

## PRIVACY POLICY AND PROCEDURE

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<b>Sec</b>	<b>Sub1</b>	<b>Sub2</b>	<b>Table of Contents</b>	<b>Page</b>
1			<a href="#"><u>RATIONALE</u></a>	2
2			<a href="#"><u>POLICY</u></a>	2
3			<a href="#"><u>PROCEDURE</u></a>	2
	3.1		<a href="#"><u>Kinds of Information Collected by Good Shepherd Lutheran College</u></a>	2
	3.2		<a href="#"><u>Personal Information provided to Good Shepherd Lutheran College</u></a>	2
	3.3		<a href="#"><u>Personal Information provided by other people</u></a>	2
	3.4		<a href="#"><u>Exception in Relation to Employee Records</u></a>	2
	3.5		<a href="#"><u>Uses of Personal Information provided</u></a>	3
		3.5.1	<a href="#"><u>Students and Parents</u></a>	3
		3.5.2	<a href="#"><u>Job Applicants, staff members &amp; contractors</u></a>	3
		3.5.3	<a href="#"><u>Volunteers</u></a>	4
		3.5.4	<a href="#"><u>Marketing &amp; Fundraising</u></a>	4
		3.5.5	<a href="#"><u>Exemption in Relation to Related Schools</u></a>	4
	3.6		<a href="#"><u>Parties to whom personal information might be disclosed</u></a>	4
	3.7		<a href="#"><u>Sending information overseas</u></a>	4
	3.8		<a href="#"><u>Treatment of Sensitive information</u></a>	5
		3.8.1	<a href="#"><u>Management and Security of Personal Information</u></a>	5
		3.8.2	<a href="#"><u>Updating Personal Information</u></a>	5
	3.9		<a href="#"><u>Rights to changing an individuals Personal Information</u></a>	5
	3.10		<a href="#"><u>Consent and Rights of Access to the Personal Information of Students</u></a>	5
	3.11		<a href="#"><u>Enquiries</u></a>	6
	3.12		<a href="#"><u>Acknowledgement</u></a>	6
Attachment A			<a href="#"><u>Collection Notice – Contractor/Volunteer</u></a>	7
Attachment B			<a href="#"><u>Collection Notice – Current Employees of Lutheran Education Queensland</u></a>	8
Attachment C			<a href="#"><u>Collection Notice – Newly Appointed Employees of Lutheran Education Qld</u></a>	9
Attachment D			<a href="#"><u>Employment Collection Notice</u></a>	10
Attachment E			<a href="#"><u>Retention of Records</u></a>	11

## 1. RATIONALE

Good Shepherd Lutheran College respects the privacy of its parents and students and is bound by the National Privacy Principles contained in the Commonwealth Privacy Act.

## 2. POLICY

Good Shepherd Lutheran 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. The College will use the personal information it collects for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection, or to which consent for further use has been given.

### Online Payment Facility Policy

When purchasing goods or services from Good Shepherd Lutheran College using our online payment facility your financial details are passed through a secure server using the latest 128-bit SSL (secure sockets layer) encryption technology. 128-bit SSL encryption is the current industry standard. If you have any questions regarding our security policy, please contact our Administration Office. All of our prices are in Australian dollars (AUD) and include GST (Goods and services tax) as of 4<sup>th</sup> October, 2011.

The College may, from time to time, review and update this Privacy 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 the changing College environment.

## 3. PROCEDURE

### 3.1 Kinds of Information Collected by Good Shepherd Lutheran College

The type of information Good Shepherd Lutheran College collects and holds includes (but is not limited to) personal information including 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; and
- Other people who come into contact with the College.

### 3.2 Personal Information Provided to Good Shepherd Lutheran College

Good Shepherd Lutheran College will collect personal information held about an individual by way of forms filled out by parents or students, face to face meetings and interviews, and telephone calls. On occasions people other than parents and students provide personal information.

### 3.3 Personal Information Provided By Other People

In some circumstances Good Shepherd Lutheran 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 / Early Learning Services.

### 3.4 Exception In Relation To Employee Records

Under the Privacy Act the National Privacy Principles do not apply to an employee record. As a result, this Privacy 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.

