



PRIVACY POLICY

1. Rationale or Purpose

Villanova College is bound by the Australian Privacy Principles contained in the Commonwealth *Privacy Act 1988 as amended* (the Privacy Act).

This policy and related procedures details how the College complies with the requirements of the Privacy Act and how it protects your privacy. It sets out how the College manages personal information provided to or collected by it. More specifically, it sets how the College collects, holds, uses and discloses personal information and who the College shares it with.

2. Policy

Villanova College accepts its obligations to comply with the requirements of the Australian Privacy Principles contained in the Privacy Act. It is committed to protecting the privacy of all its Employees, Students, Parents, those contracted to perform work on its behalf, and volunteers.

3. Implementation

The College is committed to the effective implementation of its Privacy Policy.

3.1 Scope of the Policy

(1) Application to Persons

This policy applies to all Employees, Students, Parents, contractors, volunteers of the College and its Related Bodies, the Related Bodies and others including visitors to the College and people that come into contact with the College.

(2) Exception in relation to Employee Records

Under the Privacy Act, the Australian Privacy Principles do not apply to an Employee Record held by the employing entity. 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 the College and employee.

3.2 Risk Management, Training and Compliance

(1) Risk Management

Villanova College has established a documented Privacy Management Plan with procedures for identifying, assessing and controlling risks associated with privacy issues.

(2) Training Programs for Employees

The College's Privacy training program relates to all aspects of privacy including, but not limited to:

- Privacy module training and education for all current employees ensuring staff understand their privacy obligations and the roles of the Office of the Australian Information Commissioner (OAIC) and the Villanova College Privacy Officer.
- Online reporting and recording of incidents.
- Changes to workplace methods and practice.
- Integrating privacy training into staff induction processes

(3) Compliance

The College has a management system in place that ensures compliance and has assigned the Villanova College Compliance Officer as the Villanova College Privacy Officer.

3.3 Principles

(1) Who do we collect Personal Information from?

At Villanova College we collect personal information from Students, Parents, Employees, contractors, volunteers of the College, Related Bodies and others including visitors to the College.

(2) What kind of Personal Information does the College collect?

The type of information the College collects and holds includes (but is not limited to) Personal Information, including Health Information and other Sensitive information, about:

- Students and Parents before, during and after the course of a Student's enrolment at the College
- Employees, contractors and volunteers; and
- Other people who come in contact with the College.

Examples of Personal Information the College may collect includes:

- Students: full name, date of birth (birth certificate) previous school reports, and any disability;
- Parents: full name, marital status, contact details, ethnic origin and religious affiliation, financial information; and
- Employees, contractors and volunteers full name, address and other contact details, driver's licence information, religious affiliation, education details, financial information, employment references, employment history and regulatory accreditation.

(3) How does the College collect Personal Information?

The collection of Personal Information depends on the circumstances in which the College is collecting it.

(i) Solicited Information

The College collects Personal Information directly from the individual if it is reasonable and practical to do so.

Personal Information you provide:

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.

Personal Information provided by other people:

In some circumstances, the College may collect Personal Information about an individual from a third party, (for example a third-party administrator, referees for prospective employees, a report provided by a medical professional or a reference from another school) or independent sources. This will only be collected with your consent. and if it would be unreasonable or impracticable to collect the information from you. The College will also only collect information necessary to enable it to fulfil the primary purpose of collection set out below.

Information collected from our website

We may collect information based on how individuals use our website. We use “cookies” and other data collection methods to collect information on website activity such as the number of visitors, the number of pages viewed and the internet advertisements which bring visitors to our website. This information is collected to analyse and improve our website, marketing campaigns and to record statistics on web traffic. We do not use this information to personally identify individuals.

(ii) Unsolicited information

The College may be provided with Personal Information that is Unsolicited Information. Unsolicited information 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.

(4) How will the College use the personal information you provide?**(i) Purpose of Collection:**

The 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.

