Rationale

The College is committed to protecting the rights of individuals in accordance with the Commonwealth Privacy Act (1998) (Privacy Act) as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012 and the Australian Privacy Principles. In relation to health records, the College is also bound by the Victorian Health Privacy Principles contained in the Health Records Act 2001 (Health Records Act).

Privacy legislation and principles apply to the way in which the College collects, uses, discloses and manages personal information provided to or collected by it in accordance with its Mission and operational objectives.

An individual’s right to privacy is important to the College and so processes have been established to ensure that information is collected, utilised and stored in a manner that ensures the rights of individuals are respected and the integrity of collected information is protected.

As technology and legislation evolves the College will review and update this Privacy Policy in line with the Mission of the College and will commit to ensuring that such changes are notified to all stakeholders of the College.

Scripture

“Abide thou with me, fear not: for he that seeketh my life seeketh thy life: but with me thou shalt be in safeguard.” (Samuel 22:23)

Mission

As the Catholic Secondary College of East Gippsland, Nagle College will provide a safe and nurturing learning environment modelled on Christ’s message of love, hope and service. We welcome all students, celebrate diversity and promote relationships built on mutual respect where parents and staff are treated as valued partners in laying the foundation for lifelong learning. Through effective, innovative and supportive teaching we enable all students to “Let their light shine”.

Policy

Nagle College is committed to meeting all legislative requirements and to protecting the rights of individuals in accordance with the Commonwealth privacy laws and the Australian Privacy Principles (APPs).

College Policy Guidelines

1. Personal information Collected by the College

As part of both the enrolment process, the ongoing education of students and the normal operation of the College, Nagle College will have cause to collect and hold personal information, including health and other sensitive information pertaining to:

- Students and parents and/or guardians (parents) before, during and after the period of time students are enrolled at the College;
- Job applicants, staff members, volunteers and contractors; and
- Other people and stakeholders (such as past students and friends of the College) who come into direct and indirect contact with the College.
2. Information Collection Methods

The College collects personal information, including health and other sensitive information about students and parents 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 and other educational services for students.

Some of this information is to satisfy the College’s legal obligations, particularly to enable the College to discharge its duty of care to parents. Certain laws governing or relating to the operation of the College require that certain information is collected. These include Public Health and Child Protection laws.

The College in the course of its operations will collect information in a number of ways including:

- **Personal information you provide:** The College will generally collect personal information held about an individual by the way of forms filled out by parents and/or students (e.g. enrolment forms), face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parents and students provide personal information.

- **Personal Information provided by other people (third parties):** In some circumstances the College receives information from other sources, for example a reference from a former school a student has attended.

- **Exception in relation to employee records:** Nagle College is not bound by the Australian Privacy Principles, and this Privacy Policy does not apply, in relation 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 the employee. This exemption does not extend to prospective employees, contractors or volunteers or to ‘Health Information’ contained in an employee record.

3. Use of Personal Information by the College

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.

I. Student and Parent Information: 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:

- Keeping parents informed about their child’s education and developments at the College via newsletters, magazines and annual publications.
- Administration of educational services, including publication of student lists and photos.
- Ensuring students’ educational, social and medical wellbeing are maintained.
Publicising the achievements, events and developments of the College and its students. On occasions information such as academic and sporting achievements, student activities and other news is published by the College in magazines, newsletters and on web sites and could include photographs and other digital imaging.

- Marketing activities of the College including the prospectus, brochures and magazines.
- Fundraising activities conducted on behalf of the College.
- Satisfying the College’s legal obligations.
- Providing information that will enable the College and its staff to discharge its duty of care.

Health information about students is deemed ‘sensitive information’ within the terms of the Australian Privacy Principles under the Privacy Act. The College will ask that parents provide medical information about students from time to time to enable the College to exercise its duty of care to the student.

A condition of enrolment is that students and/or parents provide personal information to enable the College to discharge its duty of care. Failure to do so could mean that the College is not able to offer enrolment or continue the enrolment of a student.

II. 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 enable the College to assess and make an informed decision about the suitability of engaging their services, to administer the employment contract and to provide professional development (for staff).

Information collected is used in a number of ways including:

- Developing the terms of the employment agreement between the College and staff member or contractor.
- In administering the individual’s employment or contract. For staff the College as part of its commitment to professional development will periodically collect personal information about staff. Staff undertake an annual review and have a major professional development review every three years.
- As part of a fundraising or marketing campaign, and
- To comply with insurance, Occupational Health and Safety (OH&S) and other legal requirements including, for example, child protection legislation.

