



LOYOLA COLLEGE

PRIVACY POLICY

Intended audience	Loyola College Community
Author	Loyola College Privacy Compliance Committee
Ratified	Semester 2 2014
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Preamble

As a Catholic co-educational College, guided by the motto Justice, Mercy, Faith, Loyola College is committed to using and managing personal information provided to or collected by the College in an ethical manner and in accordance with the *Commonwealth Privacy Act 1988* inclusive of the *Australian Privacy Principles* and other such changes as provided by the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*, the *Health Records Act 2001* (Vic), inclusive of the *Health Privacy Principles* as well as the Privacy Policy of the Catholic Education Commission of Victoria.

Loyola College may from time to time collect information about staff, students, parents and/or guardians, volunteers, contractors and job applicants. The collection of this information is in compliance with the relevant legislation and it assists with the efficient and effective delivery of various aspects of learning and teaching, student wellbeing, school operations and administration, as well as marketing and fundraising.

Rationale

This Privacy Policy applies to Loyola College and sets out how the College manages personal and sensitive information provided to it or collected by it.

In dealing with personal and sensitive information about individuals, the College is bound by *the Australian Privacy Principles* contained in the *Commonwealth Privacy Act 1988* and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*. In relation to health records, the College is also bound by the *Health Records Act 2001* (Vic).

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

Definitions

Personal information is information the College holds about an individual from which his or her identity is either apparent or can be reasonably determined. Such information includes names, addresses, telephone numbers and dates of birth. Personal information does not include health information.

Health information is information or opinion about the health or disability of an individual, an individual's expressed wishes about the future provision of health services to him or her or a health service provided or to be provided to an individual. Such information includes health records, certificates, details of medical background and health assessment results.

Australian Privacy Principles are those established under the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* that set out minimum standards on how organisations deal with the collection, use and disclosure, transfer, handling and storage of personal information.

Sensitive information relates to a person's racial or ethnic origin, political opinions, religious beliefs or affiliations, trade union or other professional or trade association membership, sexual preferences or criminal record that is also personal information, health information and biometric information about an individual.

Identifier is a number assigned to an individual to uniquely identify that individual for the purposes of an organisation's work.

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

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

- students, parents and guardians before, during and after the course of a student's enrolment at the school
- job applicants, staff members, volunteers and contractors, and
- other individuals who come into contact with the College.

Loyola College will generally collect personal information held about an individual by way of forms filled out by the individual, face-to-face meetings and interviews, telephone calls, emails and other electronic means. On occasions others provide personal information about an individual. Metadata regarding an individual's web browsing of the College website may be collected by the College's Internet Service Provider (ISP).

In some circumstances Loyola College may be provided with personal information about an individual from a third party.

Exception in relation to employee records

Under the *Privacy Act* and the *Health Records Act 2001 (Vic)*, the *Australian Privacy Principles* and the *Health Privacy Principles* do not apply to an employee record. As a result, the Loyola College Privacy Policy does not apply to the College's treatment of an employee record unless required by law, where the treatment is directly related to a current or former employment relationship between the College and an employee. Loyola College handles staff health records in accordance with the *Health Privacy Principles* in the *Health Records Act 2001 (Vic)*.

How Loyola College uses the personal information an individual provides?

The College will use personal information it collects from an individual 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 they have consented.

Students, parents and guardians: In relation to personal information of students, parents and guardians Loyola College's primary purpose of collection is to enable the College to provide schooling for the student. This includes satisfying the needs of parents and guardians, 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, parents and guardians include:

- to keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines
- day-to-day administration of the College
- looking after pupils' educational, social and medical wellbeing
- seeking donations and marketing for the College, and
- 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 participate in a particular activity.

Job applicants, staff members and contractors: In relation to personal information of job applicants and contractors, Loyola College's primary purpose of collection is to assess and, if successful, to engage the applicant or contractor.

In addition, the College uses personal information of job applicants, staff members and contractors for the purpose of:

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

Volunteers: Loyola College also obtains personal information about volunteers to assist the College in its functions or to conduct associated activities.

Marketing and fundraising: Loyola 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 provide a quality learning environment in which both students and staff thrive. Personal information held by the College may be disclosed to external organisations that assist in the College's fundraising.

Parents, guardians, staff, contractors and other members of the wider College community may from time to time receive fundraising information. College publications, which include personal information, may be used for marketing purposes.

Who might the College disclose personal information to and store an individual's information with?

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

- another school or educational provider
- government departments
- medical practitioners
- people providing services to the College, including specialist visiting teachers, counsellors and sports coaches, the Catholic Education Office Melbourne (CEOM), the Catholic Education Commission and other diocese
- recipients of College publications
- parents and guardians
- anyone they authorise the College to disclose information to, and
- anyone to whom the College is required or authorised to disclose the information to by law.

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

Loyola College may also store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.

How does Loyola College treat sensitive information?

