



Privacy Policy

Policy Statement

This Privacy Policy details how we protect your privacy and how we comply with the requirements of the Privacy Act and the 13 Australian Privacy Principles, as well as the requirements of the State based legislation e.g. Health Records Act (Vic). This policy also describes:

Who Do We Collect Personal Information From?

At Newhaven College we collect personal information from students, parents, prospective parents, job applicants, staff, volunteers and others including alumni, contractors, visitors and others that come into contact with the school.

It is noted that employee records are not covered by the Australian Privacy Principles where they relate to current or former employment relations between the school and the employee.

What Kinds of Personal Information Do We Collect?

The kinds of personal information we collect is largely dependent upon whose information we are collecting and why we are collecting it, however in general terms the school may collect:

- **Personal Information** including names, addresses and other contact details; dates of birth; next of kin details; financial information, photographic images and attendance records.
- **Sensitive Information** (particularly in relation to student and parent records) including religious beliefs, government identifiers, nationality, country of birth, languages spoken at home, professional or union memberships, occupations, family court orders and criminal records.
- **Health Information** (particularly in relation to student and parent records) including medical records, disabilities, immunisation details, individual health care plans, counselling reports, nutrition and dietary requirements.

As part of our recruitment processes for employees, contractors and volunteers, we may collect and hold:

- **Personal Information** including names, addresses and other contact details, dates of birth, financial information, citizenship, employment references, regulatory accreditation, media, directorships, property ownership and driver's licence information.
- **Sensitive Information** including government identifiers (such as TFN), nationality, country of birth, professional memberships, family court orders and criminal records.
- **Health Information** (particularly in relation to prospective staff and student records) including medical records, disabilities, immunisation details and psychological reports.

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

How Do We Collect Your Personal Information?

How we collect personal information will largely be dependent upon whose information we are collecting. If it is reasonable and practical to do so, we collect personal information directly from you.

Where possible the school has attempted to standardise the collection of personal information by using specifically designed forms (e.g. an Enrolment Form or a Health Information Disclosure Form). However, given the nature of our operations, we often also receive personal information by email, letters, notes, over the telephone, in face to face meetings, through financial transactions and through surveillance activities such as the use of CCTV security cameras or email monitoring.

We may also collect personal information from other people (e.g. a personal reference) or independent sources (e.g. a telephone directory), however we will only do so where it is not reasonable and practical to collect the information from you directly.

We may collect information based on how individuals use our website. We may 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 may be collected to analyse and improve our website, marketing campaigns and to record statistics on web traffic. If collected, we do not use this information to personally identify individuals.

Sometimes we may be provided with your personal information without having sought it through our normal means of collection. This is known as “unsolicited information” and is often collected by:

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

Where we collect unsolicited information, we will only hold, use and/or disclose that information if we could otherwise do so had we collected it 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 information as appropriate.

How We Use Personal Information

We only use 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 you, or to which you have 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 school community matters through correspondence, newsletters and magazines;
- marketing, promotional and fundraising activities;
- supporting the activities of school associations such as the Alumni Association;
- supporting the activities of the School Parents and Friends Association and Friends of Sport and the Music;

- supporting community based causes and activities, charities and other causes in connection with the School'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;
- school administration including for insurance purposes;
- the employment of staff; and
- the engagement of volunteers.

We only collect sensitive information reasonably necessary for one or more of these functions or activities, if we have the consent of the individuals to whom the sensitive information relates, or if the collection is necessary to lessen or prevent a serious threat to life, health or safety, or another permitted general situation (such as locating a missing person) or permitted health situation (such as the collection of health information to provide a health service) exists.

If we do not have the relevant consent and a permitted health situation or permitted general situation does not exist, then we may still collect sensitive information provided it relates solely to individuals who have regular contact with the school in connection with our activities. These individuals may include students, parents, volunteers, former students and other individuals with whom the school has regular contact in relation to our activities.

We will only use or disclose sensitive 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.

Storage and Security of Personal Information

We store personal information in a variety of formats including on databases, in hard copy files, on personal devices including laptop computers, mobile phones, cameras and other recording devices and with third party storage providers such as cloud storage facilities.

The security of your personal information is of importance to us and we take all reasonable steps to protect the personal information we hold about you from misuse, loss, unauthorised access, modification or disclosure.