#### Note:

This 'employee records' exemption does not extend to prospective employees, contractors, consultants volunteers or the personal employee information collected and stored centrally by

Lutheran Education Queensland (the Secretariat for Lutheran Schools and Early Learning Services in Queensland).

The following privacy documents shall be provided to those persons who fit within this category (See Attachments A-D):

- Employment Collection Notice;
- Collection Notice – Contractors and Volunteers;
- Collection Notice – Current Employees;
- Collection Notice – New Employees.

### **3.5 Uses made of Personal Information Provided**

Good Shepherd Lutheran College will use the 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, or to a use to which you have consented.

Personal information about an employee or student may, from time to time, be shared with Lutheran Education Queensland for the purposes of the provision of legal/industrial/educational advice. Access to this personal information by an individual may be limited if access would have an 'unreasonable impact on the privacy of others' or if there is 'anticipated legal proceedings' in relation to the information.

Where it is necessary for Lutheran Education Queensland to retain 'sensitive' personal information about an individual this information shall be treated with additional care, including measures such as restrictions to access (locked files) and destruction of materials when no longer required.

#### **3.5.1 Students and Parents**

In relation to personal information of students and parents, Good Shepherd Lutheran College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying both the needs of the parents and the needs of the student throughout the whole period the student is enrolled at the College.

The purpose for which Good Shepherd Lutheran College uses personal information of students' and parents include:

- to keep parents informed about matters relating to their child's schooling, through correspondence, newsletters and magazines;
- day to day administration;
- looking after students' educational, social, spiritual and medical well being;
- seeking donations and marketing for the College;
- to satisfy Lutheran Education Queensland / Lutheran Education Australia (hereafter referred to as "the Lutheran System") and the College's legal obligations and allow the College to discharge its duty of care; and
- To satisfy the College's obligations under the National Goals For Schooling.

Where Good Shepherd Lutheran College requests information about a student relevant to the College's capacity to meet the student's social, physical and educational needs and the information is not provided, the College may not enrol or continue the enrolment of the student.

#### **3.5.2 Job Applicants, Staff Members and Contractors**

In relation to personal information of job applicants, staff members and contractors, Good Shepherd Lutheran 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 Good Shepherd Lutheran College uses the 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 funds and marketing for the College;
- to satisfy the Lutheran System's and the College's legal obligations for example, in relation to child protection legislation.

### **3.5.3 Volunteers**

Good Shepherd Lutheran College also obtains personal information about volunteers who assist the College in its functions or conduct associated activities to enable the College and the volunteers to work together.

### **3.5.4 Marketing and Fundraising**

Good Shepherd Lutheran 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. Personal information held by the College may be disclosed to an organisation that assists in the College's fundraising.

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.

### **3.5.5 Exemption In Relation To Related Schools**

The Privacy Act allows each College, being legally related to each of the other Schools / Early Learning Services associated with the Lutheran System in Australia to share personal information with other Schools / Early Learning Services within the system.

Other Lutheran Schools / Early Learning Services may then only use this personal information for the purpose for which it was originally collected by the Lutheran System. This allows Schools / Early Learning Services to transfer information between them, for example, when a student or employee transfers from one Lutheran School / Early Learning Service to another School / Early Learning Service within the Lutheran System.

## **3.6 Parties to Whom personal information might be disclosed**

Good Shepherd Lutheran College may disclose personal information, including sensitive information, held about an individual to:

- another School / Early Learning Service;
- government departments;
- the local parish;
- medical practitioners;
- people providing services to the College, including specialist visiting advisers from the Lutheran System, teachers and sports coaches;
- recipients of the College's publications, like newsletters and magazines;
- parents; and
- anyone you authorise the College to disclose information to, except where disclosure would be contrary to a Court Order.

## **3.7 Sending Information Overseas**

Good Shepherd Lutheran 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); or
- otherwise complying with the National Privacy Principles.

### **3.8 Treatment of Sensitive Information**

In referring to 'sensitive information', Good Shepherd Lutheran College means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record, that is personal information, and health 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 / required by law.

#### **3.8.1 Management and Security of Personal Information**

The Lutheran System and Good Shepherd Lutheran College staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals.

The Lutheran System and Good Shepherd Lutheran College has in place steps to protect the personal information the Lutheran System, and 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. Once personal files are no longer required this information will be destroyed.

