

## 1. Policy commitment

The purpose of this policy is to ensure that in the course of Flinders Christian Community College (**College**) activities, we manage and protect personal information in accordance with the Privacy Act 1988 (Cth) (**Privacy Act**) and the 13 Australian Privacy Principles (**APPs**).

## 2. Scope

2.1 This policy outlines the circumstances in which we obtain personal information, how we use that information and how we manage requests to access and/or change that information.

2.2 This policy applies to all staff, volunteers and contractors of The College and its related bodies.

## 3. Definitions

3.1 For definition of terms, refer to **Annexure 1**.

## 4. Process

### How the College collect personal information?

Depending on the circumstances, the College may collect personal information from the individual in their capacity as a student, contractor, volunteer, stakeholder, job applicant or in some other capacity.

In the course of providing services or as part of the College's recruitment processes for employees, contractors and volunteers we may collect and hold personal information, sensitive information or health information.

Generally, we will seek consent from the individual in writing before we collect their sensitive information (including health information).

### Collection of personal information

The collection of personal information depends on the circumstances in which The College is collecting it. If it is reasonable and practical to do so, we collect personal information directly from the individual.

### Solicited Information

The College has, where possible, attempted to standardise the collection of personal information by using specifically designed forms (e.g. our Application Forms). However, given the nature of our operations we

often also receive personal information by email, letters, notes, via our website, over the telephone, in face-to-face meetings and through financial transactions.

We may also collect personal information from other people (e.g. a third-party administrator, referees for prospective employees) or independent sources. However, we will only do so where it is not reasonable and practical to collect the personal information from the individual directly.

### **Unsolicited information**

Unsolicited information obtained by The College will only be held, used and or disclosed if it is considered as personal information that could have been collected by normal means. If that unsolicited information could not have been collected by normal means then we will destroy, permanently delete or de-identify the personal information as appropriate.

### **Collection and use of sensitive information**

We only collect sensitive information if it is:

- reasonably necessary for one or more of these functions or activities, and we have the individuals consent
- necessary to lessen or prevent a serious threat to life, health or safety
- another permitted general situation
- another permitted health situation.

We may share sensitive information to other entities in our company group, but only if necessary for us to provide our services.

### **How do we use personal information?**

The College only uses personal information that is reasonably necessary for one or more of our functions or activities (the primary purpose) or for a related secondary purpose that would be reasonably expected by the individual, or for an activity or purpose to which the individual has consented.

Our primary uses of personal information include, but are not limited to:

- providing education, pastoral care, extra-curricular and health services
- satisfying our legal obligations including our duty of care and child protection obligations
- keeping parents informed as to College community matters through correspondence, newsletters and magazines
- marketing, promotional and fundraising activities
- supporting the activities of College associations such as Alumni Association

- supporting community based causes and activities, charities and other causes in connection with the College's functions or activities
- helping us to improve our day-to-day operations including training our staff
- systems development; developing new programs and services; undertaking planning, research and statistical analysis
- College administration including for insurance purposes
- the employment of staff
- the engagement of volunteers.

We will only use or disclose sensitive or health information for a secondary purpose if you would reasonably expect us to use or disclose the information and the secondary purpose is directly related to the primary purpose.

We may share personal information to related bodies corporate, but only if necessary for us to provide our services.

The College may disclose information about an individual to overseas recipients only when it is necessary, for example to facilitate a student exchange program. The College will not however send information about an individual outside of Australia without the consent of the individual.

### Disclosure Storage and Security of Personal Information

The College stores Personal Information in a variety of formats including, but not limited to:

- databases
- hard copy files
- personal devices, including laptop computers
- third party storage providers such as cloud storage facilities
- paper based files.

The College takes all reasonable steps to protect the personal information we hold from misuse, loss, unauthorised access, modification or disclosure.

Our public website may contain links to other third-party websites outside of The College. The College is not responsible for the information stored, accessed, used or disclosed on such websites and we cannot comment on their privacy policies.

### Disclosure Responding to Data Breaches

The College will take appropriate, prompt action if we have reasonable grounds to believe that a data breach may have, or is suspected to have occurred. Depending on the type of data breach, this may include a review of the College's internal security procedures, taking remedial internal action, notifying affected individuals and the Commissioner **within 30 days after** becoming aware of the data breach.

If we are unable to or it is not reasonably practicable to notify individuals, the College will publish a statement on our website and take reasonable steps to publicise the contents of this statement.

### **Disclosure of personal information**

Personal information is used for the purposes for which it was given to The College, or for purposes which are directly related to one or more of our functions or activities.

Personal information may be disclosed to government agencies, related entities and other recipients from time to time, if the individual:

- has given consent; or
- would reasonably expect the personal information to be disclosed in that manner.

The College may disclose personal information without consent or in a manner which an individual would reasonably expect if:

- the College is required to do so by law.
- the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety.
- another permitted general situation applies.
- disclosure is reasonably necessary for a law enforcement related activity.
- another permitted health situation exists.

### **Disclosure of your personal information to overseas recipients**

Personal information about an individual may be disclosed to an overseas organisation in the course of providing our services, for example when storing information with a “cloud service provider” which stores data outside of Australia.

