



PRIVACY POLICY

The Hamilton and Alexandra College (the **College, we, us, our**) values your privacy and is committed to protecting information that schools collect. This policy outlines how the College manages and protects personal information in accordance with the *Privacy Act 1988* (Cth) (**Privacy Act**) and the 13 Australian Privacy Principles (**APPs**), as well as the requirements of the Health Records Act (Vic) (**Health Records Act**) and the Health Privacy Principles (**HPPs**) in relation to any personal information that is "health information" under the Health Records Act.

Scope of policy

This policy explains how the College collects and manages personal information and health information, consistent with Australian privacy laws and other associated legislation. It explains the main circumstances in which we commonly obtain personal information, how we use and disclose that information and how we manage requests to access and/or change that information.

The College collects and handles personal information in relation to students (current and past), parents/guardians (current and past), job applicants, staff, contractors, service providers and volunteers.

Definitions

In this Privacy Policy:

- **"Parent"** means, for the purposes of this privacy policy, a parent or guardian of a current or prospective student.
- **"Personal information"** means any information or an opinion about an individual who is identifiable or reasonably identifiable.
- **"Health information"** means any personal information or opinion about: (a) a person's physical, mental or psychological health, illness, injury or disability; and (b) the person's use of health services. This includes information or opinions about a person's health status and medical history, immunisation status and allergies, as well as mental health counselling records.
- **"Sensitive information"** refers to a type of personal information with stronger legal protections due to the risk of discrimination or its higher sensitivity, and includes personal information about an individual's racial or ethnic origin, political opinions or memberships, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, criminal record, membership of a trade union or professional / trade association, health information and biometric information.



What kinds of information do we collect?

Typically, the types of personal information we may collect include (but are not limited to):

- Information about students and their families provided by students, their families and others – for example:
 - contact and enrolment details (including emergency contacts and next of kin details);
 - the student's academic history (e.g. NAPLAN results and school reports), copy of birth certificate, date and country of birth, nationality, spoken languages and (for international students) passport and visa information;
 - the Parents' contact details, educational history, occupation and billing information;
 - health and special needs information (including, if applicable, medical records, information about disabilities, immunisation details and psychological reports);
 - parenting, custody and access arrangements (including any relevant family court orders); and
 - if the student and their family choose to provide it, information about the student and family's religious beliefs (so that we can adequately cater for the needs of the student in relation to such religious beliefs).
- Information about job applicants, staff, volunteers and visitors provided by job applicants, staff members, volunteers, visitors and others – for example, qualifications and accreditations, professional memberships, working with children checks, criminal record information (if any), licences (e.g. drivers licence, if the role involves driving vehicles), teacher registration, banking and financial details and, where relevant to your employment with us, information about your nationality, citizenship and visa status.
- Information about the activities of students, staff, families and other visitors when they are on school grounds (for example captured through CCTV) or using school systems (such as school networks or school-acquired software).

The specific types of personal information the College collects about you will depend on the circumstances, and the nature of your relationship with the College.

How do we collect this information?

The College collect information in a number of ways, including:

- in person and over the phone: from students and their families, staff, volunteers, visitors, job applicants and others
- from electronic and paper documentation: such as job applications, emails, invoices, letters, and forms (such as enrolment, excursion, medical, specialist or consent forms)
- through the College's websites and College-controlled social media
- through online tools: such as apps and other software used by the College
- through any CCTV cameras located at College



- when you attend the College's campus (you may be asked to provide certain contact details as part of a check-in process (which may be via digital check-in apps), including the date and time of attendance, to help us manage the safety and security of the campus and comply with any applicable laws such as public health directives)
- through photographs, film and other recordings
- through polls, surveys and questionnaires
- and, in some cases, through authorised information sharing arrangements with other services.

Where it is reasonably practical to do so, we will generally seek to collect personal information about you directly from you.

In some circumstances the College may receive personal information about you from a third party (for example, a report provided by a medical professional or a reference from another school) or from publicly available sources.

