



Privacy Policy

v2019.2

Purpose:	Kingsley College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. This statement outlines the privacy policy of the College and describes how the College uses and manages personal information provided to or collected by it.	
Scope:	The policy applies to board members, employers, employees, volunteers, parents/guardians and students, contractors, and people visiting the College site; and describes the type of information the College collects, how the information is handled, how and to whom the information is disclosed, and how the information may be accessed.	
References:	<ul style="list-style-type: none"> • Australian Privacy Principles • Privacy Act 1988 (Cth) • Child Protection Policy • Disabilities Policy 	
Supersedes:	v2006	
Authorised by:	Principal	Date of Authorisation: 16/8/19
Review Date:	Annually, as appropriate, to take account of new laws and technology, changes to College operations and practices and to make sure it remains appropriate to the changing environment.	Next Review Date: August 2020
Policy Owner:	College Board	

Exception in Relation to Employee Records:

Under the *Privacy Act 1988* (Cth) (Privacy Act), the Australian Privacy Principles do not apply to an employee record held by the employing entity. As a result, this Privacy Policy does not apply to Kingsley College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between Kingsley College and an employee.

Policy

This Privacy Policy sets out how Kingsley College manages personal information provided to or collected by it. Kingsley College is bound by the Australian Privacy Principles contained in the *Privacy Act*. Kingsley College may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to Kingsley College's operations and practices and to make sure it remains appropriate to the changing College environment.

What kinds of personal information does the College collect and how does the College collect it?

The type of information Kingsley 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:
 - name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
 - parents' education, occupation and language background;
 - medical information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors);
 - conduct and complaint records, or other behaviour notes, and college reports; information about referrals to government welfare agencies;
 - counselling reports;
 - health fund details and Medicare number;
 - any court orders;
 - volunteering information; and
 - photos and videos at college events.
- job applicants, staff members, volunteers and contractors:
 - name, contact details (including next of kin), date of birth, and religion;
 - information on job application;
 - professional development history;
 - salary and payment information, including superannuation details;

- medical information (e.g. details of disability and/or allergies, and medical certificates);
 - complaint records and investigation reports;
 - leave details;
 - photos and videos at College events;
 - workplace surveillance information; and
 - work emails and private emails (when using work email address) and Internet browsing history.
- other people who come into contact with the College including name and contact details and any other information necessary for the particular contact with the College.

Personal Information you provide:

Kingsley College will generally collect personal information held about an individual by way of forms filled out by parents or students, 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:

In some circumstances Kingsley 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 college.

How will the College use the personal information provided?

Kingsley College will use personal information it collects for the primary purpose of collection disclosed, and for such other secondary purposes that are related to the primary purpose, and reasonably expected, or to which the College has been granted consent.

Students and Parents

In relation to personal information of students and parents, Kingsley College's primary purpose of collection is to enable Kingsley College to provide schooling to students enrolled at the College, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all the activities of the College. This includes satisfying the needs of parents, the needs of the students and the needs of Kingsley College throughout the whole period the student is enrolled at the College.

The purposes for which Kingsley College uses personal information of students and parents include:

- to keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- day-to-day administration of Kingsley College;
- looking after student's educational, social and medical wellbeing;

- seeking donations and marketing for Kingsley College; and
- to satisfy Kingsley College's legal obligations and allow the College to discharge its duty of care.

In some cases where Kingsley College requests personal information about a student or parent, if the information requested is not provided, Kingsley 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.

On occasions information such as academic and sporting achievements, student activities and similar news is published in College newsletters and magazines, on the internet via social media and on the College website. This may include photographs and videos of student activities such as sporting events, college camps and college excursions. The College will obtain permissions from the student's parent or guardian (and from the student if appropriate) if it would like to publish such photographs or videos or other identifying material in promotional material or otherwise make this material available to the public.

