

# Policy and Procedure Manual

## Privacy

### 1. Rationale

- a) St Leonard's College ("the College") is committed to protecting the privacy of individuals.
- b) We therefore support and endorse the Australian Privacy Principles ("APPs") contained in the *Privacy Act 1988 (Cth)* ("the Privacy Act") and will only collect, use, disclose, manage and store personal information in accordance with these principles or otherwise as required by law.
- c) The College will also comply with the requirements of the *Health Records Act 2001 (Vic)*.

### 2. Aim

- a) The College is required under the Privacy Act to have a clearly expressed and up-to-date privacy policy about how the College manages personal information.
- b) This policy outlines how the College manages personal information provided to or collected by it.

### 3. Legislative References

- a) The Privacy Act 1988 (Cth) (the "Privacy Act")
- b) Health Records Act 2001 (Vic).
- c) Ministerial Order No. 1359 - Child Safe Standards (Vic.)
- d) Child Information Sharing Scheme (CISS)

### 4. Definitions

In the course of providing services and depending on the circumstances, the College may collect personal information from the individual in their capacity as a student, or a proposed student (being a child that is the subject of an application to become a student of the College), the parent or guardian of a student or proposed student, a contractor, volunteer, stakeholder, job applicant, alumni, visitor or others that come into contact with the school.

- a) **Personal information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable:
  - i. whether the information or opinion is true or not; and
  - ii. whether the information or opinion is recorded in a material form or not.

In the course of providing services we may collect and hold personal information including names, addresses and other contact details; dates of birth; next of kin details; photographic ID images; attendance records, financial information and employment details.

- b) **Sensitive information** includes information or an opinion about an individual's:
  - i. racial or ethnic origin
  - ii. political opinions
  - iii. membership of a political association
  - iv. religious beliefs or affiliations

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- v. philosophical beliefs
- vi. professional memberships
- vii. government identifiers (such as TFN)
- viii. sexual orientation or practices
- ix. criminal record
- x. residential address
- xi. court orders
- xii. English language proficiency
- xiii. previous schooling and performance
- xiv. visa documentation
- xv. date of birth

c) **Health information** includes information or an opinion about an individual's:

- i. health information including medical records, disabilities, immunisation details and psychological reports, reports from external consultants, and results of external education-related testing
- ii. genetic information about an individual that is not otherwise health information. or
- iii. biometric information that is to be used for the purpose of automated biometric verification or biometric identification, or
- iv. biometric templates

Generally, we will seek consent from the individual in writing before we collect any sensitive or health information.

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

Please note: However, a current or former employee's health records are covered by the Victorian Health Privacy Principles.

### 5. What Kind of Information Does the College Collect?

- a) The type of information that the College collects and holds (refer to 4. Definitions) will depend on the circumstances in which the College is collecting it.
- b) As part of our recruitment processes for employees, contractors and volunteers, we may collect and hold personal information including name, address and other contact details, date of birth, financial information, citizenship, employment references, current employment information, directorships, media, photo id information, bank account details, driver's licence information, academic results and qualifications.
- c) The College may also collect sensitive information from a person including health information.

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- d) A person is not required to provide the personal information and/or sensitive information requested by the College, however if a person chooses not to provide information as requested, this may influence the College's ability to service the person's needs. For instance, it will not be possible for the College to enrol a person or provide education to the person if the person wishes to remain anonymous or use a pseudonym.

### 6. How Does the College Collect Personal Information?

The collection of personal information depends on the circumstances in which St Leonard's College is collecting it. The College will generally collect personal information directly from the owner of the personal information.