(ii) 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 to Students enrolled at the College, exercise its duty of care, and perform necessary associated administrative activities, which will enable those Students to take part in all the activities of the College. 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 may use Personal Information of Students and Parents include but are not limited to:

- Providing education, pastoral care, extra-curricular and health services;
- Keeping Parents informed about matters related to their child's schooling and College community matters, through correspondence, newsletters and magazines;
- Undertaking day-to-day administration of the College including for insurance purposes;
- Helping the College to improve its day to day operations including training its Employees;
- Undertaking planning, research, statistical analysis, systems development, and development of new programs and services;
- Seeking donations and volunteers, and undertaking marketing and promotional activities for the College;
- Satisfying the College's legal obligations including its duty of care and child protection obligations;
- Supporting the activities of Related Bodies and community-based causes and activities, charities and other causes in connection with the College's functions or activities.

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.

On occasions, information such as academic and sporting achievements, student activities and similar news is published in College newsletters and magazines, on the College intranet and website. This may include photographs and videos of student activities such as sporting events, College camps and College excursions. The College may include such photographs or videos, or other identifying material, in its promotional material or otherwise make this material available to the public such as on the internet, in accordance with the Villanova College Media Consent Form, which is completed as part of the enrolment acceptance process.

(iii) Job applicants, Employees, and contractors

In relation to Personal Information of job applicants and contractors, the College's primary purpose of collection is to assess and (if successful) to engage the applicant or contractor.

The purposes for which the College uses Personal Information of job applicants, Employees and contractors include:

- Administering the individual's employment or contract, as the case may be;
- Insurance purposes;
- Seeking donations and volunteers and undertaking marketing and promotional activities for the College;
- Satisfying the College's legal obligations, for example, in relation to child protection legislation

(iv) Volunteers - The College also obtains Personal Information about volunteers who assist the College in its functions or conduct associated activities, such as those involving Related Bodies, to enable the College and the volunteers to work together.

(v) Marketing and Fundraising

The College treats marketing and seeking donations for the future growth and development of the College as an important part of ensuring that the College continues to be a quality learning environment in which both current students and employees thrive.

Personal Information held by the College may be disclosed to an organisation that assists in the College's fundraising, for example the Related Bodies of the College.

Parents, Employees, 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.

In such instances where the College uses or discloses Personal Information for direct marketing purposes, the relevant individual may "Opt Out" by requesting:

- (a) not to receive direct marketing communications;
- (b) that their Personal Information not be used by or disclosed to Related Bodies or other entities for the purpose of facilitating direct marketing; and
- (c) to be provided with the source of the information received (unless it is impracticable or unreasonable for the College to do so).

(vi) Video Surveillance Network

The College has an extensive IP based Video Surveillance Network (VSN) which is used to monitor and record activity for a range of purposes including providing a safe and secure environment for current students and employees and visitors, as well as for protecting College buildings and assets by deterring incidences of theft and vandalism, both during and after College hours. Appropriate signage has been installed in either the immediate or general vicinity of cameras to advise that cameras are in operation.

Security, Storage and Retention

The footage recorded by the cameras is securely stored on local servers as digital files within the VSN software and can only be viewed and accessed by persons authorised by the College. The footage recorded is stored for a maximum of thirty-one (31) days after which the oldest data is overwritten by new data. If an incident occurs, authorised employees may export for archival purposes or for delivery to law enforcement authorities. Controlled access to the secured footage is strictly maintained.

Disclosure

Footage may be disclosed to third parties in accordance with Australian Privacy Principle 6 - use or disclosure of personal information. Circumstances under which footage will be shown to a third party may include:

- for law enforcement purposes (e.g. police);
- where it is necessary for the health, safety or welfare of individuals or public health reasons;
- when otherwise required by law (e.g. court order)

(5) To whom might the College disclose Personal Information?

