

Privacy Policy

OVERVIEW

This Privacy Policy (**Policy**) sets out how Kincoppal-Rose Bay manages personal information provided to or collected by Kincoppal-Rose Bay.

Kincoppal-Rose Bay is bound by the Australian Privacy Principles contained in the *Privacy Act 1988*. In relation to health records, Kincoppal-Rose Bay is also bound by the New South Wales Health Privacy Principles which are contained in the *Health Records and Information Privacy Act 2002*.

KRB may, from time to time, review and update this Policy to take account of new laws and technology, changes to KRB's (the School's) operations and practices and to make sure it remains appropriate to the changing environment.

DOCUMENT MANAGEMENT RELEVANT TO

Relevant to	Kincoppal-Rose Bay staff, volunteers and contractors Kincoppal-Rose Bay prospective students and students Kincoppal-Rose Bay parents and guardians
Reviewed by	Mr John Dooley Business Manager
Modification history	Created May 2014 Reviewed March 2015 Review May 2016 Reviewed July 2018
Related legislation	<i>NSW Health Records and Information Privacy Act 2002</i> <i>NSW Industrial and Commercial Training Act 1989</i> <i>Privacy Act 1988</i>
Review	The Policy is to be reviewed every three years or in the event of any information or incident that would warrant a review (including legislative or organisational change)

WHAT KINDS OF PERSONAL INFORMATION DOES KINCOPPAL-ROSE BAY COLLECT & HOW DOES KINCOPPAL-ROSE BAY COLLECT IT?

The type of information Kincoppal-Rose Bay collects and stores includes (but is not limited to) personal information, including health and other sensitive information about:

- students, parents and/or guardians of students before, during and after the course of a student's enrolment at Kincoppal-Rose Bay;
- prospective students and the parents and/or guardians of prospective students who apply to be enrolled at Kincoppal-Rose Bay;
- Kincoppal-Rose Bay job applicants, staff members, volunteers and contractors; and
- other people who come into contact with Kincoppal-Rose Bay.

Kincoppal-Rose Bay will generally collect personal information held about an individual by way of forms filled out by the individual or the individual's parents and/or guardians, face-to-face meetings and interviews, emails and telephone calls. In some circumstances Kincoppal-Rose Bay 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.

If Kincoppal-Rose Bay receives personal information about an individual that it did not ask for, from someone other than the individual, and Kincoppal-Rose Bay determines that it could have collected this information from the individual had it asked for it, Kincoppal-Rose Bay will notify the individual, as soon as practicable, that it has collected the individual's personal information. If Kincoppal-Rose Bay could not have collected this personal information, it will lawfully de-identify or destroy that personal information.



EXCEPTION IN RELATION TO EMPLOYEE RECORDS

Under the *Privacy Act 1988* and *Health Records and Information Privacy Act 2002*, the Australian Privacy Principles and Health Privacy Principles do not apply to an employee record. As a result, this Policy does not apply to Kincoppal-Rose Bay's treatment of an employee record where that treatment is directly related to a current or former employment relationship between Kincoppal-Rose Bay and an individual.

HOW DOES KINCOPPAL-ROSE BAY USE THE PERSONAL INFORMATION YOU PROVIDE?

Kincoppal-Rose Bay will use the personal information it collects for the primary purpose of collection, as notified at the time of collection, and for such other secondary purposes that are related to the primary purpose of collection, and:

- reasonably expected by the individual from whom it is collecting the personal information; or
 - consented to by the individual or, in the case of information collected about students, that student's parents and/or guardians.
- a)** Personal information collected about students, parents and guardians

In relation to personal information of students, parents and guardians, Kincoppal-Rose Bay's primary purpose for collection personal information is to enable Kincoppal-Rose Bay to provide schooling for the student. This includes satisfying the needs of parents and guardians, the needs of the student and the needs of Kincoppal-Rose Bay throughout the whole period the student is enrolled at Kincoppal-Rose Bay.

The purposes for which Kincoppal-Rose Bay uses the personal information of students, parents and guardians include:

- to keep parents and guardians informed about matters related to their child's schooling, including through correspondence, newsletters and magazines;
- day-to-day administration of Kincoppal-Rose Bay;
- looking after students' educational, social and medical wellbeing;
- seeking donations and marketing for Kincoppal-Rose Bay; and
- to satisfy Kincoppal-Rose Bay's legal obligations and to allow Kincoppal-Rose Bay to discharge its duty of care.

In some cases where Kincoppal-Rose Bay requests personal information about a student, parent or guardian, if the information requested is not provided, Kincoppal-Rose Bay may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity Kincoppal-Rose Bay will provide the parents/guardians with at least one week's written notice if it intends to suspend a student's access to school services for this reason.

- b)** Personal information collected about job applicants, staff members and contractors In relation to the personal information of job applicants, staff members and contractors, Kincoppal-Rose Bay's primary purpose of collection is to assess and (if successful) to engage the job applicant, staff member or contractor, as the case may be.

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

- administering the individual's employment or contract, as the case may be;
 - for insurance purposes;
 - seeking donations and marketing for Kincoppal-Rose Bay; and
 - to satisfy Kincoppal-Rose Bay's legal obligations, for example, in relation to child protection legislation.
- c)** Personal information collected about volunteers
- Kincoppal-Rose Bay also obtains personal information about volunteers who assist Kincoppal-Rose Bay in its functions or conduct associated activities to enable Kincoppal-Rose Bay and the volunteers to work together.

DISCLOSING YOUR PERSONAL INFORMATION

Kincoppal-Rose Bay will only disclose the personal information it collects about an individual where:

- the individual, or in the case of students, that student's parents and/or guardians consent to the disclosure;
- Kincoppal-Rose Bay uses the personal information for the purposes it collected it (as set out at the time of collection); or
- the disclosure is required or authorised by law.