#### a) Solicited Information

- i. The College has, where possible, attempted to standardise the collection of personal information by using specifically designed online forms (e.g. an Enrolment Form or Health Information Disclosure Form). However, given the nature of our operations we also receive personal information by email, letters, notes, via our website(s), online forms, over the telephone, in face-to-face meetings, through ePayments (online) financial transactions, donations, fee payments, third party fundraising and ticketing platforms where applicable, and through surveillance activities such as the use of CCTV security cameras or email monitoring. On occasion, the College may collect personal information from a third party. For example, personal information may be provided to the College by a health report provided by a medical professional.
- ii. We may also collect personal information from other people (e.g. a third-party administrator, referees for prospective employees) or independent sources. However, we will only do so where it is not reasonable and practical to collect the personal information from the individual directly.
- iii. 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.
- iv. The College will generally obtain consent from the owner of personal information to collect their personal information. Consent will usually be provided in writing however sometimes it may be provided orally or may be implied through a person's conduct.
- v. The College will endeavour to only ask a person for personal information that is reasonably necessary for the activities that the person is seeking to be involved in.

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### b) Unsolicited Information

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

- i. misdirected postal mail – Letters, Notes, Documents
- ii. misdirected electronic mail – Emails, electronic messages
- iii. employment applications sent to us that are not in response to an advertised vacancy
- iv. additional information provided to us which was not requested.

Unsolicited information obtained by the College 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.

### 7. How Does the College Use Personal Information?

The College only uses 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 for an activity or purpose to which you have consented.

- a) The College may collect, hold, use or disclose a person's personal information for the following general purposes:
  - i. to identify a person;
  - ii. for the purpose for which the personal information was originally collected;
  - iii. for a purpose for which a person has consented;
  - iv. for any other purpose authorised or required by an Australian law; and
  - v. for any other purpose authorised or required by a court or tribunal.
- b) More specifically, the College may collect, hold, use or disclose a person's personal information for the following purposes:

#### Students and Parents/Guardians

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.

- i. St Leonard's College will generally refer any requests for personal information to a student's (or proposed student's) parents and/or guardians. We will treat notices provided to parents and/or guardians as notices provided to students and we will treat consents provided by parents and/or guardians as consents provided by a student.
- ii. In relation to the personal information of students and parents and/or guardians, the College's primary purpose of collecting the personal information is to enable the College to provide education, pastoral care, extra-curricular and health services to the student.

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For example, the College uses personal information of students and parents and/or guardians for:

- correspondence with parents and/or guardians to keep parents and/or guardians informed about matters related to their child's performance at school;
  - publication of newsletters and articles on our website;
  - day-to-day administration;
  - looking after a student's educational, social and medical wellbeing;
  - mandatory reporting obligations required by government departments;
  - the collection of debts owed to the College; and
  - seeking donations and other fundraising activities for the College.
- iii. The College may publish the contact details (phone and email address) of parents and/or guardians in a class list and publish photos of students and parents and/or guardians in publications.
- iv. If a person has any concerns about their personal information being used by the College in any of these ways, the person must notify the College, in accordance with the procedures outlined at enrolment

### Staff members, Contractors and Volunteers

- i. In relation to the personal information of prospective and current staff members, contractors and volunteers, the College may use personal information to:
- enable the College to carry out its recruitment functions;
  - correspond with the person, provide training and professional development;
  - fulfil the terms of any contractual relationship; and
  - ensure that the person can perform their duties to facilitate the education of the students.
- ii. The College may publish the photographs of staff, contractors and volunteers in publications.
- iii. If a person has any concerns about their personal information being used by the College in any of these ways, the person must notify the College, through the Privacy Officer, Head of Human Resources. The College will ensure the privacy of the individual is respected accordingly.
- iv. The College will 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 using or disclosing the information. If the College becomes aware that the personal information is incorrect or out of date, we will take reasonable steps to rectify the incorrect or out of date information.