Job applicants, Staff Members and Contractors

In relation to personal information of job applicants, staff members and contractors, Kingsley College'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 Kingsley College uses personal information of job applicants, staff members and contractors include:

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

Volunteers

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

Marketing, Communication and Fundraising

Kingsley College treats marketing and seeking donations for the future growth and development of the College as an important part of ensuring that Kingsley College continues to provide a quality learning environment in which both students and staff thrive. Personal information held by Kingsley College may be disclosed to organisations that assist in the College's communication and

fundraising, for example, the College's marketing consultant, and the Parents and Friends association.

Parents, staff, contractors 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.

If any person would like to opt-out of direct marketing please contact the College Principal via the College Office's contact details.

Who might the College disclose Personal Information to and store information with?

Kingsley College may disclose personal information, including sensitive information, held about an individual for educational, legal, administrative, marketing and support purposes. This may include disclosure to:

- another school or staff at another school;
- government departments (including for policy and funding purposes)
- medical practitioners;
- people providing educational, support and health services to the College, including specialist visiting teachers, sports coaches, volunteers, counsellors and providers of learning and assessment tools ;
- assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA) and NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN);
- people providing administrative, legal and financial services to Kingsley College;
- recipients of College publications, such as newsletters and magazines;
- students' parents or guardians;
- anyone parents or guardians authorise Kingsley College to disclose information to; and
- anyone to whom Kingsley College is required or authorised to disclose the information to by law, including child protection laws.

Online Service Providers

Kingsley College may use online or 'cloud' service providers to store personal information and to provide services to Kingsley College that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may be stored in the 'cloud'

which means that it may reside on a cloud service provider's server which may be situated outside Australia.

An example of such a cloud service provider is Google. Google provides the 'Google Apps for Education' (GAFE) including Gmail, and stores and processes limited personal information for this purpose. College personnel and the AIS and its service providers may have the ability to access, monitor, use or disclose emails, communications (e.g. instant messaging), documents and associated administrative data for the purposes of administering GAFE and ensuring its proper use.

The data centres where the personal information is likely to be kept are located in the USA, Taiwan, Singapore, Ireland, Netherlands and Belgium.

Sending and Storing Information Overseas

Kingsley College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, Kingsley 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); and
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

Sensitive Information

In referring to 'sensitive information', Kingsley College means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other 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 agreed otherwise, or the use or disclosure of the sensitive information is required by law.

Management and Security of Personal Information

Kingsley College's staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals. Kingsley College has in place steps to protect the personal information Kingsley College 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.

Data Breaches

It will be deemed that an 'eligible data breach' has occurred if:

- there has been unauthorised access to, or unauthorised disclosure of, personal information about one or more individuals (the affected individuals);
- a reasonable person would conclude there is a likelihood of serious harm to any affected individuals as a result.
- the information is lost in circumstances where:
 - unauthorised access to, or unauthorised disclosure of, the information is likely to occur.
 - assuming unauthorised access to, or unauthorised disclosure of, the information was to occur, a reasonable person would conclude that it would be likely to result in serious harm to the affected individuals.

Serious harm may include serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation.

What must the College do in the event of an 'eligible data breach'?

If Kingsley College suspects that an eligible data breach has occurred, it will carry out a reasonable and expedient assessment/investigation within 30 days.

If such an assessment/investigation indicates there are reasonable grounds to believe an eligible data breach has occurred, then Kingsley College will be required to lodge a statement to the Privacy Commissioner. Where practical to do so, the College will also notify the affected individuals. If it is not practicable to notify the affected individuals, Kingsley College will publish a copy of the statement on its website, or publicise it in another manner.

Exception to notification obligation

An exception to the requirement to notify will exist if there is a data breach and immediate remedial action is taken, and as a result of that action:

- there is no unauthorised access to, or unauthorised disclosure of, the information; or
- there is no serious harm to affected individuals, and as a result of the remedial action, a reasonable person would conclude the breach is not likely to result in serious harm.

