



Heights College

Privacy Policy and Procedure

Our Commitment – Heights College is committed to the Australian Privacy Principles contained in the Commonwealth Privacy Act which outline how to manage personal information. The College will 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.

Scope – This Policy applies to Board members, employers, employees, volunteers, contractors, parents/guardians and students, and people visiting the College; and describes the type of information the College collects, how the information is handled, how and to whom the information is disclosed, and how the information may be accessed.

Types of Personal Information Collected – The College will only collect Personal Information that is necessary for its functions or activities, using fair and lawful means. Personal information means information or an opinion about an identified or reasonably identifiable individual, whether or not the information or opinion is true or not, or in recorded form or not.

The College, where practicable, will take reasonable steps to ensure that the individual is made aware that information is being collected before such collection, or as soon after as practical. In such situations, the individual will be informed about the intended use of the information.

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

- students and parents and/or guardians before, during and after the course of a student's enrolment at the College;
- alumni
- job applicants, staff members, volunteers and contractors; and
- any other people who come into contact with the College.

Please refer to Appendices for Information Collection Notices.

Exemption – 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 College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between Heights College and an employee.

Collection of Personal Information – 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.

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 College.

Anonymity and Pseudonymity – You may wish for personal information and sensitive information to be kept anonymously or under a pseudonym. Where it is practicable or lawful for us to, we will do so. It is normally not practicable to do so; however, if you would like to discuss information being made anonymous or under a pseudonym, please contact the Headmaster's Office in writing.

Purposes for Collection – Heights 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 some circumstances, your consent will be implied.

1. Students and Parents

In relation to personal information of students and parents, the College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying the needs of parents, the needs of the student and the needs of the College throughout the whole period the student is enrolled at the College. The purposes for which the College uses personal information of students and parents include:

- to keep parents informed about matters related to their child's schooling, through correspondence, Infolink, websites and magazines;
- day-to-day administration of the College;
- looking after students' educational, social, spiritual and medical wellbeing (including reasonable disclosure of personal information to staff, health professionals, volunteers;
- 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 a particular activity.

2. 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 donations and marketing for the College; and
- to satisfy the College's legal obligations, for example, in relation to child protection legislation.

3. Volunteers

The College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities, such as support-a-reader, swimming help, etc. to enable the College and the volunteers to work together.

4. Alumni

The College may collect personal information from time to time, to enable a College Alumni representative to inform you about the activities of Heights College and to keep alumni members informed about other members.

5. Marketing and fundraising

The College treats marketing, research 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. We will not disclose personal information to third parties for their own marketing purposes without your consent.

Parents, staff, contractors and other members of the wider College community may from time to time receive fundraising information. College publications, such as Infolink and Handbooks, which include personal information, may be used for marketing purposes.

Where reasonable, practicable and lawful, the College will take reasonable steps to destroy or permanently de-identify personal information when no longer needed.

6. Photography, Video & Audio Recordings

The College, parents, volunteers and students acknowledge that photographs in particular play an important role in the life of College, including for the preservation of College history. Photographs and video/audio recordings of students, staff, parents and volunteers may be taken during normal College activities, annual College/class/individual photographs, for student identification cards and during curricular, co-curricular and sporting activities, and also for other promotional purposes. Parents, students, staff members and volunteers consent to the use and/or disclosure of photographs, video/audio by the College including for the purpose of keeping parents and other people within the College community informed about matters relating to the student or the College and for the purpose of promotions, marketing and fundraising. Individuals are free to discuss with the College Headmaster the use of their image in such material.

7. Security Surveillance Footage

The collection of surveillance footage by way of video surveillance is carried out to the extent that is reasonably necessary to enable the College to discharge its duty of care to its students, parents and employees, and to protect College property.

Disclosure of Personal Information – The College may disclose personal information, including sensitive information, held about an individual to:

- another school;
- government departments;
- medical practitioners;
- people providing services to the College, including specialist visiting teachers, sports coaches, speech pathologists, staff members, contractors, volunteers etc.;
- recipients of College publications, such as Infolink and Handbooks;
- Parents;
- anyone you authorise the College to disclose information to; and
- anyone to whom the College is required to disclose the information to by law.

Sending Information Overseas – The College may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers which are situated outside Australia, or to facilitate a College exchange or overseas trip. However, the College will not send personal information about an individual (excluding information contained in marking material such as the College's Prospectus, Enrolment Pack or other publications) 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.

