
Privacy Policy and Procedure

Adopted March: 2014

Last Amended June: 2023

Next Review: June 2025

PURPOSE AND OBJECTIVES

The Privacy Act 1988 (Cth) (“the Privacy Act”) and the Australian Privacy Principles (“APPs”) outline key requirements Schools must consider to ensure that personal information is protected.

The Notifiable Data Breach Scheme is also a key requirement that Schools must comply with in the event there is a breach of personal information for the School’s stakeholders including students.

This Privacy Policy (“the Policy”) outlines key information related to Newstead Christian School for the purposes of complying with privacy legislation.

This Policy ensures a consistent and focused approach to privacy compliance across Newstead Christian School and addresses key components of the Australian Privacy Principles to develop an enterprise-wide culture of privacy and personal information management practices within Newstead Christian School.

SCOPE AND RESPONSIBILITY

This Policy covers Newstead Christian School’s compliance in relation to privacy and personal information.

Newstead Christian School may review and update this Policy to reflect new laws, technology and use of personal information.

RESPONSIBILITY FOR MANAGEMENT OF THE POLICY

The Business Manager and Principal.

THE POLICY

Newstead Christian School acknowledges that it may collect personal information that may be sensitive. This Policy intends to clarify particular elements of the privacy legislation and elaborate on how the personal information is being utilised and protected at Newstead Christian School.

Newstead Christian School strongly believes that the management of personal information should be a priority to ensure that an individual's personal information is secured and protected.

Newstead Christian School is committed to identifying and managing potential data breaches and has developed this Policy to inform stakeholders of Newstead Christian School's privacy compliance requirements.

Australian Privacy Principles

Newstead Christian School will comply with the requirements of the Australian Privacy Principles ("APPs") including:

- APP 1: Open and transparent management of personal information.
- APP 2: Anonymity and pseudonymity.
- APP 3: Collection of solicited personal information.
- APP 4: Dealing with unsolicited information.
- APP 5: Notification of the collection of personal information.
- APP 6: Use or disclosure of personal information.
- APP 7: Direct marketing.
- APP 8: Cross-border disclosure of personal information.
- APP 9: Adoption of government-related identifiers.
- APP 10: Quality of personal information.
- APP 11: Security of personal information.
- APP 12: Access to personal information.
- APP 13: Correction of personal information.

Notifiable Data Breach Scheme

Newstead Christian School acknowledges that there are requirements to manage data breaches that may result in serious harm to individuals such as staff and students. Procedures to comply with the Notifiable Data Breach Scheme include maintaining information governance and security over Newstead Christian School's network of personal information, and will cover:

1. monitoring potential, suspected or known data breaches;
2. containing the data breach and limiting the harm that may be caused by the breach of personal information;
3. assess whether the data breach is likely to result in serious harm to any involved individuals and consider whether notification to the affected individual is required;
4. remedial action to reduce the potential harm to individuals including recovering lost information or changing access controls to prevent unauthorised access;
5. notify any affected individuals and provide a statement to the Information Commissioner regarding data breaches; and
6. review the data breach incident and determine actions to prevent further breaches.

THE PROCEDURE

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

The type of information the School collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about:

1. pupils and parents and/or guardians ('Parents') before, during and after the course of a pupil's enrolment at the School;
2. job applicants, staff members, volunteers and contractors; and
3. other people who come into contact with the School.

Personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable:

1. whether the information or opinion is true or not; and
2. whether the information or opinion is recorded in a material form or not.

Personal information you provide:

The School will generally collect personal information held about an individual by way of forms filled out by parents or pupils, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parents and pupils provide personal information.

Personal information provided by other people:

In some circumstances the School 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 Act, the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the School's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the School and employee.

How will the School use the personal information you provide?

The School 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.

Pupils and Parents:

In relation to personal information of pupils and parents, the School's primary purpose of collection is to enable the School to provide schooling for the pupil. This includes satisfying the needs of parents, the needs of the pupil and the needs of the School throughout the whole period the pupil is enrolled at the School.