We will however take all reasonable steps not to disclose an individual's personal information to overseas recipients unless the College:

- has received the individual's consent (which may be implied);
- is satisfied that the overseas recipient is compliant with the Australian Privacy Principles, or a similar privacy regime;
- forms the opinion that the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety; or
- has taken appropriate action in relation to suspected unlawful activity or serious misconduct.

### **The quality of personal information**

We take all reasonable steps to ensure the personal information we hold, use and disclose is accurate, complete and up-to-date, including at the time of using or disclosing the information.

If the College becomes aware that the Personal Information is incorrect or out of date, we will take reasonable steps to rectify the incorrect or out of date information.

### **Access and correction of personal information**

Individuals may submit a request to the College to access the personal information we hold, or request that the College change the personal information. Upon receiving such a request, the College will take steps to verify the individual's identity before granting access or correcting the information.

If the College rejects the request, you will be notified accordingly. Where appropriate, we will provide the reason/s for our decision. If the rejection relates to a request to change personal information, an individual may make a statement about the requested change and the College will attach this to their record.

### **Complaints**

An individual can make a complaint about how the College manages personal information by notifying us in writing as soon as possible. The College will respond to the complaint within a reasonable time (usually no longer than 30 days) and the College may seek further information in order to provide a full and complete response.

The College does not charge a fee for the handling of complaints.

If the individual is not satisfied with our response, they may refer the complaint to the Commissioner. A complaint can be made using the Commissioner online [Privacy Complaint Form](#) or by mail, fax or email.

A referral to the Commissioner should be a last resort once all other avenues of resolution have been exhausted.

## How to contact us

The College can be contacted about this Privacy Policy or about personal information generally, by please contacting your Campus Principal on the numbers listed below.

Campus	Principle	Contact details
Carrum Downs	Mr Andrew Watts	(03) 9785 0000
Tyabb	Mr Nick Haines	(03) 5973 2000

Our privacy officers, can be contacted at:

Privacy Officer	Email	Contact details
Mr Tristan Pham	tristan.pham@flinders.vic.edu.au	0499 077 644
Mr Philip Gruszka	philip.gruszka@flinders.vic.edu.au	0499 899 518

If practical, you can contact us anonymously (i.e. without identifying yourself) or by using a pseudonym. However, if you choose not to identify yourself, we may not be able to give you the information or provide the assistance you might otherwise receive if it is not practical to do so.

## 5. Review process

### Changes to our privacy and information handling practices

- 5.1 This Privacy Policy is subject to change at any time. Please check our Privacy Policy on our website <https://www.flinders.vic.edu.au/our-college/college-policies/> regularly for any changes.
- 5.2 This policy will be regularly reviewed by the College at least every 3 years or when there have been changes in the relevant laws and regulations which may affect the content of this Policy.

## 6. Relevant legislative requirements and associated policies

- 6.1 This Policy must be read in conjunction with:
  - (a) the law of the Commonwealth and Victoria including but not limited to:
    - (i) *Privacy Act 1988*;
    - (ii) *Health Records Act 2001*;

## Annexure 1 – Definition of Terms

Term	Definition
<b>APP</b>	means Australian Privacy Principles under Schedule 1 of the <i>Privacy Act 1988</i> (Cth).
<b>College</b>	means Flinders Christian Community College.
<b>Commissioner</b>	means the Office of the Australian Information Commission
<b>Eligible data breach</b>	<p>means:</p> <ul style="list-style-type: none"> <li>• there is unauthorised access to, or</li> <li>• unauthorised disclosure of, the information;</li> </ul> <p>a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any of the individuals to whom the information relates; or</p> <ul style="list-style-type: none"> <li>• the information is lost in circumstances where: <ul style="list-style-type: none"> <li>○ unauthorised access to, or unauthorised disclosure of, the information is likely to occur; and</li> <li>○ assuming that unauthorised access to, or unauthorised disclosure of, the information were to occur,</li> </ul> </li> </ul> <p>a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any of the individuals to whom the information relates</p>
<b>Health Information</b>	means (particularly in relation to prospective staff and customer records) including medical records, disabilities, immunisation details and psychological reports.
<b>Personal information</b>	means is information or an opinion about an individual from which they can be reasonably identified. This includes names, addresses and other contact details; dates of birth; and financial information
<b>Record</b>	means (amongst others) a document or an electronic or other device; but does not include, a generally available publication or letters or other articles in the course of transmission by post.
<b>Sensitive Information</b>	means including government identifiers (such as TFN), nationality, country of birth, professional memberships, family court orders and criminal records, sexual orientation and practices, religious beliefs or affiliations, racial or ethnic origin,
<b>Solicit</b>	means if the entity requests another entity to provide the personal information, or to provide a kind of information in which that personal information is included.
<b>Unsolicited information</b>	<p>means personal information without having sought it through our normal means and is often collected by:</p> <ul style="list-style-type: none"> <li>• misdirected postal mail – Letters, Notes, Documents</li> </ul>

	<ul style="list-style-type: none"> <li>• misdirected electronic mail – Emails, electronic messages</li> <li>• employment applications sent to us that are not in response to an advertised vacancy</li> </ul> <p>additional information provided to us which was not requested.</p>
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<b>Policy Manager</b>	Chief Financial Officer
<b>Contact</b>	Tristan Pham Tel: 03 5973 2000
<b>Approval Authority</b>	Executive Principal
<b>Reviewed</b>	Revised April 15, 2018