Redlands Privacy Policy

Introduction

Privacy protects the principle that individuals, including children and young people, have rights to their personal information. Redlands is committed to the preservation and promotion of these rights. The Privacy Act 1988 (Cth) regulates the way private sector organisations, including the School, handle and store personal information.

The Privacy Act sets out a number of principles that the School must comply with when handling personal information. These principles are known as Privacy Principles and apply to personal information and sensitive information collected and held in records.

This policy outlines how the School uses and manages personal information provided to or collected by it. The School may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the School's operations and practices and to make sure it remains appropriate to the School environment.

1. Definitions

1.1. Health Information includes information about the health or disability of an individual, it expresses wishes about an individual's future provision of health services or a health service provided or to be provided to an individual.

1.2. Parent includes guardians and caregivers.

1.3. Personal Information is information or an opinion about an identified individual, or an individual who is reasonably identifiable:

   (a) whether the information or opinion is true or not; and
   (b) whether the information or opinion is recorded in material form or not.

1.4. Records include documents, databases, photographs and other pictorial representations. However, it does not include a generally available publication or anything kept in a library, art gallery or museum for the purposes of reference, study or exhibition.

1.5. Sensitive Information is a type of personal information that is given extra protection and must be treated with additional care. It includes any information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, membership of a profession or trade association, philosophical beliefs, membership of a trade union, sexual orientation or practices, criminal record or health information about an individual or biometric information that is to be used for the purpose of automated biometric verification or biometric identification or biometric templates.
2. Publication and Distribution

2.1 This Policy must be given to all staff. Each new staff member must, as a part of their contract of employment, agree to its terms.

2.2 This Policy is to be made available to parents, prospective parents and students and anyone else who requests it free of charge.

3. What kind of personal information does the School collect and how does the School collect it?

3.1 The School collects and holds information including (but not limited to) personal information which may be sensitive information about:

   3.1.1 students and parents before, during and after the students' enrolment at School;
   3.1.2 job applicants, staff members, volunteers and contractors; and
   3.1.3 other people who come into contact with the School.

3.2 The School will generally collect personal information held about a student or prospective student by way of forms filled out by parents or students, face to face meetings and telephone calls.

3.3 On occasions, people other than parents and students may provide personal information; for example, a report from a health care professional or a reference from another school.

3.4 If the School receives unsolicited personal information, the School will, if lawful and reasonable to do so, destroy or de-identify the information unless the School determines it could have collected the information under the Privacy Principles.

4. Purpose of collecting, holding, use and disclosure of Personal information

4.1 The School collects, holds, uses and discloses personal information, including sensitive information, for the primary purpose of enabling the School to provide schooling for its students, including fulfilling its duty of care to them.

4.2 The School also collects information for secondary purposes (related to the primary purpose) including:

   4.2.1 keeping parents informed about matters related to their child's schooling through correspondence, reports, emails, newsletters, magazines and the internet;
   4.2.2 day to day administration;
   4.2.3 looking after the students' educational, social, spiritual and medical well-being;
   4.2.4 seeking donations and marketing for the School;
4.2.5 satisfying the School’s legal obligations; for example, in relation to child protection legislation.

4.3 The School must not collect personal information (other than sensitive information) unless the information is reasonably necessary for one or more of its activities or functions.

5. Need to Advise

Before information is collected or as soon as practicable after collection, the School will make the individual to whom the information relates aware of the following:

5.1 the identity of the School;

5.2 the fact that the information is being collected;

5.3 the purposes for which the information is being collected;

5.4 the intended recipients of the information;

5.5 whether the supply of the information by the individual is required by law or any court or tribunal, including the name of the law, court or tribunal.

5.6 any consequences for the individual if the information is not provided or part not provided;

5.7 the existence of this policy and that it contains any information about how the individual may access and correct the information and complain of any breach of the Privacy Principles;

5.8 if the information is collected from someone other than the individual, the fact that the School has collected the information and the circumstances of collection;

5.9 whether the School is likely to disclose the personal information to overseas recipients and, if so, which countries.