Collection notices

When the College collects information about you, the College will take reasonable steps to advise you of how the information will be handled. This includes the purpose of the collection, and how to access, update and correct information held about you.

For information about students and their families, a general collection notice is provided to Parents (or students who are mature minors) upon enrolment.

The College may also send out ad hoc collection notices during the year, for example if we are adopting new technologies or processes.

Consent processes

Consent is when someone voluntarily agrees for their information to be collected, used and/or shared within or outside the school.

Consent, when required, is sought in different ways and can be verbal, online or in writing, depending on the circumstances. There are many consent processes that may be applied during the school year.

Some consents are given on a standing / on-going basis (unless you opt out), for example the photography and media consent, while some will be for a specific purpose such as to collect information for a particular school event.

Health services conducted at the College use specific consent forms, which include consent for use and disclosure of health information.

Please also see the "Consent and rights of access to the personal information of students" section of this Privacy Policy below for further information about how we manage student and Parent consent issues.



Unsolicited information about people

The College may receive information about you that we have taken no active steps to collect. If permitted or required by law, we may keep records of this information. If not, we will destroy or de-identify the information when lawful and reasonable to do so.

Why do we collect, hold, use and disclose this information?

As a general rule, we only process personal information for purposes that would be considered relevant and reasonable in the circumstances. The purposes for which we collect, hold, use and disclose personal information will depend on the circumstances in which we collect it. Whenever practical we endeavour to inform you why we are collecting your personal information, how we intend to use that information and to whom we intend to disclose it at the time we collect your personal information. We have set out below the primary purposes for which we collect, hold, use and disclose personal information of students, their families, job applicants, staff, volunteers and visitors.

Primary purposes of collecting, holding, using and disclosing information about students and their families

- assess applications for enrolment at the College;
- educate students;
- support students' social and emotional wellbeing, and health;
- administer student enrolments, including the payment of school fees (and the recovery of any school fees that are overdue);
- fulfil legal requirements, including requirements to:
 - take reasonable steps to reduce the risk of reasonably foreseeable harm to students, staff and visitors (duty of care);
 - make reasonable adjustments for students with disabilities (anti-discrimination law); and
 - ensure, as far as is reasonably practicable, the health and safety of people in school workplaces (occupational health and safety law);
- to enable the College to:
 - communicate with Parents about students' schooling matters and celebrate the efforts and achievements of students;
 - maintain the good order and management of the College;
 - implement and enforce the College's policies and procedures;
 - ensure the effective management, resourcing and administration of the College;
 - comply with its legal obligations and perform any fulfil statutory functions and duties, for example under anti-discrimination laws, occupational health and safety laws, public health laws and child wellbeing and safety laws;
 - comply with reporting requirements;
 - investigate and respond to any complaints or grievances in accordance with the College's policies and procedures; and



- investigate incidents in the College and/or respond to any legal claims against the College.

Primary purposes of collecting, holding, using and disclosing information about others (including job applicants, staff, volunteers and visitors)

- to assess applicants' suitability for employment or volunteering;
- to administer employment or volunteer placement;
- for insurance purposes, including public liability and WorkCover;
- to fulfil various legal obligations, including employment and contractual obligations, occupational health and safety law and to investigate incidents;
- to manage the security, health and safety of the College campus, facilities, students, staff and visitors; and
- to respond to legal claims against the School.

Staff employment records

The Privacy Act contains certain exemptions that apply to the College's handling of employee records (other than employee health records) for purposes that are directly related to a current or former employment relationship between the College and the employee.

The College may rely on these exemptions (and other applicable exemptions at law), and this Privacy Policy does not apply in circumstances where the College relies on such an exemption.

When do we use or disclose information?

Using and/or disclosing information refers to how it is utilised for a specific purpose, and how it is shared and/or made available to other individuals or organisations.

