PRIVACY POLICY

This policy defines how the School complies with the requirements of the Privacy Act, and in particular the new Privacy Laws and associated Australian Privacy Principles that will commence on 12 March 2014.

The Policy has been prepared to comply with Australian Privacy Principle – Privacy Policy, clauses 1.3 and 1.4.

Personal Information is information that identifies an individual or could identify an individual. A name or address is an obvious example. In some cases, a date of birth and post code may be enough to identify an individual. Personal information can also include medical records, bank account details, photographs, videos, and information about where the individual works.

What kinds of personal information does the School collect and hold (APP 3 & 4)

The type of personal information, including sensitive information, that the School collects and holds, is that which is necessary or directly related to the School’s primary function of providing an education and associated activities, or in certain circumstances a secondary associated function.

For future students and their parents this includes names, contact details and current or previous schooling records.

For current students this includes demographic information, parent/guardian names and contact details, medical information, emergency contacts, current or previous schooling records and any other information required for the educational, pastoral and health care of the child whilst at the School.

For former students and families this includes name, address and contact details, and other information that may be provided unsolicited by the individual such as change of marital status or occupation.

For parents/guardians this includes names and contact details, occupation and educational qualifications as required by the Federal Government to meet accountability requirements and to qualify for Federal Government funding for the School. It may also include bank account details for School Fee payment if the parent provides this as a preferred payment option.

For staff members this includes address, contact details for themselves and spouse (emergency), mandatory registrations, medical information if necessary for personal health and safety, tax file numbers and bank account details.

For volunteers and contractors this includes names, contact and company details, mandatory registrations and in some instances bank account details.

There will individuals who will visit the School periodically from whom it will be necessary to collect personal information and this would include names, contact details and mandatory registrations as required.

How the School collects personal information (APP 5)

The School will generally collect personal information held about an individual by way of forms filled out by parents or pupils, staff members, job applicants and others, or by face-to-face meetings and interviews, telephone calls, email communications and/or more recently via the School’s website and portal.
In some circumstances the School 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.

**How the School treats sensitive information**

In referring to 'sensitive information', the School means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record, that is also personal information; and health information about an individual.

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.

**How the School holds personal information (APP 11)**

The School's staff are required to respect the confidentiality of pupils' and Parents' personal information and the privacy of individuals.

The School holds personal information provided by individuals in one, or both, of two formats. The first is the format in which the information was provided, whether this be via a School form, an email, letter, school website/portal communication or a recorded phone message. The second format is within the School's Information Management System, Synergetic.

Hard copies of personal information are held on student or staff personal or medical files, or files created for specific information management purposes such as camp files, or Working with Children Check files. These are secured in locked filing cabinets, within offices that are locked each night or in controlled access areas.

Access to personal information entered into Synergetic is controlled by password access and security levels assigned to each staff member. The level of access for each staff member is determined by their role within the School and their operational requirement to know specific personal information about an individual.

**The purpose for which the School collects, holds, uses and discloses personal information (APP 6, 7 & 8)**

The School will use personal information it collects from the individual 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 for which the individual has consented.

**Pupils and Parents/Guardians**

In relation to personal information of pupils and parents/guardians, the School's primary purpose of collection is to enable the School to provide schooling for the pupil. This includes satisfying both the needs of parents/guardians and the needs of the pupil throughout the whole period the pupil is enrolled at the School.

The purposes for which the School uses personal information of pupils and parents/guardians include:

- to keep parents/guardians informed about matters related to their child's schooling, through correspondence, newsletters, magazines and the School's website;
- day-to-day administration;
- looking after pupils' educational, social and medical wellbeing;
- seeking donations and marketing for the School;
- to satisfy the School's legal and legislative obligations and allow the School to discharge its duty of care.
In some cases where the School requests personal information about a pupil or parent, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the pupil.

**Job applicants, staff members, and contractors**

In relation to personal information of job applicants, staff members and contractors, the School'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 School uses personal information of job applicants, staff members and contractors include:

- administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking funds and marketing for the School;
- to satisfy the School’s legal obligations, for example, in relation to child protection legislation.

**Volunteers**

The School also obtains personal information about volunteers who assist the School in its functions or to conduct associated activities, such as the Old Grammarians’ Association (OGA), to enable the School and the volunteers to work together.

**Marketing and fundraising**

The School treats marketing and seeking donations for the future growth and development of the School, as an important part of ensuring that the School continues to be a quality learning environment in which both pupils and staff thrive. Personal information held by the School may be disclosed to an organisation that assists in the School’s fundraising, for example, the School's Foundation or the OGA or the Parents & Friends’ Association (P&F).

The School provides the opportunity for individuals to deny the disclosure of their personal information to the P&F within the Confidential Personal Information form.