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless the individual agrees otherwise, or the use or disclosure of the sensitive information is allowed by law.

Management and security of personal information

Loyola College is required to respect the confidentiality of the personal information of students, parents and guardians and the privacy of individuals.

Loyola College has in place steps to protect the personal information the 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.

Access and correction of personal information

Under the *Commonwealth Privacy Act 1988* and *Health Records Act 2001* (Vic) an individual has the right to obtain access to any personal information which Loyola College holds about them and to advise the College of any perceived inaccuracy. There are some exceptions to this right, as set out in the Act. Students will generally be able to access and update their personal information through their parents or guardians, but older students may seek access and correction themselves.

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

To make a request to access or update any personal information the College holds about parents, guardians or their child, Loyola College may require parents and guardians to verify their identity and specify what information they require. The College may charge a fee to cover the cost of verifying their 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 the College is unable to provide the parent or guardian with access to that information, the College will provide them with written notice explaining the reasons.

Consent and rights of access to the personal information of students

Loyola College respects the right of every parent and guardian to make decisions concerning their child's education.

Loyola College will refer any requests for consent and notices in relation to the personal information of a student to the student's parent or guardian. The College will treat consent given by parents and guardians as consent given on behalf of the student, and notice to parents and guardians will act as notice given to the student.

Parents and guardians may seek access to personal information held by the College about them or their child by contacting the College Principal - see contact details below. 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 a staff member or student.

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

Enquiries and complaints

If an individual wishes to receive further information about the way the College manages the personal information it holds, or if the individual believes that the College has breached the *Australian Privacy Principles* then he or she will be required to contact the College Principal. Loyola College will investigate any concern and will notify the individual of its decision in relation to their concern as soon as is practicable after it has been made.

Principal
Loyola College
325 Grimshaw Street, Watsonia 3087
Phone: 9434 4466
Email: office@loyola.vic.edu.au

Relevant Documents

Policies

Privacy Policy of the Catholic Education Commission of Victoria.

Legislation

Commonwealth Privacy Act 1988
Privacy Amendment (Enhancing Privacy Protection) Act 2012
Health Records Act 2001 (Vic)

Principles

Australian Privacy Principles
Health Privacy Principles

Collection Notices & Disclosure Statement

Loyola College Standard Collection Notice
Disclosure Statement to Students Regarding Accessing Counselling at Loyola College
Loyola Ex-Students Association Collection Notice
Loyola College Contractor and Volunteer Collection Notice
Loyola College Employee Collection Notice



LOYOLA COLLEGE

STANDARD COLLECTION NOTICE

Intended audience	Loyola College Community
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1. Loyola College collects personal information, including sensitive information about students, parents and 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 the student and to enable them to take part in all the activities of the College.
2. Loyola College collects information to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care as well as for administrative purposes.
3. Laws governing or relating to the operation of an educational institution such as Loyola College 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* under the *Privacy Act*. The College may ask an individual to provide medical reports about students from time to time.
5. Loyola College from time to time discloses personal and sensitive information to others for administrative and educational purposes, including to facilitate the transfer of a student to another organisation. This may include to other schools, government departments, the Catholic Education Office, the Catholic Education Commission, the College's local diocese and parishes, medical practitioners, and individuals providing services to the College, including specialist visiting teachers, sports coaches, volunteers and counsellors.
6. Personal information collected from students is regularly disclosed to their parents or guardians.
7. Loyola College may store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.
8. Loyola College's Privacy Policy sets out how parents, guardians and students may seek access to personal information collected about them. However, there will be occasions when access is denied. Such occasions would include 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 the student, or where students have provided information in confidence.
9. Loyola College's Privacy Policy also sets out how an individual may address a concern about a breach of privacy and how the College will deal with such a complaint.

10. Loyola College, from time to time, engages in fundraising activities. Information received from parents and guardians may be used to make an appeal to them. It may also be disclosed to organisations that assist in the College's fundraising activities solely for the purpose of fundraising. The College will not disclose personal information to third parties for their own marketing purposes without parent and guardian consent.
11. On occasions information such as academic and sporting achievements, student activities and similar news is published by the College in its newsletter, publications and via electronic information services. Photographs of student activities such as sporting events, College camps and College excursions may be taken for publication by the College. Loyola College will obtain separate permission from a student's parent or guardian prior to publication if the College wishes to include photographs or other identifying material in its promotional material.
12. If parents or guardians provide Loyola College with the personal information of others, such as doctors or emergency contacts, the College encourages parents and guardians to inform them that they are disclosing that information to the College and why, that they can access that information if they wish and that the College does not usually disclose this information to third parties.



LOYOLA COLLEGE

DISCLOSURE STATEMENT TO STUDENTS REGARDING ACCESSING COUNSELLING AT LOYOLA COLLEGE

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Loyola College provides counselling services for its students as part of its pastoral care program. These are provided through counsellors employed by the College.