III. Volunteers

The College is committed to the belief that education is a partnership between parents, students and the College. It also welcomes the opportunity for past students and friends of the College to assist in enhancing the educational opportunities and facilities available to students. This may involve representatives of these groups assisting the College as volunteers in canteen operations, events, activities, programmes and fundraising appeals. Personal information will be collected in line with the College’s duty of care to volunteers in areas such as OH&S and to meet the College’s legal requirements in relation to the wellbeing of students; for example, mandating police checks for volunteer coaches.
IV. Marketing and Fundraising

The College is committed to providing students and staff with the optimal teaching and learning facilities and equipment to enhance learning outcomes for students. This requires that the College undertake marketing and fundraising activities with a variety of stakeholders. Personal information held by the College may be disclosed to external contractors who have been engaged to assist the College with marketing and fundraising programmes. This disclosure will only be for College auspice fundraising and marketing activities. Contractors are strictly prohibited from using personal information for any third party marketing or business activity.

Students, parents, staff, contractors, past students and other stakeholders in the College community may from time to time receive fundraising information. College publications such as annuals, magazines, curriculum documents, web sites and newsletters that contain personal information (photos and text) may be used for marketing purposes.

The College will at no time disclose personal information to third parties for non Nagle College marketing activities without first obtaining written consent.

Students, parents, staff, contractors, past students and other stakeholders in the College community can elect not to receive such information or request that they not be included in such publications by contacting the College.

4. Disclosure of Personal Information

The College may disclose personal information, including sensitive information to others for administrative and educational purposes. This includes:

- Other schools;
- Government departments;
- Catholic Education Offices;
- The Catholic Education Commission of Victoria;
- Local Diocese and Feeder Parishes;
- Medical practitioners;
- People providing services to the College including visiting specialist teachers, sports coaches, volunteers and counsellors;
- Recipients of College publications;
- Parents;
- Anyone you authorise the College to provide information; and
- Anyone to whom we are required to disclose the information to by law.
5. **Sending and storing information overseas:**

The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate an overseas trip. 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.

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

6. **Management of Sensitive Information**

In referring to ‘sensitive information’, the College means: information or opinion about a person’s racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of professional or trade association, membership of a trade union, sexual preference or practices or criminal record. It also includes health information and biometric information about an individual.

Sensitive information will be used and disclosed only for the reasons for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the information is allowed by law.

7. **Security of Personal and Sensitive Information**

Staff of Nagle College are required to respect the privacy and confidentiality of students and parents’ personal information.

The College has in place processes to protect the integrity of personal information from misuse, interference and loss, unauthorised access, modification or disclosure. These include locked storage of paper records, secure disposal of paper records and password-protected access to computer records.

8. **Access to Personal Information**

Under the Commonwealth Privacy Act and the Health Records Act individuals have the right to obtain access to any personal information held by the College that pertains to them and to advise the College of any perceived inaccuracy. Parents may seek access to personal information held by the College about them and their children by contacting the College. Students may also seek access (generally via parents) to information held about them.
There may however be times where access is denied as set out in the Act. Such occasions could include where access could have an unreasonable impact upon the privacy of others or where access could result in a breach of the College’s duty of care to the student.

The College may require that individuals verify their identity and specify what information is required. 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 requested is extensive, the College will advise the likely cost in advance. Requests for specific information should be in writing and directed to the Principal of Nagle College. If the College cannot provide you with access to the information requested, we will provide you with written notice explaining the reasons for refusal.

9. 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 the parents as consent given on behalf of the student, and notice to parents will act as notice given 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 use 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.

10. Updating Personal Information

If you provide the College with the personal information of others, for example emergency contacts or doctors, the College encourages you to inform them of:

- The specific information you are disclosing;
- The purposes for which you are disclosing the information;
- Their right to access the information held about them by the College; and
- The commitment of the College not to disclose personal information to third parties unless required to by legislation or to meet the duty of care obligation incumbent upon the College.

Personal information can be updated at any time by contacting the College.

Enquiries and Complaints

If you require further information about the way the College manages the personal information it holds, or wish to complain that you believe the College has breached the Australian Privacy Principles please contact the Principal of Nagle College. The College will investigate any complaint and will notify you of any decision in relation to your complaint as soon as practicable after it has been made.