6. How will the School use the personal information it collects?

6.1 The School will use personal information it collects for its primary purpose of collection (namely, to provide an education for its students) and for such other secondary purposes as are related to this primary purpose. The purposes for which the School uses personal information of students and parents include:

6.1.1 to keep parents informed about matters related to their child's schooling through correspondence, newsletters and magazines;

6.1.2 day to day administration;

6.1.3 looking after the students' educational, social and medical wellbeing;

6.1.4 seeking donations and marketing for the School;
6.1.5 to satisfy the School's legal obligations; for example, in relation to child protection legislation.

6.2 The School will also use personal information it collects for the purposes for which it has obtained consent.

7. To whom might the School disclose personal information?

7.1 The School may disclose personal information, including sensitive information, held about an individual if the circumstances are appropriate to:

7.1.1 another school;
7.1.2 government departments;
7.1.3 medical practitioners;
7.1.4 people providing services to the School, including specialist visiting teachers, peripatetic staff and sports coaches;
7.1.5 recipients of School publications like newsletters and magazines;
7.1.6 parents; and
7.1.7 anyone else authorised by the person from whom the information was collected.

7.2 The School will not send personal information about an individual outside Australia without:

7.2.1 obtaining the consent of the individual (in some cases, this consent will be implied); or
7.2.2 otherwise complying with the Privacy Principles.

7.3 The School is unlikely to send personal information outside Australia. If a student is an overseas student or a student's parents live overseas, the School may send personal information of that student to the country where the student or his or her parents reside.

8. How does the School 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 the person from whom the information was collected has agreed otherwise, or the use or disclosure is required by law.

9. Management and security of personal information

9.1 Staff members are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals.
9.2 The School has in place steps to protect the personal information the School holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and pass worded access rights to computerised records and restricting access to relevant people in areas where personal information is stored.

10. Updating personal information
The School endeavours to ensure that personal information it holds is accurate and up-to-date. A person may request their personal information held by the School be corrected by contacting the Registrar of the School at any time. The School must take such steps (if any) as are reasonable in the circumstances to ensure, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

11. The right to check what personal information the School holds
11.1 Under the Privacy Act, an individual normally has the right to obtain access to any personal information which the School holds about them and to request the School correct any perceived inaccuracy. Students will normally have access to their personal information through their parents, but older pupils may seek access themselves.

11.2 To make a request to access any information the School holds, an individual should contact the Principal in writing.

11.3 The School may require those seeking information to verify their identity and to specify what information they require. The School may charge a fee to cover the cost of verifying applications and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the School will advise the likely cost in advance.

11.4 A person will not be given access to his or her own personal information in all cases such as where:

11.4.1 access would pose a serious or imminent threat to the life or health of an individual;

11.4.2 access would have an unreasonable impact on the privacy of other individuals;

11.4.3 providing access is likely to prejudice the prevention, detection, investigation, prosecution or punishment of an unlawful activity, the activities of a law enforcement agency, or legal proceedings;

11.4.4 the request is frivolous or vexatious;

11.4.5 the information relates to existing or anticipated legal proceedings between the parties, and the information would not be accessible through legal procedures;

11.4.6 providing access would be unlawful;
11.4.7 denying access is required or authorised by or under law.

11.5 Written reasons must be given where access is denied or the School refuses to correct the information.

12. Consent and rights of access to the personal information of students

12.1 The School respects every parent's right to make decisions concerning their child's education.

12.2 Normally, the School will refer any permission notices and other notices in relation to the personal information of a student to the students' parents. The School will treat consent given by parents as consent given on behalf of the students, and notice to parents will act as notice given to the student.

12.3 The School 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 or the student's personal circumstances so warrant.

13. Handling of Complaints and Privacy

Any concerns about the way the School has handled personal information should be directed in writing to the Principal. The Principal, or his delegate, will take whatever steps necessary in the circumstances to investigate and/or resolve the complaint. The individual may also make a complaint to the Office of the Australian Information Commissioner.

14. Employment Records

Employee records and acts done by the School as the employer of staff if directly related to a current or former employment relationship are exempt from the application of the Privacy Act 1988. Examples of this type of information include the terms and conditions of employment, personal contact details, performance and conduct and salary details. Accordingly, the School may access and use personal information about employees when appropriate.

15. Enquiries

For further information about the way the School manages the personal information it holds, please contact the Principal.

This document due to be updated November 2016.