The purposes for which the School uses personal information of pupils and Parents include:

1. to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
2. day-to-day administration of the School;
3. looking after pupils' educational, social and medical wellbeing;
4. seeking donations and marketing for the School; and
5. to satisfy the School's legal obligations and allow the School to discharge its duty of care.
6. In some cases where the School requests personal information about a pupil or parent, if the information requested is not provided, the School may not be able to enrol or continue the enrolment

of the pupil or permit the pupil 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 School'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 School uses personal information of job applicants, staff members and contractors include:

1. in administering the individual's employment or contract, as the case may be;
2. for insurance purposes;
3. seeking donations and marketing for the School; and
4. to satisfy the School's legal obligations, for example, in relation to child protection legislation.

Volunteers:

The School also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, such as (alumni associations), to enable the School and the volunteers to work together.

Marketing and fundraising:

The School treats marketing and seeking donations for the future growth and development of the School as an important part of ensuring that the School continues to provide a quality learning environment in which both pupils and staff thrive. Personal information held by the School may be disclosed to organisations that assist in the School's fundraising, for example the School's Foundation or alumni organisation.

Parents, staff, contractors and other members of the wider School community may from time to time receive fundraising information. School publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

Who might the School disclose personal information to?

The School may disclose personal information, including sensitive information, held about an individual to:

1. another school;
2. government departments;
3. medical practitioners;
4. people providing services to the School including specialist visiting teachers, counsellors and sports coaches;
5. recipients of School publications, such as newsletters and magazines;
6. parents;
7. anyone you authorise the School to disclose information to; and
8. anyone to whom the School is required to disclose the information by law.

Sending information overseas:

the School 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 School will not send personal information about an individual

outside Australia without:

1. obtaining the consent of the individual (in some cases this consent will be implied); or
2. otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

How does the School treat sensitive information?

In referring to 'sensitive information', the School means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, 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 School's staff are required to respect the confidentiality of pupils and parents' personal information and the privacy of individuals.

The School has in place steps to protect the personal information the School 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

The School endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by the School by contacting the Registrar of the School at any time.

The School does not store personal information any longer than is necessary for its primary purpose.

Access and correction of personal information:

Under the Act, an individual has the right to obtain access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy. Pupils will generally be able to access and update their personal information through their parents, but older pupils may seek access themselves. There are some exceptions to these rights set out in the Act.

To make a request to access or update any personal information the School holds about you or your child, please contact the School Principal in writing. The School may require you to verify your identity and specify what information you require. The School 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 School 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 the refusal.

Consent and rights of access to the personal information of pupils:

The School respects every parent's right to make decisions concerning their child's education.

Generally, the School will refer any requests for consent and notices in relation to the personal information of a pupil to the pupil's parents. The School will treat consent given by parents as consent given on behalf of the pupil, and notice to parents will act as notice given to the pupil.

As mentioned previously, parents may seek access to personal information held by the School about them or their child by contacting the School Principal. 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 School's duty of care to the pupil.

The School may, at its discretion, on the request of a pupil grant that pupil access to information held by the School about them, or allow a pupil 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 pupil and/or the

pupil's personal circumstances so warranted.

When is personal information destroyed?

The Privacy Principles require the School not to store personal information longer than necessary. We regularly conduct reviews of the personal information we hold. If we determine that we no longer require personal information we will destroy or de-identify that information within a reasonable time.

Enquiries and complaints

If you would like further information about the way the School manages the personal information it holds, or wish to complain that you believe the School has breached the Australian Privacy Principles, please contact the Business Manager in writing. The School will investigate any complaint and will notify you of the decision in relation to your complaint as soon as practicable. If there is no response from the School within thirty days, a complaint can be made to the Australian Information Commissioner at:

<http://www.oaic.gov.au/privacy/privacy-complaints>

The School can be contacted at: office@ncs.tas.edu.au

Or by mail

The Business Manager Newstead Christian School

Box 100

Newstead TAS 7250

Telephone: 03 63 311 922

EFFECTIVENESS OF THE POLICY

The Business Manager and Principals will monitor the effectiveness and compliance with this Policy.