Access and Correction of Personal Information

Under the *Privacy Act*, an individual has the right to seek and obtain access to any personal information which Kingsley College holds about them and to advise Kingsley College of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Students will generally be able to access and update their personal information through their parents, but older students may seek access

and correction themselves. The maturity of the student and/or personal circumstances of the student will be taken into consideration.

To make a request to access or to update any personal information held by Kingsley College, please contact the College Principal in writing. Verification of identity and specifics of information required may be required by Kingsley College. Kingsley College may charge a fee to cover the cost of verifying any application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, Kingsley College will advise the likely cost in advance. If the College cannot provide access to that information, the College will provide a written notice explaining the reasons for refusal.

The College will take reasonable steps to ensure that any personal information is accurate, up to date, complete, relevant and not misleading.

Consent and Rights of Access to the Personal Information of Students

Kingsley College respects every parent's right to make decisions concerning their child's education. Generally, Kingsley College will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. Kingsley 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 Kingsley College about them or their child by contacting the College 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 Kingsley College's duty of care to a student.

The College may, at its discretion, on the request of a student grant that student access to information held by Kingsley 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 maturity of the student and/or the student's personal circumstances warrant it.

Enquiries and Complaints

If further information is required about the way Kingsley College manages the personal information it holds, or if a complaint is to be lodged concerning Kingsley College's breach of the Australian Privacy Principles please contact the College Principal via the College Office's contact details. Kingsley College will investigate any complaint and notification of a decision in relation to any complaint will be made as soon as is practicable.

APPENDIX 1

Standard Collection Notice

1. The College collects personal information, including sensitive information about students and parents or guardians before and during the course of a student's enrolment at the College. This may be in writing or in the course of conversations. The primary purpose of collecting this information is to enable the College to provide schooling to students enrolled at the College, exercise its duty of care, engage in marketing/fundraising and perform necessary associated administrative activities, which will enable students to take part in all the activities of the College.
2. Some of the information collected by Kingsley College is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care.
3. Laws governing or relating to the operation of a school require certain information to be collected and disclosed. These include relevant Education Acts, and Public Health, and Child Protection* laws.
4. Health information about students is sensitive information within the terms of the Australian Privacy Principles (APPs) under the *Privacy Act 1988*. The College may require medical reports about students to be provided from time to time.
5. The College may disclose personal and sensitive information for educational, legal, administrative, marketing and support purposes. This may include to:
 - other schools and teachers at those schools;
 - government departments (including for policy and funding purposes);
 - medical practitioners;
 - people providing educational, support and health services to the College, including specialist visiting teachers, sports coaches, volunteers, and counsellors;
 - providers of learning and assessment tools;
 - assessment and educational authorities, including the Australian Curriculum, Assessment and Reporting Authority (ACARA) and NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN);
 - people providing administrative, legal and financial services to the College;
 - anyone authorised by the parents or guardians for the College to disclose information to; and
 - anyone to whom the College is required or authorised by law, including child protection laws, to disclose the information.
6. Personal information collected from students is regularly disclosed to their parents or guardians.
7. The College may use online or 'cloud' service providers to store personal information and to provide services to the College that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable

them to authenticate users that access their services. This personal information may reside on a cloud service provider's servers which may be situated outside Australia. Further information about the College's use of online or 'cloud' service providers is contained in the College's Privacy Policy.**

8. The College's Privacy Policy, accessible on the College's website, sets out how parents or students may seek access to and correction of their personal information which the College has collected and holds. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the College's duty of care to a student, or where students have provided information in confidence. Any refusal will be notified in writing with reasons if appropriate.
9. The College's Privacy Policy also sets out how parents and students can make a complaint about a breach of the APPs and how the complaint will be handled.
10. The College may engage in fundraising activities. Information received from parents or guardians may be used to make an appeal for funds. . It may also be disclosed to organisations that assist in the College's fundraising activities solely for that purpose. Kingsley College will not disclose personal information to third parties for their own marketing purposes without consent.
11. On occasions information such as academic and sporting achievements, student activities and similar news is published in College newsletters and magazines, on the internet and website this may include photographs and videos of student activities such as sporting events, college camps and college excursions. The College will obtain permission from the student's parent or guardian (and from the student if appropriate) if the College would like to publish such photographs or videos or other identifying material in promotional material or otherwise make this material available to the public.
12. Kingsley College may include students' and students' parents' contact details in a class list.
13. Parents or guardians are encouraged to inform relevant persons if they wish to provide Kingsley College with information of others.