## 8. Who May the College Disclose Personal Information to?

- a) The College may disclose personal information, including sensitive information, held about an individual for education, administrative and support purposes, according to the obligations under the Child Information Sharing Scheme, Child Protection and other relevant legislation. This may include sharing information with:

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- i. other schools and teachers at those schools;
  - ii. government departments;
  - iii. registered health practitioners;
  - iv. people providing educational, support and health services, including teachers, specialist visiting teachers, sports coaches, volunteers and counsellors
  - v. providers of specialist advisory services, including in the area of human resources, child protection and students with additional needs
  - vi. assessment and education authorities
  - vii. people providing administrative and financial services to the College
  - viii. recipients of College publications;
  - ix. students' parents or guardians
  - x. anyone to whom the College is required or authorised to disclose information to by law, including child protection laws.
- b) The College may also disclose a person's personal information to another organisation with the person's consent.
- c) We will only use or disclose sensitive or health 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.
- d) We may share personal information to related bodies corporate, but only if necessary for us to provide our services.

### 9. Disclosure of Personal Information Overseas

- a) The College may disclose personal information to a recipient overseas (for example where we have outsourced a business activity to an overseas provider) in accordance with the Privacy Act, where we take reasonable steps to ensure that the overseas recipient does not breach the APPs in relation to the information.
- b) Otherwise, we may disclose personal information to a recipient overseas in accordance with the Privacy Act where:
- i. the owner of the personal information has consented to the disclosure;
  - ii. we reasonably believe that the overseas recipient is subject to a law or binding scheme that protects the information in a way that is substantially similar to the way the information is protected under the Privacy Act and the APPs;
  - iii. 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
  - iv. the disclosure is required or authorised by an Australian law or a court order.

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### 10. Direct Marketing

- a) Marketing and business development is important to ensure that the College continues to provide quality educational services.
- b) The College will use a person's personal information to send marketing information including the College magazine and newsletters. Personal information held by the College may be disclosed to an organisation that assists the College with its marketing.
- c) If a person does not want to receive any such information, the person can contact the College by email on [marketing@stleonards.vic.edu.au](mailto:marketing@stleonards.vic.edu.au).
- d) Once the College receives a request to "opt out" from receiving marketing information, the College will cease sending such information.

### 11. How Does the College Store and Secure Personal Information?

- a) The College stores personal information in a variety of formats including, but not limited to:
  - i. databases
  - ii. soft copy files
  - iii. personal devices, including laptop computers
  - iv. third party storage providers such as cloud storage facilities
  - v. paper based files.
- b) The College takes all reasonable steps to protect personal information under its control from misuse, interference and loss and from unauthorised access, modification or disclosure.

These steps include, but are not limited to:

- i. restricted access and user privilege of information by staff depending on their role and responsibilities;
- ii. storing paper records in lockable filing cabinets in lockable rooms. Staff access is subject to user privilege;
- iii. password restricted access to computerised records;
- iv. ensuring our IT and cyber security systems, policies and procedures are implemented and up to date;
- v. ensuring staff comply with internal policies and procedures when handling the information;
- vi. implementing physical security measures around the school buildings and grounds to prevent break-ins; and
- vii. 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 St Leonard's 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.

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### 12. Responding to Data Breaches

St Leonard's 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.

### 13. College Website

- a) When a person visits the College website (<http://www.stleonards.vic.edu.au>), the College's server or internet service provider records for statistical purposes the following in relation to each visit to the site:
  - the visitor's server address  
(which includes the top-level domain name e.g. com.gov.org)
  - date and time
  - pages accessed and documents downloaded
  - previous site visited
  - country from which the site was visited
  - type of operating system used
  - type of browser used.
- b) The website uses cookies.
- c) St Leonard's College utilises Google Analytics to improve our online experience across devices. If you are signed into your Google account when you use the St Leonard's College website, then Google may also combine data from your Google account with data about your use of the St Leonard's College website, to help identify you to be shown relevant St Leonard's College advertising online, across your devices. This is done using a Google service called Remarketing with Google Analytics, which links Google Analytics cookies (set by St Leonard's College) with Google advertising cookies (set by Google). Google Analytics helps website owners measure how users interact with website content. For more information:
  - About Google advertising cookies and Google Analytics cookies: [www.google.com/policies/technologies/types/](http://www.google.com/policies/technologies/types/)
  - About Google's Privacy Policy: [www.google.com/policies/privacy/](http://www.google.com/policies/privacy/)
  - About how Google uses data when you use sites and apps that use Google technologies: [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/)
  - On how to opt out of Google Analytics: <https://tools.google.com/dlpage/gaoptout/>
  - On how to opt out of Google Ads Personalization: [www.google.com/settings/ads](http://www.google.com/settings/ads)

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- d) St Leonard's College utilises Hotjar to understand our users' needs and to improve our website service and experience.