Students are encouraged to make use of these services if they need assistance. There are however a number of matters that students and their parents and guardians should be aware of before using the counselling service available at Loyola College.

Records will be made of counselling sessions and as the counsellor is an employee, those records remain the property of the College, not the counsellor.

Loyola College is very conscious of the need for confidentiality between counsellor and student. However at times it may be necessary for the counsellor to divulge the contents of discussions or records to the Principal if the Principal or the counsellor considers it necessary for the College to discharge its duty of care to the student.

It is also possible that the Principal may need to disclose aspects of discussions with the counsellor to others in order to assist the student.

Where a disclosure is made it would be limited to those who need to know, unless the student consents to wider disclosure.

Loyola College emphasises that disclosures, if any, would be very limited. However if a student is not prepared to use the counselling services offered by Loyola College on the basis set out above, the student will need to access counselling services external to the College.



LOYOLA COLLEGE

LOYOLA EX-STUDENTS ASSOCIATION COLLECTION NOTICE

Intended audience	Loyola College Community
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Loyola Ex-Students Association (LEXSA) may collect personal information about an individual from time to time. The primary purpose of collecting this information is to enable LEXSA to inform individuals about its activities and the activities of Loyola College and to keep alumni members informed about activities of interest of other members.

Loyola College believes it must have the information referred to above to enable it to continue an individual's membership of LEXSA.

From time to time the College engages in fundraising activities. The information received from an individual may be used to make an appeal to them. An individual has the right to inform the LEXSA Secretary in writing that it does not wish his or her personal information to be used in this way.

LEXSA may publish details about an individual in *The Companion*, *Ignatian* newsletter, *The Conversation*, the Loyola College website or other such print and electronic publications. An individual has the right to inform the LEXSA Secretary in writing that he or she does not wish his or her personal information to be used in this way.

The Loyola College Privacy Policy contains details of how an individual may seek access to personal information collected about them or how they may address a concern about a breach of the *Australian Privacy Principles* contained in the *Commonwealth Privacy Act 1988* and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*.

Loyola College may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.

If an individual provides personal information to the College about a third party, the College encourages the individual to inform the third party of the above matters.



LOYOLA COLLEGE

CONTRACTOR AND VOLUNTEER COLLECTION NOTICE

Intended audience	Loyola College Community
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1. In applying to provide services to Loyola College, an individual will be providing the College with personal information. The College can be contacted at:
Loyola College
325 Grimshaw Street
Watsonia Vic 3087
Telephone: 03 9434 4466
Email: principal@loyola.vic.edu.au
2. If an individual provides Loyola College with personal information, for example a name and address or information contained in a resume, the College will collect the information in order to assess an individual's application. Loyola College may also make notes and prepare a confidential report in respect of an individual's application.
3. The individual agrees that Loyola College may store this information for 7 years.
4. The Loyola College Privacy Policy sets out how an individual may seek access to his or her personal information and how they may address a concern about a breach of the *Australian Privacy Principles* contained in the *Commonwealth Privacy Act 1988* and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*.
5. Loyola College will not disclose this information to a third party without an individual's consent.
6. Loyola College is required to collect information under Victorian Child Protection Laws. Contractors or volunteers who are not registered teachers are required to have a current and valid *Working with Children Check (WWCC)* and *National Criminal Record Check*. The College may also collect other personal information about an individual in accordance with these laws.
7. Loyola College may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
8. If an individual provides personal information to the College about a third party, the College encourages the individual to inform the third party of the above matters.



LOYOLA COLLEGE

EMPLOYMENT COLLECTION NOTICE

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1. In applying for this position an individual will be providing Loyola College with personal information. The College can be contacted at:
Loyola College
325 Grimshaw Street
Watsonia Vic 3087
Telephone: 03 9434 4466
Email: principal@loyola.vic.edu.au
2. If an individual provides Loyola College with personal information, for example, a name and address or information contained in a resume, the College will collect the information in order to assess an individual's application for employment. Loyola College may keep this information on file if an individual's application is unsuccessful in case another position becomes available.
3. The Loyola College Privacy Policy contains details of how an individual may address a concern about a breach of the *Australian Privacy Principles* contained in the *Commonwealth Privacy Act 1988* and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* or how an individual may seek access to personal information collected. However, there may be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others.
4. Loyola College will not disclose this information to a third party without an individual's consent.
5. Loyola College is required to collect information under Victorian Child Protection Laws. Employees who are not registered teachers are required to have a current and valid *Working with Children Check (WWCC)* and a *National Criminal History Record Check*. The College may also collect other personal information about an individual in accordance with these laws.
6. Loyola College may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
7. If an individual provides personal information to the College about a third party, the College encourages the individual to inform the third party of the above matters.
8. If an individual is employed by Loyola College, the personal information that the College collects about an individual will become part of an individual's employee record and will be handled accordingly.