The College will use or disclose information consistent with applicable privacy laws and other associated legislation, including as follows:

- for any of the primary purposes – as defined above;
- for a related secondary purpose that is reasonably to be expected – for example, to enable the College to fulfil its objectives, functions and powers as a private educational institution;
- with notice and/or consent – for example, consent provided for the use and disclosure of enrolment details (the information collected will not be disclosed beyond the College without consent, unless such disclosure is permitted under applicable privacy laws)
- when the College reasonably believes it is necessary to lessen or prevent a serious threat to:
 - a person's life, health, safety or welfare; or
 - the public's health, safety or welfare
- when required, permitted or authorised by law – including as a result of our anti-discrimination law, occupational health and safety law, public health law, child wellbeing and safety law, family violence law, or reporting obligations to agencies such as the Department



of Education, the Department of Health and the Department of Families, Fairness and Housing and complying with tribunal or court orders, subpoenas, summonses or search warrants, and in some circumstances to meet our duty of care;

- when required or authorised under the Child and Family Violence Information Sharing Schemes, with other Victorian schools and Victorian services to promote the wellbeing or safety of children, or to assess or manage family violence risk (for more information, refer to: [Information sharing and MARAM reforms](#));
- to investigate or report suspected unlawful activity, or when reasonably necessary for a specified law enforcement purpose, including the prevention or investigation of a criminal offence or seriously improper conduct, by or on behalf of a law enforcement agency;
- to engage third party service providers, agents and contractors (for example IT service providers, mailing houses and specialist visiting teachers and sports coaches);
- our accountants, insurers, lawyers, auditors and other professional advisers;
- to administer school fees, including by processing payments and taking action to recover school fees that may be overdue (which may require us to engage third parties, such as debt collection services);
- to establish or respond to a legal claim, or address any issues or complaints that we or you have regarding our relationship; and
- any third parties to whom you have directed or permitted us to disclose your personal information (e.g. if you transfer to another school).

Do we disclose information to recipients outside of Australia?

The College does not routinely disclose personal information to overseas recipients in the course of ordinary, day-to-day operations.

The College may periodically disclose personal information about an individual to overseas recipients on a case by case basis - for example to facilitate a school exchange, or where necessary to communicate with a student's family who are living overseas. If the College does transfer personal information about an individual outside Australia, we will do so in accordance with the requirements of applicable privacy and data protection laws.

Unique identifiers

Each student in Victoria has a unique Victorian Student Number (VSN) that is assigned by the Victorian Curriculum and Assessment Authority (VCAA) when the student first enrolls in a Victorian school (whether it is a government, independent or Catholic school). The use of the VSN is regulated and can only be used as stipulated by legislation (including the *Education and Training Reform Act 2006* (Vic) and the *Education and Training Reform Regulations 2017* (Vic)).

As a Victorian school, the College collects and handles VSNs for its students to perform the College's authorised functions under the VSN legislation. These include maintaining a register or enrolments that contains information about each enrolled student (including their VSN).



Further information about the Victorian Student Numbers can be found here on the VCAA's website: <https://www.vcaa.vic.edu.au/administration/schooladministration/student-numbers/Pages/Index.aspx>

For international students, the College may also collect and handle the unique international student identifier number assigned by the Department of Education where this is necessary to administer the student's enrolment.

Other unique identifiers (such as internal student numbers that the College assigns to students) may also be applied by College.

Student transfers

To and from **Victorian** schools including Catholic and government schools.

When a student has been accepted at and is transferring to or from a school in Victoria, the College provides a transfer note to the new school, with Parental consent.

Additionally, the College may share information with the new school to promote the wellbeing or safety of the student or to assess or manage family violence risk pursuant to the Information Sharing Schemes.

To and from **interstate** schools

When a student has been accepted at and is transferring to or from a school outside Victoria, the College provides a transfer note to the new school, with Parental consent.

NAPLAN results

NAPLAN is the national assessment for students in Years 3, 5, 7 and 9, in reading, writing, language and numeracy. Schools use NAPLAN data to evaluate their educational programs by analysing results for students who attended their school.

When a student transfers to or from the College, the school where the assessment was undertaken can (with Parental consent) provide a student's NAPLAN results to the new school.

Management, storage 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 stores personal information as either secure physical records, electronically on our intranet system, in cloud storage, and in some cases, records on third party servers.