#### **3.8.2 Updating Personal Information**

Good Shepherd Lutheran College endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by Good Shepherd Lutheran College by contacting the College at any time.

The National Privacy Principles require the College not to store personal information longer than necessary. See Attachment E for set periods for archiving.

### **3.9 Rights of Individuals to change their personal information**

Under the Commonwealth Privacy Act, an individual has the right to obtain access to any personal information which the Lutheran System or a Lutheran School / Early Learning Service holds about them and to advise the Lutheran System or Lutheran School / Early Learning Service of any perceived inaccuracy.

There are some exceptions to this right set out in the Act. Students will generally have access to their personal information through their parents, but older students may seek access themselves.

To make a request to access any information the Lutheran System or Good Shepherd Lutheran College holds about you or your child, please contact the College's Principal in writing. The Lutheran System can be contacted by writing to PO Box 1535 Milton Qld 4064 or by phoning 07 3511 4058.

The Lutheran System or Good Shepherd Lutheran College will require you to verify your identity and specify what information you require. The Lutheran System or Good Shepherd Lutheran 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 Lutheran System or Good Shepherd Lutheran College will advise the likely cost in advance.

### **3.10 Consent and Rights Of Access To The Personal Information Of Students**

The Lutheran System respects every parent's right to make decisions concerning their child's education.

Generally, Good Shepherd Lutheran College will refer any requests for consent and notices in relation to the personal information of a 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.

Parents may seek access to personal information held by Good Shepherd Lutheran College or by the Lutheran System about them or their child by contacting the College's 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, a Court Order prevents disclosure, or where the release may result in a breach of the College's duty of care to the student.

Good Shepherd Lutheran College may, at its discretion, on the request of a student give that student access to information held by the College about them, or allow a student to give or withhold consent to 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 so warranted.

### **3.11 Enquires**

If you would like further information about the way the Lutheran System or the College manages the personal information it holds, please contact the College directly or the Lutheran System by writing to PO Box 1535 Milton Qld 4064 or by phoning 3511 4058.

### **3.12 Acknowledgment**

Good Shepherd Lutheran College and Lutheran Education Queensland would like to acknowledge the use of the Compliance Manual (for Non-Government Schools) materials in the development of this policy originally prepared by Associations of Independent Schools (NCISA, NCEC) and Minter Ellison Lawyers.

## [Attachment A](#)

### **Collection Notice - Contractor / Volunteer**

- A1. In applying to provide your services you will be providing Good Shepherd Lutheran College with personal information. Good Shepherd Lutheran College is a school of the Lutheran Church of Australia in Queensland. We can be contacted by writing to 115 Eumundi Road Noosaville 4566 or by calling 07 5455 8600.
- A2. If you provide us with personal information, for example your name and address, we will collect the information in order to assess your application. We may also make notes and prepare a confidential report in respect of your application.
- A3. You agree that we may store this information for twelve months from receipt of your application. After this time your information will be destroyed.
- A4. Access to this information may be available to you if you ask Good Shepherd Lutheran College for it.

### **Volunteers**

- A5. You are required by law in Queensland to hold a current "Working with Children Suitability Card" as issued by the Commissioner for Children and Young People.

### **Contractors**

- A6. We are required by law in Queensland to ask self-employed persons to provide suitability cards to ascertain suitability for working with children. This information will be treated as being 'sensitive' and kept confidential and secure.
- A7. If you provide us with the personal information of others (e.g. referees) we encourage you to inform them that you are disclosing their information to Good Shepherd Lutheran College and why, that they can access their information if they wish, that Good Shepherd Lutheran College does not usually disclose the information to third parties, except possibly to other Lutheran Schools and Early Childhood Services within our system, and that we may store their information for twelve months.