* As appropriate

** If applicable

For a full copy of the Privacy Policy, please visit the college website:

<https://kingsley.qld.edu.au/>

APPENDIX 2

Past Students Collection Notice

1. Kingsley College may collect personal information about past students from time to time. The primary purpose of collecting this information is to enable the College to inform past students about Past Students events and the activities of Kingsley College.
2. From time to time Kingsley College engages in fundraising activities. The information received from Past Students may be used to make an appeal and assist in fundraising activities. If a Past Student wishes to opt out from this, they may notify the College.
3. The College may publish details about Past Students in its newsletter, website or social media. If a Past Student wishes to opt out from this, they may notify the College.
4. The College's Privacy Policy, accessible on the College's website, contains details of how Past Students may seek access to and correction of personal information which the College has collected and holds, and how complaints may be made about a breach of the Australian Privacy Principles.
5. The College may use online or 'cloud' service providers to store personal information and to provide services to the College that involve the use of personal information, such as email services. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may reside on a cloud service provider's servers which may be situated outside Australia. Further information about the College's use of online or 'cloud' service providers is contained in the College's Privacy Policy.*
6. Past Students are encouraged to inform relevant persons if they wish to provide Kingsley College with information of others.

* If applicable

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APPENDIX 3

Employment Collection Notice

1. In applying for this position, Kingsley College will be provided with personal information. Contact with the College will be via the College Office's contact details.
2. Any personal information provided, for example, name and address or information contained on a resume, will be collected in order to assess employment applications. This information will be kept on file if the application is unsuccessful in case another position becomes available.
3. The College's Privacy Policy, accessible on the College's website, contains details of how complaints about a breach of the Australian Privacy Principles may be made and information on how to access and correct any personal information which the College has collected and held. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others. Any refusal will be notified in writing with reasons if appropriate.
4. Kingsley College will not disclose this information to a third party without consent unless otherwise permitted.
5. Kingsley College is required to collect information under Child Protection laws.
6. The College may use online or 'cloud' service providers to store personal information and to provide services to the College that involve the use of personal information, such as email services. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may reside on a cloud service provider's servers which may be situated outside Australia. Further information about the College's use of online or 'cloud' service providers is contained in the College's Privacy Policy.*
7. Applicants and employees are encouraged to inform relevant persons if they wish to provide Kingsley College with information of others.

* If applicable

APPENDIX 4

Contractor/Volunteer Collection Notice

1. In offering, applying or agreeing to provide services to the College, contractors and volunteers will be providing Kingsley College with personal information. Kingsley College can be contacted via the College I Office's contact details.
2. Any personal information provided on a resume will be used for assessment of the application. Notes and a confidential report may be made in respect of the application.
3. Kingsley College may store this information for 7 years or as necessary.
4. The College's Privacy Policy, accessible on the College's website, contains details of how complaints about a breach of the Australian Privacy Principles may be made and information on how access to and correction of any personal information which the College has collected and held. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others. Any refusal will be notified in writing with reasons if appropriate.
5. Kingsley College will not disclose this information to a third party without consent unless otherwise permitted to.
6. Kingsley College is required to collect information about volunteers and contractors under its Student Protection Policy.
7. The College may use online or 'cloud' service providers to store personal information and to provide services to the College that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may reside on a cloud service provider's servers which may be situated outside Australia. Further information about the College's use of online or 'cloud' service providers is contained in the College's Privacy Policy.*
8. Volunteers and Contractors are encouraged to inform relevant persons if they wish to provide Kingsley College with information of others.

* If applicable

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<https://kingsley.qld.edu.au/>