Parents, staff, contractors and other members of the wider School community may from time to time receive fundraising information. School publications, like newsletters, magazines and the School’s website, which include personal information, may also be used for marketing purposes.

**To whom might the School disclose personal information**

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

- another school for student transfers or Round Square exchanges;
- State and Federal government departments directly associated with educational services or school grant funding;
- medical practitioners;
- people providing services to the School, including specialist visiting teachers, school camp providers such as Outward Bound and sports coaches;
- recipients of School publications, like newsletters and magazines;
- Parents; and
- anyone the individual or parent/guardian authorises the School to disclose information to.

**How an individual may access personal information about the individual that is held by the School and seek the correction of such information. (APP 12 &13)**

Under the Commonwealth Privacy Act and Australian Privacy Principles 12 & 13, an individual has the right to obtain access to any personal information which the School holds about them and to advise
the School of any perceived inaccuracy. There are some exceptions to this right, as set out in Australian Privacy Principle 12, clause 12.3. Such exceptions 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 pupil.

Parents may seek access to personal information held by the School about them or their child by contacting the Head of School in writing. Pupils will generally have access to their personal information through their parents, but older pupils may seek access themselves. The School may, at its discretion, on the request of a pupil, grant that pupil access to information held by the School 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.

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

Staff, past students, volunteers and contractors may seek access to their personal information by contacting the Bursar or Head of School in writing. Job applicants may seek access to their personal information by contacting the Human Resources Officer.

The School is required to respond to a request for access to personal information within 30 days of the request or within a reasonable period after the request is made.

The School may, under certain circumstances, refuse to give access to personal information as requested or to give access in the manner requested by the individual or, their parent/guardian if the individual is a student. If this occurs, the School must give the individual a written notice that states the reason for the refusal and the mechanisms available to the individual to complain about the refusal and any other related matter prescribed by the regulations.

**Correction of personal information**

If under Australian Privacy Principle 13 – Correction of personal information, the School believes that the personal information held is inaccurate, out-of-date, incomplete, irrelevant or misleading or the individual requests the School to correct the information, the School must take such steps as reasonable in the circumstances to correct the information.

The School endeavours to ensure that the personal information it holds is accurate, complete, up-to-date and relevant. The School annually requests that individuals confirm or update critical personal information for current students and families via the BCGS Confidential Personal Information Form. In addition a person may seek to update their personal information held by the School, at any time, by contacting the Administration Office of the School or via the School’s parent portal.

Staff and job applicants can contact the Human Resources Officer and contractors can contact the School Bursar or Assistant Bursar.

The School is required to respond to a request to correct personal information within 30 days of the request or within a reasonable period after the request is made.

The School may, under certain circumstances, refuse to correct personal information as requested by the individual or, their parent/guardian if the individual is a student. If this occurs, the School must give the individual a written notice that states the reason for the refusal and the mechanisms available to the individual to complain about the refusal and any other related matter prescribed by the regulations.
Is the School likely to disclose personal information to overseas recipients (APP 8)

Many students travel overseas on Round Square exchanges, conferences and service trips for which it is necessary to provide certain personal information. The School 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 Principle 8 – Cross border disclosure of personal information.

APP 8 requires the School to take such steps as are reasonable in the circumstances to ensure any overseas recipient of personal information does not breach the Australian Privacy Principles. The School accepts this requirement and will also seek the prior consent of the individual or their parent/guardian as appropriate should a disclosure of personal information to an overseas recipient be required.

As at March 2013, the School has Round Square student exchanges, conferences and service trips that require the disclosure of student and staff personal information to overseas recipients which are almost without exception other schools or educational related entities in the following countries. This list will expand and appropriate scrutiny will apply as new countries are included.

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How an individual may complain about a Breach of the Australian Privacy Principles that bind the School, and how the School will deal with such a complaint.

Any complaint relating to the School’s compliance with the Australian Privacy Principles must be addressed in writing directly to the Head of School. Such matters may include, but not be limited to, the School’s refusal to provide access to an individual’s personal information or refusal to correct an individual’s personal information.

If the subject of complaint remains unresolved to the individual’s satisfaction and the Head of School has been formally advised that the individual intends to take the issue to the School’s Board of Governors, the individual can write to the Chair of the Board to formally complain. The only exception would be in the case of the Head of School being the subject of complaint, in that circumstance alone, an individual could bypass the Head of School and write directly to the Board Chair.

If the subject of complaint is still unresolved after discussion with the Board Chair, the individual must accept that their complaint has been heard and cannot be resolved as they would wish it to be resolved by the School.

If the individual is not satisfied with the outcome offered by the School, the individual may make a complaint to the Australian Information Commissioner under section 36 of the Privacy Act.

Additional information on the Australian Privacy Principles and the Office of the Australian Information Commissioner is available at www.oaic.gov.au.