Policy Statement - Privacy

1. STATEMENT

Somerset College has an obligation to managing personal information, which has been either collected or provided, in a responsible and legal manner and in a way that observes all Privacy laws.

2. THE LAW

The Privacy Act 1988 & Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)
Information Privacy Act 2009 (QLD)

3. PRINCIPLES

In particular, Somerset College is obliged to adhere to legislative requirements that regulate the way non-government schools handle ‘personal information’ of individuals.

Key components include the mandatory requirement to comply with Australian Privacy Principles which set the minimum standards which relate to the collection, storage, use, security, access, correction and disclosure of personal information.

4. DEFINITION

The Privacy Act 1988 is a Commonwealth Act that regulates the collection, storage, use and disclosure of different types of personal information by:
- Commonwealth and Australian Capital Territory government agencies;
- and private sector organisations with turnovers of over $3 million.

The Privacy Act does not differentiate between adults and children.
SOMERSET COLLEGE PRIVACY POLICY

Your privacy is important.

This statement outlines the College's policy on how the College uses and manages personal information provided to or collected by it.

The College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. In relation to health records, the College is also bound by the Information Privacy Act 2009 (QLD).

The College may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to College's operations and practices and to make sure it remains appropriate to the changing school environment. Further information about the way the College manages the personal information it holds, please contact the Headmaster, Deputy Headmaster or Head of the Junior School.

What kind of personal information does the College collect and how does the College collect it?

The type of information the College collects and holds includes (but is not limited to) personal information, including health and other sensitive 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 in contact with the College.

**Personal Information you provide.** 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, and telephone calls. On occasion, people other than parents and students provide personal information.

**Personal Information provided by other people.** 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 school.

**Exception in relation to employee records.** Under the Privacy Act and Information Privacy Act 2009 (QLD), the Australian Privacy Principles and Information 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 the College and employee.

How will the College use the personal information you provide?

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, or to which you have consented.

**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 both the needs of the parents and the needs of the student 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, newsletters and magazines;
- day-to-day administration;
- looking after students’ educational, social and medical wellbeing;
- seeking donations and marketing for the College;
- 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 obtained, 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.

**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.

**Volunteers** The College also obtains personal information about volunteers to assist the College in its functions or conduct associated activities, such as the Somerset Alumni Association, to enable the College and the volunteers to work together.

**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 students 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.

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.

**Who might the College disclose personal information to?**

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 and sports coaches;
- recipients of College publications, like newsletters and magazines;
- parents; and
- anyone you authorise the College to disclose information to.
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 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.

How does the College treat sensitive information?

In referring to 'sensitive information', the College means: information relating to a person's racial or ethnic origin, political opinions, religion, 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 and biometric 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 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 in place steps to protect the 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.

Updating personal information

Under the Commonwealth Privacy Act and the Information Privacy Act 2009 (QLD), 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.

To make a request to access or update any personal information the College holds about you or your child, please contact the College Headmaster in writing. The College may 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.

The College endeavours to ensure that the personal information that it holds is accurate, complete and up-to-date. A person may seek to update their personal information by the College by contacting the College in writing at any time.
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 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 College Headmaster. However, there will be occasions when access is denied. 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/or the student’s personal circumstances so warranted.

Enquiries and complaints

If you would like further information about the way the College manages the personal information it holds, or wish to complain that you believe that the College has breached the Australian Privacy Principles please contact the College Headmaster. The College will investigate any complaint and will notify you of the making of a decision in relation to your complaint as soon as is practicable after it has been made.
Somerset College Information Collection – Privacy Notice

1. The College collects personal information, including sensitive information about students and parents of guardians before and during 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 for your son/daughter.

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. If we do not obtain the information referred to above we may not be able to enrol or continue the enrolment of your son/daughter.

3. Certain laws governing or relating to the operation of schools require that certain information is collected. These include relevant Education Acts, Public Health and Child Protection laws.

4. Health information about students is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. We 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, medical practitioners, and people providing services to the College, including specialist visiting teachers, counsellors, sports coaches and volunteers.

6. Personal information collected from students is regularly disclosed to their parents or guardians. On occasions, information such as academic and sporting achievements, student activities and other news items and photographs are published in College newsletters, magazines and other publications, and on our website.

7. The College may store personal information in the ‘cloud’ which may mean that it resides on servers which are situated outside Australia.

8. The College’s Privacy Policy sets out how parents or students may seek access to personal information collected about them. Students may also seek access to personal information about them. However, there will be occasions when access will be 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.

9. The College’s Privacy Policy also sets out how you may complain about a breach of privacy and how the College will deal with such a complaint.

10. As you may know, the College from time to time engages in fundraising activities. Information received from you may be used to make an appeal to you. It may also be disclosed to organisations that assist in the College’s fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.

11. On occasions information such as academic and sporting achievements, student activities and similar news is published in College newsletters and magazines and on our website. Photographs of student activities such as sporting events, school camps and school excursions may be taken for publication in College newsletters and magazines and on our website. If you do not agree to the publication of such details you must advise us now.

12. We may include students’ and students’ parents’ contact details in a class list and College directory. If you do not agree to the publication of such details you must advise us now.

13. If you provide the College with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the College and why, that they can access that information if they wish and that the College does not usually disclose the information to third parties.