(PCCTV-1) 2024 Privacy Policy	
Approved: College Board	**Date approved:** 2 May 2024
Responsible Officer: Principal	**Policy Review:** Term 1 2027

1. Rationale:

Lyrebird College adheres to the Australian Privacy Principles contained in the *Privacy Act 1988* (Cth) ('Privacy Act'). In relation to health records, the College is also bound by the Victorian Health Privacy Principles contained in the *Health Records Act 2001* (Vic) ('Health Records Act'). This policy outlines how the College uses and manages personal information it collects or receives in accordance with that legislation. The College may review and update this policy to take account of new laws and technology, changes to the College's operations and practices and to make sure it remains appropriate to our changing school environment.

2. Scope:

This policy applies to all members of the College community, as well as members of the public who provide information to the College.

This policy does not apply 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 employee. This is because of the exception in relation to employee records: under the Privacy Act and the Health Records Act, the Australian Privacy Principles and Health Privacy Principles do not apply to an employee record. An employee record is defined broadly to be a record of personal information relating to the employment of an employee. Examples of this type of information include the terms and conditions of employment, personal contact details, performance and conduct, disciplining, salary, termination and trade union membership.

3. KEY ELEMENTS OF THIS POLICY

3.1 Collection of personal information

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

- students and parents and/or guardians ('parents') before, during and after the course of a student's enrolment at the College
- job applicants, staff members, volunteers and contractors
- other people who come into contact with the College

Personal information provided by you
The College may collect personal information held about an individual by way of forms filled out by Parents or students, notes recorded during face-to-face meetings and interviews, any electronic forms of communication and telephone calls.

Personal information provided by other people
In some circumstances the College 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. The College does not collect personal information from their credit providers or credit reporting bodies.

3.2 Use of personal information

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, or to which you have consented.

Students and parents
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:

- assessing a student's application for enrolment
- to keep parents informed about matters related to their child's schooling, through correspondence, news items and reports
- day-to-day administration of the College
- looking after students' educational, social and medical wellbeing
- marketing and fundraising for the College
- ongoing engagement with parents and students beyond their school years
- to satisfy the College's legal obligations and allow the College to discharge its duty of care

In some cases where the College requests personal information about a student or parent, if the information requested is not provided, the College may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

Parent information may be sent to legal representatives for the recovery of fees.

Job applicants, staff members and contractors
In relation to job applicants, staff members and contractors, the College's primary purpose of collection of personal information is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

The purposes for which the College uses personal information of job applicants, staff members and contractors include:

- assessing the suitability for employment or engagement
- in administering the individual's employment or contract, as the case may be, or insurance purposes
- fundraising and marketing for the College
- to satisfy the College's legal obligations, for example, in relation to child protection legislation
- investigating incidents or defending legal claims about the College, its services or staff

Volunteers
In relation to volunteers**,** the College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities.

Marketing and fundraising
The College treats marketing and seeking donations for the future growth and development of the College as an important part of ensuring that the College continues to be a quality learning environment in which both students and staff thrive. Parents, staff and other members of the wider College community may from time to time receive fundraising information. College publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

Personal information held by the College may be disclosed to an organisation that assists in the College's marketing or, on occasions, external organisations that assist the College in stakeholder management and have appropriate procedures in place to comply with the Privacy Act.

Photographs
In relation to photographs, as part of its regular activities, the College may take photographs of staff, students and other participants in the life of the College to record and celebrate student effort and achievement. These images may be published in the College website, social media, newsletters and information booklets.

If you do not wish photographs of yourself or your child to be included in these publications please advise the Principal so that their images are not selected for publication. If the College does not receive an objection from you, it will be assumed that you have consented to allow the College to use photographs (which may include images of yourself and/or your child) for the purposes described above and in the publications identified above.

The College will seek your separate consent before publishing an image of yourself and/or your child where the name of the person in the image is disclosed in the publication or where the photo involves a specific activity, purpose or publication not identified above.