To the extent permitted by law, Kincoppal-Rose Bay may disclose personal information, including sensitive information, held about an individual to:

- another school;
- government departments;
- medical practitioners;

- people providing services to Kincoppal-Rose Bay, including specialist visiting teachers, counsellors and sports coaches;
- recipients of school publications, such as newsletters and magazines;
- parents and guardians;
- any person or entity to whom the individual, or, in the case of disclosing information collected about students, that student's parents and/or guardians, authorise Kincoppal-Rose Bay to disclose information; and
- anyone to whom Kincoppal-Rose Bay is required to disclose the information to by law.

MARKETING & FUNDRAISING

Kincoppal-Rose Bay treats marketing and seeking donations for the future growth and development of Kincoppal-Rose Bay as an important part of ensuring that Kincoppal-Rose Bay continues to provide a quality learning environment in which both students and staff thrive. Personal information held by Kincoppal-Rose Bay may be disclosed to organisations that assist in the Kincoppal-Rose Bay's fundraising, for example, alumni organisation. Parents, guardians, staff, contractors and other members of the wider Kincoppal-Rose Bay community may from time to time receive fundraising information.

Where permitted by law, Kincoppal-Rose Bay may use personal information about individuals for the purpose of direct marketing. Kincoppal-Rose Bay will only use personal information for the purpose of direct marketing where:

- Kincoppal-Rose Bay collected the information with the consent of the individual or, in the case of a student, the student's parent and/or guardian; and
- the individual would reasonably expect Kincoppal-Rose Bay to use or disclose the information for that purpose; and
- Kincoppal-Rose Bay provides a simple means by which the individual may easily request not to receive direct marketing communications from Kincoppal-Rose Bay; and
- the individual has not made such a request to Kincoppal-Rose Bay.

SENDING & STORING INFORMATION OVERSEAS

Kincoppal-Rose Bay may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, Kincoppal-Rose Bay 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), or, in the case of information collected about a student, the student's parent and/or guardian; or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

The School may also store personal information in what is known as 'the cloud', which may mean that it resides on servers which are situated outside Australia. By providing personal information to Kincoppal-Rose Bay, an individual consents to Kincoppal-Rose Bay storing that information in the cloud. Where a parent or guardian provides Kincoppal-Rose Bay with personal information about a student, the parent or guardian consents to Kincoppal-Rose Bay storing that information in the cloud.

HOW DOES KINCOPPAL-ROSE BAY TREAT SENSITIVE INFORMATION?

In referring to "sensitive information", Kincoppal-Rose Bay means: information relating to a person's racial or ethnic origin, political opinions, religion, marital status, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record, health information and biometric information that is also personal information.

Sensitive information will be used and disclosed only for the purpose for which it was collected, as notified at the time of collection, or a directly related secondary purpose, unless otherwise consented to, or where the use or disclosure of the sensitive information is allowed by law.

MANAGEMENT & SECURITY OF PERSONAL INFORMATION

Kincoppal-Rose Bay's staff are required to respect the confidentiality of personal information collected and stored by Kincoppal-Rose Bay.

Kincoppal-Rose Bay has in place steps to protect the personal information it collects and stores 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.

ACCESS & CORRECTION OF PERSONAL INFORMATION

Under the *Privacy Act 1988* and the *Health Records and Information Privacy Act 2002*, an individual has the right to obtain access to any personal information which Kincoppal-Rose Bay holds about them and to advise Kincoppal-Rose Bay of any perceived inaccuracy. There are some exceptions to these rights set out in the applicable legislation.

To make a request to access or update any personal information stored by Kincoppal-Rose Bay, please contact the Principal in writing. Kincoppal-Rose Bay may require you to verify your identity and specify what information you require. Kincoppal-Rose Bay 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, Kincoppal-Rose Bay will advise the likely cost in advance. If Kincoppal-Rose Bay cannot provide you with access to that information, it will provide you with written notice explaining the reasons for refusal.

There will be occasions when a request for access to personal information is denied. Such occasions would include where release of the personal information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of Kincoppal-Rose Bay's duty of care to a student.

Kincoppal-Rose Bay respects every parent and/or guardian's right to make decisions concerning their child's education. Students will generally be able to access and update their personal information through their parents and/or guardians, but older students may seek access and correction themselves.

Generally, Kincoppal-Rose Bay will refer any requests for consent and notices in relation to the personal information of a student to the student's parents and/or guardians. Kincoppal-Rose Bay will treat consent given by parents and/or guardians as consent given on behalf of the student, and notice to parents and/or guardians will act as notice given to the student.

Kincoppal-Rose Bay may, at its discretion, on the request of a student grant that student access to information held by Kincoppal-Rose Bay about them, or allow a student to give or withhold consent to the use of their personal information, independently of their parents and/or guardians. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

CHANGES TO THE POLICY

This Privacy Policy relates to Kincoppal-Rose Bay's current privacy standards. Kincoppal-Rose Bay may vary its privacy policy from time to time. Notice of any changes will be effected by Kincoppal-Rose Bay publishing the latest version of the Policy from time to time on the website.

FURTHER INFORMATION REGARDING AUSTRALIAN PRIVACY LAWS

If you would like further information relating to the Privacy Act 1988 and the Australian Privacy Principles, please visit www.oaic.gov.au.

ENQUIRIES & COMPLAINTS

If you would like further information about the way Kincoppal-Rose Bay manages the personal information it holds, or wish to complain that you believe that Kincoppal-Rose Bay has breached the Australian Privacy Principles, please contact the Principal in writing. Kincoppal-Rose Bay will investigate any complaint and will notify you of the making of a decision in relation to your complaint as soon as is practicable after it has been made. Depending on the complaint you may like to use a pseudonym.