Appendix 1 is a Summary of the Privacy Principles.

ASSOCIATED POLICY AND PROCEDURE DOCUMENTS

Child Safety and Mandatory Reporting Policy

School's Standard Collection Notice for parents.

Standard Collection Notice for employees.

Data Breach Response Plan which provides a flow chart and the steps to be taken.

Data Breach Risk Assessment Factors that must be taken into consideration.

The School is also required to be proactive in ensuring staff understand their obligations to protect data and information.

The response team required to investigate the data loss includes the Business Manager, Principal Newstead Christian School and the Secretary.

REFERENCES

Privacy Act 1988 (Cth)

Australian Privacy Principles

Appendix 1

Summary of Newstead Christian School's obligations imposed by the Australian Privacy Principles (APPs)

1. Manage personal information in an open and transparent way.
2. Take such steps as are reasonable in the circumstances to implement practices, procedures and systems relating to the School's functions or activities that:
 - a. will ensure compliance with the APPs; and
 - b. will enable the School to deal with inquiries or complaints about compliance with the APPs.
3. Have a clearly expressed and up-to-date Privacy Policy about the School's management of personal information.
4. If it is lawful or practicable, give individuals the option of interacting anonymously with the School or using a pseudonym.
5. Only collect personal information that is reasonably necessary for the School's functions or activities.
6. Obtain consent to collect sensitive information unless specified exemptions apply.
7. Use fair and lawful means to collect personal information.
8. Collect personal information directly from an individual if it is reasonable and practicable to do so.
9. If the School receives unsolicited personal information, determine whether it could have collected the information under APP 3 (collection of solicited personal information) as if it had solicited the information. If so, APPs 5-13 will apply. If not, the information must be destroyed or de-identified.
10. At the time the School collects personal information or as soon as practicable afterwards, take such steps (if any) as are reasonable in the circumstances to make an individual aware of:
 - a. why the School is collecting information about them;
 - b. who else the School might give it to; and
 - c. other specified matters.
11. Take such steps (if any) as are reasonable in the circumstances to ensure the individual is aware of this information even if the School has collected it from someone else.
12. Only use or disclose personal information for the primary purpose of collection unless one of the exceptions in APP 6.2 applies (for example, for a related secondary purpose within the individual's reasonable expectations, you have consent or there are specified law enforcement or public health and public safety circumstances).
13. If the information is sensitive, the uses or disclosures allowed are more limited. A secondary purpose within reasonable expectations must be directly related to the primary purpose of collection.
14. Do not use personal information for direct marketing, unless one of the exceptions in APP 7 applies (for example, the School has obtained consent or where the individual has a reasonable expectation of their information being used or disclosed for that purpose and the School has provided a simple means for the individual to unsubscribe from such communications).
15. Before the School discloses personal information to an overseas recipient it must take such steps as are reasonable in the circumstances to ensure that the recipient does not breach the APPs, unless an exception applies.
16. Government related identifiers must not be adopted, used or disclosed unless one of the exceptions applies (eg. the use or disclosure is reasonably necessary to verify the identity of the individual for the purposes of the School's functions or activities).
17. Take such steps (if any) as are reasonable in the circumstances to ensure the personal information

the School collects, uses or discloses is accurate, complete and up-to-date. This may require the School to correct the information and possibly advise organisations to whom it has disclosed the information of the correction.

18. Take such steps as are reasonable in the circumstances to protect the personal information the School holds from misuse, interference and loss and from unauthorised access, modification or disclosure.
19. Take such steps as are reasonable in the circumstances to destroy or permanently de- identify personal information no longer needed for any purpose for which the School may use or disclose the information.
20. If requested, the School must give access to the personal information it holds about an individual unless particular circumstances apply that allow it to limit the extent to which it gives access.

Note: This is a summary only and NOT a full statement of obligations.