(i) Disclosure of Personal Information to Certain Recipients

The College may disclose Personal Information, including Sensitive Information, held about an individual to:

- Another school or current employees at another school;
- Catholic Education Office and the Catholic Education Commission;
- Assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority;
- Government departments and statutory authorities;
- Medical practitioners;
- People providing educational support and Health Services to the College, including specialist visiting teachers, coaches including sport coaches, volunteers, counsellors and providers of learning and assessment tools
- People providing administrative and financial services to the College including contractors;
- Recipients of College publications, like newsletters and magazines;
- Parents; and
- Anyone you authorise the College to disclose information to; and
- Anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

(ii) Disclosure of Personal Information to Overseas Recipients

The College may disclose Personal Information about an individual to overseas recipients, for example, to facilitate a school 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 complying with the Australian Privacy Principles or other applicable privacy legislation.

(6) 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, unless you agree otherwise, or the use or disclosure of the Sensitive Information is allowed by law.

(7) How does the College store Personal Information?

(i) Formats of Storing 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

(ii) Third Party Storage Providers

The College may use online or 'cloud' service providers to store Personal Information and to provide services to the College that involve the use of Personal Information, such as services relating to email, instant messaging and education and assessment applications.

The College currently uses Office 365 and Google G Suite for online and 'cloud' services. Some limited

personal information may be provided to these service providers to enable user authentication. This personal information may be stored in the 'cloud', which means that it may reside on a cloud service provider's server that may be situated outside Australia, if applicable.

(8) Management and Security of Personal Information

(i) Confidentiality and Steps taken to Protect Personal Information

The College's Employees are required to respect the confidentiality of Students' and Parents' Personal Information and the privacy of individuals.

The College takes all reasonable steps to protect the Personal Information the College holds from misuse, interference and loss, unauthorised access, modification or disclosure.

These steps include, but are not limited to:

- Restricting access and user privilege of information by staff depending on their role and responsibilities.
- Ensuring staff do not share personal passwords.
- Ensuring hard copy files are stored in lockable filing cabinets in lockable rooms. Staff access is subject to user privilege.
- Ensuring IT and cyber security systems and procedures are implemented and up to date.
- Ensuring staff comply with internal policies and procedures when handling the information.
- Undertaking due diligence with respect to third party service providers who may have access to personal information, including customer identification providers and cloud service providers, to ensure as far as practicable that they are compliant with the Australian Privacy Principles or a similar privacy regime.
- The destruction, deletion or de-identification of personal information we hold that is no longer needed or required to be retained by any other laws.

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.

(ii) Data Breaches

Eligible Data Breach

It will be deemed that an 'eligible data breach' has occurred if:

- there has been unauthorised access to, or unauthorised disclosure of, Personal Information about one or more individuals (**the affected individuals**)
- a reasonable person would conclude there is a likelihood of serious harm to any affected individuals as a result;
- the information is lost in circumstances where:
 - unauthorised access to, or unauthorised disclosure of, the information is likely to occur;
 - assuming unauthorised access to, or unauthorised disclosure of, the information was to occur, a reasonable person would conclude that it would be likely to result in serious harm, as well as serious harm to the affected individuals.

Serious harm may include serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation.

Action to be taken by the College in the Event of an 'Eligible Data Breach' occurring?

If the College suspects that an eligible data breach has occurred, it will carry out a reasonable and expedient assessment/investigation within 30 days. If such an assessment/investigation indicates there are reasonable grounds to believe an eligible data breach has occurred, then the College will be required to lodge a statement to the privacy Commissioner (**Commissioner**). Where practicable to do so, the College will also notify the affected individuals. If it is not practicable to notify the affected individuals, the College will publish a copy of the statement on its website or publicise it in another manner.

Exception to Notification Obligation

An exception to the requirement to notify will exist if there is a data breach and immediate remedial action is taken, and as a result of that action:

- there is no authorised access to, or unauthorised disclosure of, the information
- there is no serious harm to affected individuals, and as a result of the remedial action, a reasonable person would conclude the breach is not likely to result in serious harm.