Hotjar is a technology service that helps St Leonard's to gain insight into our users' experience (e.g. how much time they spend on which pages, the specific links they choose to click, what users do and don't like, etc.) and this enables us to optimise our website service via the integration of user feedback. Hotjar uses cookies and other technologies to collect data on our users' behaviour and their devices, in particular - device's IP address (captured and stored only in anonymized form), device screen size, device type (unique device identifiers), browser information, geographic location (country only), preferred language used to display our website. Hotjar stores this information in a pseudonymised user profile. Neither Hotjar nor St Leonard's College will ever use this information to identify individual users or to match it with further data on an individual user. For further details, please see Hotjar's privacy policy by clicking on [this link](#). You can opt-out of Hotjar's creation of a user profile, Hotjar's storing of data about your usage of our site and Hotjar's use of tracking cookies on other websites by following this [opt-out link](#).

- e) The College will only record personal information supplied via the website including email addresses if sent a message or if a customer has voluntarily supplied it as part of an online payment transaction or via an online supply of information to the College.

#### 14. How A Person Can Update Their Personal Information?

- a) The College is committed to holding accurate and up-to-date personal information.
- b) A person may contact the College at any time to update their personal information held by the College.
- c) The College will destroy or de-identify any personal information which is no longer required by the College for any purpose for which the College may use or disclose it, unless the College is required by law or under an Australian law or a court order to retain it.

#### 15. How A Person Can Access Personal Information?

- a) If an individual wishes to access personal information held about themselves or about a student for which they are a parent or guardian in order to seek correction of such information they may do so by contacting the Privacy Officer in writing via email, [privacy@stleonards.vic.edu.au](mailto:privacy@stleonards.vic.edu.au). The College Privacy Officer is the Head of Human Resources.
- b) In accordance with the Privacy Act, the College may refuse access to personal information in a number of circumstances including where giving access to the information would pose a serious threat to the life, health or safety of a person, giving access would have an unreasonable impact on the privacy of a person, the information relates to existing or anticipated legal proceedings with you and would not be available under the discovery process, or denying access is required or authorised by an Australian law or court order.
- c) The College will seek to handle all requests for access to personal information as quickly as possible.

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### 16. Complaints

- a) Complaints about a breach of the APPs must be made in writing to the Privacy Officer, [privacy@stleonards.vic.edu.au](mailto:privacy@stleonards.vic.edu.au). The College will investigate any complaint and will notify you, in writing, of any decision in relation to your complaint as soon as practicable.
- b) If a complainant is not satisfied with the response they can 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.
- c) St Leonard's College can be contacted about this Privacy Policy or about personal information generally, by:
  - o Emailing - [privacy@stleonards.vic.edu.au](mailto:privacy@stleonards.vic.edu.au)
  - o Calling (03) 9909 9300
  - o Writing to our Privacy Officer at 163 South Road, Brighton East. VIC 3187
- d) 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.

### 17. Communication of this Policy

This policy is made available on the College public website, and on the College intranet for staff, parents and students. An annual notice is published in the College newsletter advising the College community of the location of College policies.

### 18. Prepared by

#### College Executive

Principal | Director of Finance | Director of Human Resources | Director of Admissions |  
Director of Technology Innovation | Director of Marketing and Communications.

### 19. Approved by

College Council

Jen Neate, Chair



Signature

27 July 2023

Date

### 20. Reason for Revision

Interim review to include the use of Google Analytics

*All policies at St Leonard's College are subject to a three (3) year review cycle (unless otherwise stated) irrespective of any amendments made during this period.*

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