Sensitive Information – In referring to 'sensitive information', the College means: information relating to a person's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information, genetic information that is not otherwise health information, biometric information that is used to be used for the purpose of automated biometric verification or biometric identification or biometric templates.

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.

Management and Security of Personal Information – The College's staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals. The College has steps in place to protect 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.

Conduct that Breaches this Policy

Conduct that breaches this policy is unacceptable and, depending on the severity and circumstances, may lead to disciplinary action regardless of the seniority of the particular employee(s) involved.

Data Breaches

A data breach is unauthorised access to, unauthorised disclosure of, or loss of, personal information held by Heights College. This may be in relation to one record or many, and may be electronic records or a physical document.

In the case of a breach or possible breach, Heights College will act to:

- Contain the breach and make a preliminary assessment
- Evaluate the risks for individuals associated with the breach
- Consider breach notification as required
- Review the incident and take action to prevent further breaches

Please refer to the detailed response plan procedure.

Access and Correction of Personal Information – The College endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. 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. Students will generally be able to access and update their personal information through their parents, but older students may seek access and correction themselves. There are some exceptions to these rights set out in the applicable legislation.

Parents may make a request to access or update any personal information the College holds about themselves or their child by contacting the Headmaster's Office in writing. The College may require verification of identity and specification of what information is 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. If access to that information cannot be provided, the College will provide a written notice explaining the reasons for refusal.

Consent and rights of access to the personal information of students – The College respects every parent's right to make decisions concerning their child's education. While parents generally have the right to provide consent for their children, children of sufficient mental capacity may also have the ability to provide or withdraw their consent. 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.

As mentioned above, parents may seek access to personal information held by the College about them or their child by contacting the Headmaster's Office in writing. However, there will be occasions when access is denied pursuant to exceptions under the Privacy Act. 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 College's duty of care to the student.

The College may, at its discretion, on the request of a student, grant that student access to information held by the College 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 the personal circumstances so warrant it.

There may be circumstances where the College may deny access to certain personal information where that denial is required by law (for example, for complying with the *Child Protection Act 1999* (Qld)).

Complaints – An Individual whose Personal Information is/has been held by the College may lodge a complaint in writing to the College Headmaster about an act or practice of the College which the Individual believes to be inappropriate or unlawful.

The College Headmaster will investigate the complaint, and a decision will be made concerning the complaint and the complainant will be advised in writing of the result of the investigation within 30 days of the complaint. Should the complainant be dissatisfied with the College’s response, or not receive a response by the end of the 30 day period, the complainant may make a complaint to the Office of the Australian Information Commissioner.

Relevant Legislation & Related Documents

This Policy is to be read in conjunction with the Heights College Statement of Faith as stated in the Heights College Constitution

Privacy Act 1988 (Commonwealth)

Privacy Amendment (Enhancing Privacy Protection) Act 2012

Child Protection Policy

Heights College Privacy Procedures

Heights College Data Breach Response Plan

The Headmaster is responsible for the implementation of this Policy.

Signature

Darren Lawson

College Headmaster

Date approved	11 August 2020
Approval authority	Heights College Board
Date for next review	August 2021
Documents superseded by this Policy or Procedure	None
Distributed to	Teacher Kiosk, Heights College Website

Revisions/Modifications			
Version	Date	Summary of changes	Reviewed by
2	August 2018	Number 4 Alumni added Conduct that Breaches this Policy and Data Breaches added Appendices added	Board Governance Sub-Committee
3	27 February 2020	Name change to Privacy Policy and Procedure Added Heights College Data Breach Response Plan to Relevant Legislation and Related Documents	Board Governance Sub-Committee
4	11 August 2020	Additional clause added under Relevant Legislation and Related Documents	College Board