(9) Access to Personal Information

(i) Correction and rights of access to Personal Information

The College will take all reasonable steps to ensure that the Personal Information it holds is accurate, complete, up-to-date, relevant and not misleading.

The Australian Privacy Principles require the College not to store personal information longer than necessary.

Under the Privacy Act, an individual has the right to seek and 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 Parent/s.

There are some exceptions to this right of access set out in the applicable legislation. Exceptions 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.

To make a request to access or to update any Personal Information the College holds about you or your child, please contact the College via telephone, our website, or email.

The College will require you to verify your identity and specify what information you require.

The College may charge a fee to cover the cost of verifying your 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 we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

(ii) 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. 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 generally 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.

On a case-by-case basis, the College may at its discretion, on the request of a Student grant that Student access to Personal 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 may apply in limited situations where:

- it is both reasonable and practicable to do so; and
- the Principal has formed the view that the Student has sufficient maturity to understand what is being proposed.

3.4 Procedures

(i) Enquiries

If you would like further information about the way the College manages the Personal Information it holds, please contact the College by:

- Email: villa@vnc.qld.edu.au;
- Phone: 3394 5690;
- Writing to our Compliance Officer: PO Box 1166
Coorparoo DC Qld 4151

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.

(ii) Complaints

An individual can make a complaint about how the College manages Personal Information by notifying the Compliance Officer, whose contact details appear above under the heading Enquiries, in writing as soon as possible. The College will respond to the complaint within a reasonable time

(usually no longer than 30 days) and it 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 the College's response, they may refer the complaint to the Office of the Australian Information Commissioner (OAIC). A complaint can be made using the OAIC online [Privacy Complaint form](#) or by mail, fax or email.

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

4. Definitions

The terms defined in this clause have the following meaning unless the context indicates otherwise:

Employee means all persons employed by the College, including job applicants, past Employees and prospective Employees.

Employee Record means a record as defined in the Act.

Health Information is a subset of Sensitive Information. It is information or an opinion about the health or disability of an individual and information collected to provide, or in providing a Health Service. It includes medical records, disabilities, immunisation details and psychological reports.

Health Service includes an activity performed to assess, record, maintain or improve an individual's health, to diagnose an illness or disability, to treat an individual, or the dispensing on prescription of a drug or medicinal preparation by a pharmacist.

Parent means the parent / guardian / carer of a Student including a past and a prospective Parent.

Personal Information is information or an opinion, whether true or not and whether recorded in material form or not, about an identified individual or an individual whose identity is reasonably apparent, or can be determined, from the relevant information or opinion.

Related Bodies include the Villanova College Foundation, the Villanova Old Boys' Association Incorporated, the Villanova College Parents and Friends Association, the Villanova College Sports Club, the Villanova College Music Support Group and the Queensland Catholic Schools and Colleges Music Festival (QCMF) Committee.

Sensitive Information is a type of Personal Information. It includes government identifiers (such as TFN) information or opinion about an individual's racial or ethnic origin, nationality, country of birth, political opinion, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices, family court orders and criminal records, that is also Personal Information; health information and biometric information used for the purpose of automated biometric verification, biometric identification or biometric templates.

Student means a prospective, current or past student of the College.

Unsolicited Information means Personal Information that the College has not sought through its normal means of collection. It includes information that is collected by:

- Misdirected postal mail – Letters, Notes, Documents
- Misdirected electronic mail – Emails, electronic messages
- Employment applications sent to the College that are not in response to an advertised vacancy
- Additional information provided to the College which was not requested.

5. Evaluation and Review

This policy is to be reviewed after three (3) years or earlier to take account of any changes to relevant legislation or regulations, new technology, changes to the College's operations and practices and to make sure it remains appropriate to the changing environment.

Review Date: 21 November 2021.

Endorsement: This policy was approved and endorsed by the Villanova College Board on 21 November 2018.