The College has in place steps to protect the personal information the College holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and passworded access rights to computerised records.



The College also takes reasonable steps to destroy or de-identify personal information in accordance with the College's obligations under the Privacy Act, Health Records Act and any other applicable laws.

Data breaches

The 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 and (if required under the Privacy Act) notifying affected individuals and the Office of the Australian Information Commissioner (OAIC).

If we are required by the Privacy Act to notify affected individuals and we are unable to notify these individuals directly, we will publish a statement on our website and take reasonable steps to publicise the contents of this statement.

Updating your information

The College endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. It is important that the information we hold about students, families and staff is accurate, complete and up to date. Please contact us if there are any changes in the information you have provided us.

Requesting access to, or correction of, your information

Under the Privacy Act and Health Records Act, you have the right to request access to any personal information which the College holds about you, and to request that the College correct any perceived inaccuracy in that information.

The College will process all such requests in accordance with the requirements of the Privacy Act or the Health Records Act (as applicable). There are some circumstances where we are entitled to refuse an access or correction request, for example where providing access would have an unreasonable impact on the privacy of another person, or where we do not agree that the personal information requires correction.

On the rare occasions when we refuse an access or correction request (which we will only do in accordance with applicable laws), we will provide you with a written notice stating our reasons for the refusal.

Students will generally have access to their personal information through their Parents, although students can access their personal information directly where this is warranted by the maturity of the student and/or the student's personal circumstances. Please see the section "Consent and rights of access to the personal information of students" below for further information.

To make a request to access any information the College holds about you or (if you are a Parent) your child, please contact the College's Principal or Deputy Principal, or the Head of the Junior School in writing.



The College may require you to verify your identity and specify what information you require.

There is no charge for making an inquiry about accessing or correcting personal information.

However, if you are requesting access to personal information the College may charge a reasonable fee to cover the cost of locating, retrieving, reviewing and copying that information. If the information sought is extensive, the College will advise you of the likely cost in advance so that you can decide whether you wish to proceed.

The College does not charge for correcting information (if the College agrees that it requires correction).

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 request for consent and notices in relation to the personal information of a student to the student's Parents.

In most cases, the College will generally 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. There may be exceptions to this general rule where:

- the student has reached 18 years of age; or
- the student is sufficiently mature to make their own privacy decisions; or
- the student's other personal circumstances warrant a different approach.

Parents may seek access to personal information held by the College about them or their child. However, there may be occasions when access may be 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 or other legal obligations 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 student involved had reached 18 years of age, but the College may do so in other circumstances when the maturity of the student and/or the student's personal circumstances so warranted.

How we manage privacy complaints

You can make a complaint about how the College has managed your personal information, including if you believe there has been a breach of the APPs or the HPPs, by notifying us in writing using the contact details in the "Contact us" section below.

We will respond to your complaint within a reasonable time and we may ask you to provide further information so that we can investigate and consider your complaint and provide you with a full and complete response. We request that you cooperate with us during this process and provide any relevant information that we may need.



If you are not satisfied with our response, you may refer your complaint to the Office of the Australian Information Commissioner (**OAIC**).

A complaint can be made using the OAIC's online Privacy Complaint form (available on OAIC's website: <https://www.oaic.gov.au/privacy/privacy-complaints/lodge-a-privacy-complaint-with-us>) or by mail, fax or email:

Office of the Australian Information Commissioner

GPO Box 5218, Sydney NSW 2001

Telephone: 1300 363 992

Email: enquiries@oaic.gov.au

Contact us

The Hamilton and Alexandra College can be contacted about this Privacy Policy or about any personal information generally, by contacting the College's Business Manager:

- Call: 03 5572 1355
- Email: privacy@hamiltoncollege.vic.edu.au
- Visit: 1 Chaucer St, Hamilton VIC 3300

We reserve the right to change the terms of this Privacy Policy from time to time, without notice to you. You can access the most current version of our Privacy Policy on our website at www.hamiltoncollege.vic.edu.au.