Appendix 1

Student and Parent Collection Notice

1. The College collects personal information, including sensitive information, about students and parents/guardians before, during and after the course of a student's enrolment at the College. The primary purpose of collecting this information is to enable the College to provide schooling to the student and to enable them to take part in all the activities of the College.
2. Some of the information we collect is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care.
3. Public Health, Child Protection and other laws relating to the governing and operation of schools require that certain information is collected and disclosed.
4. Medical information about students is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. The College may ask you to provide medical reports about students from time to time.
5. The College from time to time discloses personal and sensitive information to others for administrative and educational purposes. This includes to other schools, government departments, system education offices, medical practitioners and people providing services to the College, such as specialist visiting teachers, sports coaches and volunteers.
6. If we do not obtain the information referred to above we may not be able to enrol or continue the enrolment of your child.
7. Personal information collected from students is regularly disclosed to their parents or guardians.
8. The Privacy Act does not differentiate between adults and minors. While parents generally have the right to provide consent for their children, children of sufficient mental capacity may also have the ability to provide or withdraw their consent. Heights College will assume that notifications provided to parents/guardians have also been provided to their children. The College will assume that notifications provided to parents/guardians will act as notification to students, and consents received from parents/guardians will act as consents given by students, unless we are satisfied otherwise.
9. The College's Privacy Policy sets out how parents or students may seek access to personal information collected about them. However, there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the College's duty of care to the student, or where students have provided information in confidence.
10. The College Privacy Policy also sets out how you may complain about a breach of privacy and how the College will deal with such a complaint.
11. Heights College engages in fundraising and marketing activities from time to time. Information received from you may be used to make an appeal to you and also be disclosed to organisations that assist in the College's fundraising activities. The College will not disclose your personal information to third parties for their own marketing purposes without your consent.
12. On occasions, information such as academic and sporting achievements, student activities and other news is published in school newsletters and magazines and on our website. Photographs of student activities such as sporting events, College camps and College excursions may be taken for publications such as the College Annual, Infolink and on our website.
13. If you provide the College with personal information of others, such as doctors or emergency contacts, we encourage you to inform them that:
 - you are disclosing that information to Heights College and why;
 - they can access that information if they wish;
 - Heights College does not usually disclose information to third parties.

Appendix 2

Alumni Collection Notice

1. Heights College may collect personal information about you from time to time. The primary purpose of collecting this information is to enable a College Alumni representative to inform you about the activities of Heights College and to keep alumni members informed about other members.
2. We must have the information referred to above to enable us to continue your involvement in the Heights College Alumni Association.
3. From time to time the College engages in fundraising and marketing activities. The information received from you may be used to make an appeal to you. Heights College may use your personal information or images in marketing material or for fundraising activities. Please inform the College Student Receptionist if you do not want this to occur.
4. Heights College may publish details about you in Infolink and other College publications. Please inform the College Office if you do not want this to occur.
5. The College's Privacy Policy, which is available on the College's website, contains details of how you may seek access to personal information collected about you or how you may complain about a breach of the Australian Privacy Principles.
6. If you provide personal information to the College about other people, we encourage you to inform them of the above matters.

Appendix 3

Employment Collection Notice

1. Pursuant to the Privacy Act 1988 (Cth), the Australian Privacy Principles do not apply to an employee record. Notwithstanding the provisions in this notice, the College reserves its rights to the collection, use and disclosure of employee records, where the treatment is directly related to a current or former employment relationship between Heights College and an employee.
2. In applying for this position you will be providing Heights College with personal information.
3. If you provide us with personal information, for example your name, address and other information on your resume, the College will collect this information in order to assess your application. You agree that the College may store this information for twelve months.
4. The College may disclose this information to a third party for the purposes of verification and to assess your application e.g. verification of previous employment, qualifications.
5. Unless you are a registered teacher, the College is required to ensure that you have an employee blue card. The College may also collect personal information about you in accordance with Child Protection laws.
6. The College's Privacy Policy, which is available on our website, contains details of how you may complain about a breach of privacy or how you may seek access to your personal information collected about you. However, there will be occasions when access is denied. Such occasions will include where access would have an unreasonable impact on the privacy of others.
7. If you provide us with the personal information of others, the College encourages you to inform them that:
 - you are disclosing that information to Heights College and why,
 - they can access that information if they wish,
 - Heights College does not usually disclose information to third parties and
 - we may store their information for twelve months.

Appendix 4

Contractor/Volunteer Collection Notice

1. In applying to provide your services you will be providing Heights College with personal information.
2. If you provide the College with personal information, for example your name and address and other information contained on your resume, we will collect the information in order to assess your application. The College may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information for twelve months, to be used for the purposes for which it was provided.
4. The College will not disclose this information to a third party without your consent.
5. Applicants, who are not parents of Heights College students and volunteer for work at Heights College are required by Queensland Law to apply for a 'Blue Card' before they are able to work with children. This process will include a criminal record check being carried out for you. Information related to whether or not a 'Blue Card' was granted to you may be kept by Heights College.
6. The College's Privacy Policy, which is available on the College's website, sets out how you may seek access to your personal information and how you may complain about a breach of privacy.
7. If you provide us with the personal information of others, the College encourages you to inform them that:
 - you are disclosing that information to Heights College and why;
 - they can access that information if they wish;
 - Heights College does not usually disclose information to third parties.