3.3 Disclosure of information

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

- another school
- government departments
- medical practitioners
- people providing services to the College, including specialist visiting teachers, counsellors, sports coaches, outdoor education contractors
- recipients of College publications, like newsletters and magazines
- outside legal representatives for non-payment of fees
- parents
- anyone you authorise (in writing) the College to disclose information to
- anyone to whom we are required to disclose the information to by law

The College 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. 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)
- otherwise complying with the National Privacy Principles

3.4 Sensitive information

'Sensitive information' means: information relating to a person's racial or ethnic origin, political opinions, religion, or professional or trade association membership, philosophical beliefs, 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.

3.5 Management and security of personal information

The College's staff are required to respect the confidentiality of personal information and the privacy of individuals.

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

In the event that a data breach considered 'notifiable' under the Privacy Act occurs, the College will implement the Data Breach Policy action plan and notify the individuals affected by the breach and also the Office of the Australian Information Commissioner (OAIC). A breach is defined as a data breach that is likely to result in serious harm to any of the individuals to whom the information relates. Serious harm could include serious physical, psychological, emotional and financial harm, as well as serious harm to reputation.

3.6 Access and correction of personal information

Under the Privacy Act and Health Records Act, an individual has the right to obtain access to any personal information which the College holds about them and to advise the College of any perceived inaccuracy. Students will generally be able to access and update their personal information through their parents.

There are some exceptions to these rights set out in the applicable legislation.

To make a request to access or update any personal information the College holds about you or your child, please contact the Principal in writing. The College may require you to verify your identity and specify what information you require. 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 sought is extensive, the College will advise the likely cost in advance. If we cannot provide you with access to that information, we will provide you with a written notice to explain the reasons for refusal.

3.7 Consent and rights of access to 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 the student to the student's parents. The College will 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.

As mentioned above, parents may seek access to personal information held by the College about them or their child by contacting the 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 College's duty of care to the student.

3.8 Child Information Sharing Scheme

Lyrebird College provides a respectful, safe, positive and supportive school that aims to protect all children and in particular children with an Autism Spectrum Disorder. Lyrebird College is committed to the Information Sharing and Family Violence Reform Ministerial Guidelines made under section 41ZA of the Child Wellbeing and Safety Act, ensuring that our organisational policies and practices meet all Information Sharing and Family Violence Reform guidelines inclusive of:

- Child Information Sharing Scheme (CISS)
- Family Violence Information Sharing Scheme (FVISS)
- Multi-Agency Risk Assessment and Management Framework (MARAM)

3.9 Financial information

The use of the College's online payment system indicates acceptance by users of our privacy policy in regard to the collection and use by the College of any information provided for payment purposes. Identifiable information collected through online payments will be used only for the purpose of processing that individual payment transaction. Non-identifying information may be used for

statistical, reporting and research purposes. The College may store parent credit card or bank account details for the purposes of fee payment for the duration of the student's enrolment at the College.

3.10 Complaints

A person may make a complaint to the College if he or she considers that the College has interfered with his or her privacy because of an alleged breach of the Australian Privacy Principles or the Victorian Health Privacy Principles.

The procedure to make a complaint is:

- the complaint is to be in writing and must be forwarded to the Principal
- the complaint must specify the details of the alleged breach
- the Principal will consider the complaint and make a determination within 45 days and will inform the complainant of the outcome in writing
- if the Principal determines that there has been a breach of the Australian Privacy Principles or Victorian Health Privacy Principles by the College, she will advise the relevant persons at the College in writing of any action required to remedy the breach and if the breach is not remedied within 30 days the Principal is to be informed
- the College will maintain a record of all complaints and determinations and of the action taken to remedy any breach

Further information on privacy legislation may be obtained by contacting the office of the Federal Privacy Commissioner. See the website: www.privacy.gov.au

3.11 Evaluation

This policy will be reviewed as part of a three year cycle.

Melissa Handbury

Board Chair