## [Attachment B](#)

### **Collection Notice – Current Employees Lutheran Education Queensland**

- B1. Lutheran Education Queensland has collected personal information by way of staffing data forms relating to the employment of an employee by Schools within the Lutheran System. Examples of the type of information collected include an employee's full name, gender, date of birth, religion, the Lutheran school employed at, the relevant Award and job title of the employee, the employee's professional qualifications and affiliations and the employee's employment status and history.
- B2. The primary purpose of collecting this personal information is for a general register for human resource purposes, the Lutheran Education Australia Yearbook publication and District School and Staff listing publication and statistics.
- B3. Lutheran Education Queensland endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. You may seek access to your personal information that we hold about you and/or update the information by completing a staffing amendment form – D4.
- B4. We usually disclose this information to Lutheran Education Australia.
- B5. Lutheran Education Queensland is required to respect the confidentiality of employee's personal information and the privacy of individuals. Lutheran Education Queensland has in place steps to protect the personal information that Lutheran Education Queensland holds about employees as a result of the staffing data forms, from misuse, loss, unauthorised access, modification, disclosure by various methods including passworded access rights to computerised records, filing in a locked filing cabinet and destruction of paper records once the information has been placed onto the database.
- B6. Lutheran Education Queensland can be contacted by writing to PO Box 1535 Milton Qld 4064 or by calling (07) 3511 4058.



## Attachment C

### **Collection Notice – Newly Appointed Employees Lutheran Education Queensland**

- C1. Lutheran Education Queensland collects personal information by way of staffing data forms relating to the employment of an employee by Good Shepherd Lutheran College as it is within the Lutheran System. Examples of the type of information collected include an employee's full name, sex, date of birth, religion, the Lutheran school employed at, the relevant Award and job title of the employee, the employee's professional qualifications and affiliations and the employee's employment status and history.
- C2. The primary purpose of collecting this personal information is for a general register for human resource purposes, the Lutheran Education Australia Yearbook publication and District School and Staff listing publication and statistics.
- C3. Lutheran Education Queensland endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. You may seek access to your personal information that we hold about you and/or update the information by completing a staffing amendment form – D4.
- C4. We usually disclose this information to Lutheran Education Australia.
- C5. Lutheran Education Queensland is required to respect the confidentiality of employees' personal information and the privacy of individuals. Lutheran Education Queensland has in place steps to protect the personal information that Lutheran Education Queensland holds about employees as a result of the staffing data forms, from misuse, loss, unauthorised access, modification, disclosure by various methods including passworded access rights to computerised records, filing in a locked filing cabinet and destruction of paper records once the information has been placed onto the database.
- C6. Lutheran Education Queensland can be contacted by writing to PO Box 1535 Milton Qld 4064 or by calling (07) 3511 4058 or (07) 3511 4059.

## Attachment D

### **Employment Collection Notice**

- D1. [In applying for this position] [By sending us your resume] you will be providing Good Shepherd Lutheran College with personal information. Good Shepherd Lutheran College is a school of the Lutheran Church of Australia Queensland District. We can be contacted by writing to 115 Eumundi Road Noosaville 4566 or on (07) 5455 8600.
- D2. If you provide us with personal information, for example your name and address or information contained on your resume, we will collect the information in order to assess your application.
- D3. You agree that we may store this information for twelve months from receipt of your application. After this time your information will be destroyed.
- D4. You may seek access to your personal information that we hold about you if you are unsuccessful for [the] [a] position. However, there will be occasions where access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others.
- D5. We are required by law in Queensland to conduct a criminal record and suitability check regarding whether you are or have been the subject of an AVO and certain criminal offences under Child Protection Law, and to ascertain whether you are suitable for working with children. This information will be treated as being 'sensitive' and kept confidential and secure.
- D6. If you provide us with the personal information of others (e.g. referees) we encourage you to inform them that you are disclosing their information to Good Shepherd Lutheran College and why, that they can access their information if they wish, that Good Shepherd Lutheran College does not usually disclose the information to third parties, except possibly to other Lutheran Schools and Early Childhood Services within our system, and that we may store their information for twelve months.

## [Attachment E](#)

### **Retention of Records**

Consult the following documents on the Good Shepherd Lutheran College Staff Intranet:

- E1. Retention and Disposal Schedule for Records Held in Schools Document A; and
- E2. Retention and Disposal Schedule for Records Held in Schools Document B.

These documents (available from AISQ) were originally published in the Education Office Gazette (EOG) of 5 July 1996 Volume 98 Number 6 and should be used as a firm guide for the retention of documents kept by the College.

This attachment needs to be read in conjunction with the College's *Archiving and Document Retention Policy and Procedures* available on the staff intranet.