level domain name, the date and time of the visit to the site, the pages accessed and the documents viewed, previous sites visited, the browser type, the browser language, and one or more 'cookies' that may uniquely identify your browser.

No attempt is made to identify you through your browser except in exceptional circumstances such as an investigation into improper use of service.

11. Access to Information

Under the Commonwealth Privacy Act, an individual has the right to seek and 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. For example, such exclusion, might include where the release of the information would have an unreasonable impact on the privacy of others or where the release may result in a breach of duty of care to a student whose information Padua College holds.

Students will generally be able to access and update their personal information through their Parents, but older students may seek access and correction themselves. To make a request to access or to update any personal information the College holds about you or your child, please contact the Rector in writing. Applicants are required to verify their identity and specify what information is required. The

To make a request to access any information Padua College holds about you, please contact the Rector in writing to:

*The Rector
Padua College
80 Turner rd. Kedron Qld 4031
Ph. 07 3857 9999*

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.



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Access will generally be allowed except where:

- it would unreasonably impact on the privacy of other individuals;
- the request is frivolous or vexatious;
- the information relates to existing or anticipated legal proceedings between the parties, and the information would not be accessible through discovery;
- it would reveal a negotiation position;
- it would be unlawful;
- denying access is required or authorised by or under law;
- providing access is likely to prejudice the presentation, detection, investigation, prosecution or punishment of an unlawful activity, the activity of a law enforcement agency or legal proceeding; and
- providing access is likely to reveal evaluative information generated within the organisation in connection with commercially sensitive decision-making processes.

12. Updating and Correction of personal information

The College will endeavour 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 Office or by doing so directly through Parent Portal.

The Australia Privacy Principles require the College not to store personal information longer than necessary and to take necessary steps to de-identify personal information no longer needed for any expressed purpose.

13. Data Breach Response

A data breach is when personal information held by an entity is lost or subjected to unauthorised access, modification, disclosure or other misuse or interference, for example:

- a device containing personal information is lost or stolen;
- the College's information system or an associated database is hacked or compromised; and
- personal information is mistakenly provided to the wrong person.

The first 24 hours after discovering a data breach are critical to the success of the response. A quick response can substantially decrease the impact of affected individuals. A data breach response plan is a framework which outlines the roles and responsibilities for managing an appropriate response to a data breach. The aim of the data breach response plan is to:

- Meet obligations under the Privacy Act;
- Protect the personal information of staff, students, parents, volunteers and contractors;
- Deal with adverse action from a breach or suspected breach; and
- Instil public confidence in the College's capacity to protect personal information by properly responding to the breach.



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14. Actions Required for Data Breach Response

Staff who become aware of a Privacy Breach must immediately notify a member of the Padua Leadership Team.

The notification should include:

- Time and date of suspected breach;
- Personnel involved;
- The cause and extent of breach; and
- Who may be affected.

Contain the breach and evaluate the risks.

- Establish who is affected by the breach;
- Are multiple individuals affected by the breach?;
- What personal information is involved in the breach?;
- Identify the date, time, duration and location of the breach?;
- Is there (now or in future) a real risk of serious harm to the affected individuals?;
- Does the breach or suspected breach indicate a systemic problem with practices and procedures?;
- Does there need to be a public notification in relation to the breach?;
- What is the risk of harm to the College and the individuals affected?;
- What is the likely recurrence?;
- What is the likely cause of the breach?;
- Other issues relevant to circumstances; and
- Notification to the Rector.

Notification

The main consideration before choosing what action to take is to ask: “Is there a real risk of serious harm to affected individuals or the College?”

If communication is deemed necessary a communication strategy should be developed which outlines:

- Who is responsible for implementing the communication strategy?;
- Determining how affected individuals will be contacted;
- Criteria for determining which external stakeholders should be contacted (e.g. law enforcement, cyber security agencies, regulators including the OAIC and the media);
- Who is responsible for determining which external stakeholder is to be contacted?; and
- Who is responsible for liaising with those stakeholders?



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15. Prevent further breaches

The Privacy Breach must be fully investigated by the College and the breach and its cause must be recorded on the Privacy Breach Log. The Privacy Breach Log will be reviewed annually by the College Leadership Team.

An eligible data breach arises when the following three criteria are satisfied:

- *There is unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information, that an entity holds.*
- *This is likely to result in serious harm to one or more individuals, and*
- *The entity has not been able to prevent the likely risk of serious harm with remedial action.*

16. Enquiries and Complaints

If you would like further information about the way the College manages the personal information, it holds or wish to complain that you believe that the College has breached the Australian Privacy Principles please contact the Rector in writing. If an individual believes that their privacy has been breached and this matter is unable to be resolved at the College and local level, a complaint may be made in writing to The Board of Directors of Padua College Limited

17. Authority

- Privacy Act 1988(Cth)
- Australian Privacy Principles

Review

This Policy will be reviewed every three (3) years or as required by Law.

Version	Author	Authorisation	Approval Date	Next Review
3.0	C.Perrett	Board	08/01/2020	2022
2.0	Board	Board	2015	2018

Accountability

Role	Responsible for
Board	Oversight and Governance
Rector	Privacy Policy, Implementation and Complaints
HR, Risk and Compliance Officer	Policy review and updates