These steps include, but are not limited to:

- Restricting access to information on the school databases on a need to know basis with different levels of security being allocated to staff based on their roles and responsibilities and security profile.
- Ensuring all staff are aware that they are not to reveal or share personal passwords.
- Ensuring where sensitive and health information is stored in hard copy files that these files are stored in lockable filing cabinets in lockable rooms. Access to these records is restricted to staff on a need to know basis.
- Ensuring access to Newhaven College's premises are secure at all times.
- Implementing physical security measures around the school buildings and grounds to prevent break-ins.
- Implementing ICT security systems, policies and procedures, designed to protect personal information storage on our computer networks.
- Implementing human resources policies and procedures, such as email and internet usage, confidentiality and document security policies, designed to ensure that staff follow correct protocols when handling personal information.
- Undertaking due diligence with respect to third party service providers who may have access to personal information, including cloud service providers, to ensure as far as

practicable that they are compliant with the Australian Privacy Principles or a similar privacy regime.

Personal information we hold that is no longer needed is destroyed in a secure manner, deleted or de-identified as appropriate.

Our website may contain links to other websites. We do not share your personal information with those websites and we are not responsible for their privacy practices. Please check their privacy policies.

Responding to Data Breaches

Newhaven 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 our internal security procedures, taking remedial internal action, notifying affected individuals and the Office of the Australian Information Commissioner (OAIC).

If we are unable to notify individuals, we will publish a statement on our website and take reasonable steps to publicise the contents of this statement.

When We Disclose Personal Information

We only use personal information for the purposes for which it was given to us, or for purposes which are related (or directly related in the case of sensitive information) to one or more of our functions or activities. We may disclose your personal information to government agencies, other parents, other schools, recipients of school publications, visiting teachers, counsellors and coaches, our service providers, agents, contractors, business partners and other recipients from time to time, only if one or more of the following apply:

- you have consented;
- you would reasonably expect us to use or disclose your personal information in this way;
- we are authorised or required to do so by law;
- disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety;
- where another permitted general situation or permitted health situation exception applies;
- disclosure is reasonably necessary for a law enforcement related activity.

Personal Information of Students

The Privacy Act does not differentiate between adults and children and does not specify an age after which individuals can make their own decisions with respect to their personal information.

At Newhaven College we take a common-sense approach to dealing with a student's personal information and generally will refer any requests for personal information to a student's parents/carers. We will treat notices provided to parents/carers as notices provided to students and we will treat consents provided by parents/carers as consents provided by a student.

We are however cognisant of the fact that children do have rights under the Privacy Act, and that in certain circumstances (especially when dealing with older students and especially when dealing with sensitive information), it will be appropriate to seek and obtain consents directly from students. We also acknowledge that there may be occasions where a student may give or withhold consent with respect to the use of their personal information independently from their parents/carers.

There may also be occasions where parents/carers are denied access to information with respect to their children, because to provide such information would have an unreasonable impact on the privacy of others, or result in a breach of the school's duty of care to the student.

Disclosure of Personal Information to Overseas Recipients

We may disclose personal information about an individual to overseas recipients in certain circumstances, such as when we are organising an overseas excursion, facilitating a student exchange, or 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:

- We have the individual's consent (which may be implied); or
- We have satisfied ourselves that the overseas recipient is compliant with the Australian Privacy Principles, or a similar privacy regime; or
- We form 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
- We are taking appropriate action in relation to suspected unlawful activity or serious misconduct.

How We Ensure the Quality of Your 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 collection and when using or disclosing the information. On an ongoing basis, we maintain and update personal information when we are advised by individuals or when we become aware through other means that their personal information has changed.

Please contact us if any of the details you have provided change. You should also contact us if you believe that the information we have about you is not accurate, complete or up to date.

How to Gain Access to Your Personal Information We Hold

You may request access to the personal information we hold about you, or request that we change the personal information, by contacting us. Upon receiving such a request, we will take steps to verify your identity before granting access or correcting the information.

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

Privacy Complaints

If you wish to make a complaint about a breach by us of the Australian Privacy Principles or the Health Records Act (Vic), you may do so by providing your written complaint by email, letter, and facsimile or by personal delivery to any one of our contact details as noted below. You may also make a complaint verbally.

We will respond to your complaint within a reasonable time (usually no longer than 30 days) and we may seek further information from you in order to provide a full and complete response.

If you are not satisfied with our response, you may refer the complaint to the 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.

How to Contact Us

You can contact us about this Policy or about your personal information by:

- Emailing info@newhavencol.vic.edu.au;
- Calling (03) 5956 7505; or
- Writing to our Privacy Officer at: Gea Lovell, Newhaven College, 1770 Phillip Island Road, Phillip Island VIC 3922.

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.

Changes to Our Privacy and Information Handling Practices

This Privacy Policy is subject to change at any time. Please check our Privacy Policy on our website regularly for any changes.

This Privacy Policy was last reviewed: 13 September 2018

Related Documents

- [College Privacy Collection Notice](#)
- [Information Collection Notice - Job Applicants](#)
- [Information Collection Notice - Students](#)
- [Information Collection Notice - Volunteers and Contractors](#)