

## 1. Key Policy

ELTHAM College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988 (Privacy Act), also Public Health and Child Protection laws relating to the operation of schools require that certain information be collected.

(This statement outlines the College's policy on how ELTHAM College uses and manages personal information provided to or collected by it.)

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

## 2. Scope

This policy applies to all students, employees, parents/guardians and volunteers which form part of the ELTHAM College community.

## 3. Information

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

- Students and parents/guardians before, during and after the course of a student's enrolment at the College
- Health information such as medical reports regarding students
- Job applicants, staff members, volunteers and contractors; and
- Other people who come into contact with the College.

## 4. Personal Information You Provide

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

Parents/guardians are encouraged to notify third parties such as doctors and emergency contacts that they have disclosed their personal information (contact numbers and address) to ELTHAM College and their rights to access that information if required. Also that ELTHAM College does not disclose this information to others.

## 5. 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 College.

## 6. Exception in Relation to Employee Records

Under the Privacy Act, the Australian 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.

## **7. 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 as you may reasonably expect or to which you have consented.

### **Students and parents/guardians:**

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

The purposes for which the College uses personal information of students and parents/guardians include:

- To keep Parents/guardians informed about matters related to their child's schooling, through correspondence, newsletters and magazines
- Day-to-day administration
- Looking after students' educational, social and medical well-being
- Seeking donations and marketing for the College
- 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/guardian, if the information requested is not obtained, the College may not be able to enrol or continue the enrolment of the student.

### **Job applicants, staff members and contractors:**

In relation to personal information of job applicants, staff members and contractors, the 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 the College 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 funds and marketing for the College
- 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 the College in its functions or conduct associated activities to enable the College and the volunteers to work together.

## **8. 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. Personal information held by

the College may be disclosed to an organisation that assists in the College's fundraising, for example, the College's Foundation, the Parents' Association (ECCA) and the former students' association (ELTHAM College Alumni).

Parents/guardians, 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.

ELTHAM College will not disclose personal information received to third parties for their own marketing purposes without consent.

### **Remarketing and online advertising**

Please note the following in relation to online advertising.

- Remarketing and similar audience segmentation is sometimes used to advertise online
- Third-party vendors, including Google, will from time-to-time display ads for the College on sites across the Internet
- Third-party vendors, including Google, use [cookies](#) to serve ads based on past visits to our website
- Information about how you can opt out of Google's use of cookies can be accessed by visiting Google's [Ads Settings](#).

## **9. Disclosure of Information**

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

- Another College
- Government departments
- Medical practitioners
- People providing services to the College, including specialist visiting teachers and sports coaches
- Recipients of College publications, like newsletters and magazines
- Parents/guardians. Contact details are provided in a class contact list, the school must be informed if a parent does not agree to this
- Anyone you authorise the College to disclose information to.

Non-sensitive information may also be disclosed:

- To parents
- In school publications.

The College is likely to only disclose personal information about its students and parents to overseas recipients if it is directly relevant to a student overseas language exchange or overseas tour. The countries in which the recipients of such information are likely to be located will depend on the country to which the students are travelling, which may include any of China, France, Spain, New Caledonia, UK and Canada and countries in South East Asia.

Nevertheless, 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); or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

## **10. Treatment of Sensitive Information**

In referring to 'sensitive information', the 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 also 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 by law.

## **11. Management and Security of Personal Information**

The College's staff is required to respect the confidentiality of students' and Parents'/guardians' personal information and the privacy of individuals. 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 pass worded access rights to computerized records.

### **11. Updating Personal Information**

The 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 the College by contacting the College at any time. The National Privacy Principles require the College not to store personal information longer than necessary.

**Apart from some exceptions specified in the Act, you have the right to check your personal information held by the College.**

## **12. Rights of Access to the Personal Information of Students**

The College respects every parent's/guardian'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 a student to the student's parents/guardians. The College will treat consent given by parents/guardians as consent given on behalf of the student, and notice to parents/guardians will act as notice given to the student.

Parents/guardians may seek access to personal information held by the College about them or their child by contacting the Principal's Assistant. 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.

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/guardians. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

## 14. Enquiries and Complaints

If you would like further information about the way the School manages the personal information it holds, or wish to complain that you believe that the School has interfered with your privacy because of an alleged breach of the Australian Privacy Principles please contact the school Principal, in writing, at:

The Principal  
ELTHAM College  
1660 Main Road  
Research Vic 3095

E [principal@elthamcollege.vic.edu.au](mailto:principal@elthamcollege.vic.edu.au)

F +61 3 9437 1003

Your complaint must specify the details of the alleged breach. The School 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. If the School determines that there has been a breach of the Australian Privacy Principles, it will advise you in writing of any action it will take to remedy the breach.

## 15. Reference Documents

### External References:

- [Privacy and Data Protection Act 2014 \(Vic\)](#)
- [Privacy Act 1988 \(Commonwealth\)](#).

### Internal References:

- [EC122-PRO Data Breach Procedure](#)

## 16. Document Version Control and Amendments

Version	Date	Amendment	Author
2	April 2013	Second Policy	D Nicholson
3	May 2016	Revised wording	D Nicholson
4	June 2017	Updated to new policy document format	D Nicholson
5	July 2018	Updated to include new legislation on data breach notification. Added information required on school tours Collection Notice, as required.	D Nicholson
6	February 2020	Updated to reference the Australian Privacy Principles and inclusion of statements relating to overseas recipients	R Millar