



MARIST COLLEGE ASHGROVE PRIVACY POLICY

1. Introduction

Marist College Ashgrove is bound by Australian Privacy Principles contained in the Commonwealth Privacy Act 1998, as amended. The College may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to Colleges' operations and practices and to make sure it remains appropriate to the changing College environment.

2. Purpose of Collection

The primary purpose of collecting and recording information is to enable the provision of quality education in the Marist tradition. In addition, some of the information we collect and record is to satisfy the College's legal obligations, in particular, to enable the College to discharge its duty of care to students and parents/guardians. This information may also be used for appropriate parish purposes.

The College endeavours to collect the information reasonably and non-intrusively. Full and frank disclosure is required.

3. Who does the College seek information from?

The College collects and holds personal information, sensitive and health information, about:

- Students and parents and/or guardians ('Parents') before, during and after the course of a student's enrolment at the College;
- Job applicants, staff members, volunteers and contractors; and
- Other people who come into contact with the College.

4. Method of Collection

The College will generally collect personal information by way of forms filled out by parents or pupils, face-to-face meetings and interviews, and telephone calls. On occasions people other than parents and pupils provide personal information. However, 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 reference from another school, Family Court Orders.

Unsolicited information provided to the College by third parties will be destroyed unless required to be addressed by law

5. Purpose of Collection

a. From Families

The **primary purpose** for which the College uses personal information (initially and on-going) is to assess and respond to the educational needs of students.

The secondary purposes related to the Primary Purpose include:

- To keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- Day-to-day administration;
- Looking after pupils' social and medical wellbeing;
- Fee payment
- Assessing hardship requests
- Seeking donations and marketing for the College;
- To satisfy the College's legal obligations and allow the College to discharge its duty of care.

Full and frank disclosure is a fundamental requirement without which the initial and/or ongoing enrolment of the student may be compromised.

- b. **From 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, staff member 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;
- To satisfy the College's legal obligations, for example, in relation to child protection legislation.

Exception in relation to employee records: Under the Privacy Act the Australian Privacy Principles do protect information about an employee record.

- c. **From 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.
- d. **For Marketing and fundraising:** The College treats marketing and seeking donations to support its future growth and development as integral to ensuring that the College continues to be a quality learning environment in which both pupils and staff thrive. Personal information held by the College may be disclosed to an organisation that assists in the College's fundraising, for example, the College's Foundation or alumni organisation.

Images and names of students will not be used for marketing purposes **by organisations external to the College** without the express consent of parents.

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.

6. Management and security of personal information

The College staff are required to respect the confidentiality of staff personal information, pupils' and parents' personal information and the privacy of individuals.

The College has steps in place to protect the personal information the College 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.

7. How does the College 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, without consent, or where the use or disclosure of the sensitive information is allowed by law.

Sensitive Information includes: 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 and health information about an individual.

8. Sending 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:

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

9. Updating & 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 Lounge*.

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.

10. Access to Information

Under the Commonwealth Privacy Act, 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. Exceptions apply where the privacy of others or the College's duty of care may be compromised.

Pupils will generally have access to their personal information through their parents, but older pupils may seek access themselves. Those wishing to access information held about them by the College should contact the College Office in writing.

Applicants are required to verify their identity and specify the information required. The College 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 College will advise the likely cost in advance.

11. Disclosure of Information

The College will disclose information where the person consents to disclosure and may disclose personal information, including sensitive information, held about an individual to:

- Another school;
- Government departments;
- Medical practitioners;
- Public Health, Safety or Police Authorities, including as mandated by law,
- People providing services to the College, including specialist visiting teachers and sports coaches;
- Law Enforcement Authorities;
- Recipients of College publications, like newsletters and magazines;
- Parents; and
- Anyone authorise the College to disclose information.

12. Making a Complaint

a. Internal Complaint

Written complaints should be provided to the Headmaster. It is recommended that concerns are first discussed at College level, stating the details of concern and the remedy sought.

b. External Complaint

Complainants may also submit a complaint to the Privacy Commissioner. The Complaint process is free of charge. Forms are available on the Australian Government Business Account Portal. Under the *Privacy Act 1988* (Privacy Act) complaints may be made to the Office of the Australian Information Commissioner (OAIC) about the handling of personal information by Australian, ACT and Norfolk Island government agencies and private sector organisations covered by the Privacy Act.

13. Review

This Policy will be reviewed every 3 years or as necessitated by law.

PROCEDURES FOR THE HANDLING OF COMPLAINTS REGARDING THE POSSIBLE BREACH OF MARIST COLLEGE ASHGROVE PRIVACY OBLIGATIONS

Parents/guardians, students and prospective employees (considered Marist College Ashgrove “consumers”) may make a complaint about any possible breach of Marist College Ashgrove privacy obligations.

Privacy issues or concerns arising within the College can be directed on a confidential basis in the first instance to the Headmaster. 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 Trustees of The Marist Brothers, PO Box 1247, Mascot, NSW 1460.

Further information regarding Marist College Ashgrove’s information handling practices is contained in the Marist College Ashgrove Privacy Statement.

PROCEDURES FOR THE ACCESS TO AND CORRECTION OF PERSONAL, SENSITIVE AND HEALTH INFORMATION AT MARIST COLLEGE ASHGROVE

Parents/guardians, students and prospective employees (considered Marist College Ashgrove “consumers”) may request access to their own personal, sensitive and health information held by Marist College Ashgrove.

If any of the personal, sensitive or health information regarding a consumer is inaccurate, incomplete or out of date, consumers have the right to make any updates or corrections.

No fee will be charged for making a request to access the information, but an administrative fee may be charged to cover any costs incurred in fulfilling the request.

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;
- providing access is likely to reveal evaluative information generated within the organisation in connection with commercially sensitive decision-making processes.

Requests for access to and correction of personal, sensitive or health information held within Marist College Ashgrove should be directed in the first instance to the Headmaster.

Further information regarding Marist College Ashgrove’s information handling practices is contained in the Marist College Ashgrove Privacy Statement. Any enquiries regarding the way Marist College Ashgrove manages personal, sensitive and health information can be directed to the Privacy Officer via email at marist@marash.qld.edu.au or by writing to Marist College Ashgrove, Attention: Privacy Officer, PO Box 82, Ashgrove West, Qld. 4060.