

# **EASTSIDE LUTHERAN COLLEGE PRIVACY POLICY**

## **Introduction**

Eastside Lutheran College (the College, ELC) is committed to protecting the privacy of personal information which ELC collects, holds and administers and to compliance with applicable privacy laws and standards. Personal information is information which directly or indirectly identifies a person.

## **Purpose**

The purpose of this document is to provide a framework for the College in dealing with privacy considerations. This policy outlines how ELC will use and manage personal information provided to or collected by it.

## **Policy Statement**

Eastside Lutheran College collects and administers a range of personal information for the purposes of supporting the educational bodies of our region, ensuring these bodies meet appropriate legal, financial, educational and operational requirements and for publicity about these bodies. ELC is committed to protecting the privacy of personal information it collects, holds and administers.

Eastside Lutheran College recognises the essential right of individuals to have their information administered in ways which they would reasonably expect - protected on one hand and made accessible to them on the other. These privacy values are reflected in and supported by our core values and philosophies and also reflected in our Privacy Policy, which is compliant with the Privacy Act 1988 (Cth).

The College fulfils its obligations under the Commonwealth Privacy (Private Sector) Act 1988 ("the Privacy Act") including the Amendment (Enhancing Privacy Protection) Act 2012 and the Privacy Amendment (Notifiable Data Breaches) Act 2017 by complying with the Australian Privacy Principles.

Eastside Lutheran College has adopted the following principles contained as minimum standards in relation to handling personal information.

Eastside Lutheran College will:

- Only collect information which ELC requires for its primary function
- Ensure that stakeholders are informed as to why the information is collected and how the information collected is administered
- Use and disclose personal information only for primary functions or a directly related purpose, or for another purpose with the person's consent
- Store personal information securely, protecting it from unauthorised access;
- Provide stakeholders with access to their own information, and the right to seek its correction
- Respond appropriately to a data breach event, including notification of an eligible data breach to the Office of the Australian Information Commission and affected individuals

## **Policy Implementation**

### ***Aims***

To collect, handle, use, store and disclose personal and health information in a manner compliant with the *Health Records Act 2001*, the *Privacy Act 1988 & the Privacy Amendment (Enhancing Privacy Protection) Act 2012* and the *Privacy Amendment (Notifiable Data Breaches) Act 2017*.

***What kind of personal information does ELC collect and how is it collected?***

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

- Staff members, job applicants, volunteers and contractors
- Students and parents/carers ('parents') during and after the course of a student's enrolment at ELC
- Other people who come into contact with ELC

**Personal information provided**

The College will generally collect personal information held about an individual by way of written communications, emails, face-to-face meetings and interviews, and telephone calls.

In some circumstances the College may be provided with personal information about an individual from a third party, for example a report or reference from the Principal of ELC.

**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 ELC's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the College and an employee.

**Photographs**

The College may take photographs of staff, and other community members during College activities for internal use and marketing. This fact will be noted when the event is publicised.

The College may use images of students, staff and other community members provided for internal use and marketing.

Any requests for an individual to be discounted from any published photos for legal reasons, may be made through a written statement with details of the legal requirements, directed to the College Principal.

***How will ELC use the personal information provided?***

The College will use 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 and reasonably expected, or to which you have consented.

**Job applicants, staff members and contractors**

In relation to personal information of job applicants, staff members and contractors, ELC'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:

- Assessing the suitability for employment
- Administering the individual's employment or contract, as the case may be
- For insurance purposes, such as public liability or WorkCover

- Satisfying ELC's legal obligations
- Investigating incidents or defending legal claims about ELC, its services or staff

### **Students and Parents**

In relation to personal information of students and parents, ELC's primary purpose of collection is to enable ELC to provide support and oversight for the functions of the College.

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

- To satisfy oversight obligations to ELC staff, parents and students
- Celebrating the efforts and achievements of staff and students
- Marketing and communication
- To meet legislative and duty of care obligations
- To satisfy legal obligations
- To discharge its duty of care

### **Volunteers**

ELC also obtains personal information about volunteers who assist at College in its functions.

### **Communication and Marketing**

Staff, contractors, volunteers, parents, and other member of the wider ELC community may from time to time receive publications, such as the College newsletter (Connections) which include personal information for communication and marketing purposes.

### ***Who might ELC disclose personal information to?***

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

- Any Lutheran entity
- Government departments
- People providing services to ELC, including specialist consultants
- Recipients of ELC publications, e.g. newsletters
- Anyone ELC is authorised to disclose information to

### **Sending information overseas**

The College will, on occasion, disclose personal information to overseas recipients. The situations in which ELC may disclose personal information overseas include:

- The publication on the internet of material which may contain personal information, such as reports and other documents or photographs
- The provision of personal information to recipients using a web-based emails account where data is stored on an overseas server
- The use of online or 'cloud' service providers, such as Microsoft Office 365, to store personal information and to provide services that involve the use of personal information, such as services relating to email. 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

Apart from these situations, the College will not send personal information about an individual outside Australia without obtaining the consent of the individual or otherwise complying with the National Privacy Principles.

***How does ELC treat sensitive information?***

The College understands 'sensitive information' to be 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.

The College will not normally collect sensitive information about individuals. Sensitive information will only be collected where necessary and will only be used for the primary purpose for which it was provided unless agreed otherwise, or the use or disclosure of the sensitive information is allowed by law.

***How does ELC treat personal information?***

Personal 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 personal information is allowed by law.

The College can disclose personal information for another purpose when:

- The person consents
- It is necessary to lessen or prevent serious or imminent threat to life, health or safety
- It is required by law or for law enforcement purposes

**Management and Security of Personal Information**

ELC staff are required to respect the confidentiality of personal information and the privacy of individuals.

The College has in place steps to protect the personal information ELC holds from misuse, loss, unauthorised access, modification or disclosure, by use of various methods including locked storage of paper records and password-controlled access rights to computerised records

**Updating Personal Information**

ELC endeavours to ensure that the personal information it holds is accurate, complete and current.

A person may seek to update their personal information held by the College by contacting the College Principal.

**Requests to Access Personal Information**

Under the Privacy Act, a person has the right to obtain access to any personal information which ELC holds about them, and to advise ELC of any perceived inaccuracy. There are some exceptions to this right, as set out in the Privacy Act.

Requests to access any information ELC holds must be in writing and addressed to the College Principal.

The College may require verification of identity and specific details of the information required. Depending on the extent of the information required, ELC may charge a fee to cover the cost of

verifying the application and locating, retrieving, reviewing and copying any information requested. If the information sought is extensive, the College will advise the likely cost in advance.

## **Online Information**

The College web server keeps a record of all visits to the ELC website (<https://www.elc.tas.edu.au/>) and logs information on users' online experience for statistical purposes only. Information collected does not identify individual users, but does identify the computer used to access the site, including:

- Visitor server IP addresses and domain names
- The times and dates the site was visited
- The pages accessed and files downloaded
- Visitors' browsers and operating systems

In the event of an investigation, a law enforcement or government agency may exercise its legal authority to have access to ELC's web server logs.

## **Cookies**

The ELC website uses cookies, which are small text files that are generated by the ELC web server and stored on the user's computer, to allow recognition of returning users and to register preferences.

A cookie is sent from the ELC web server and automatically placed on the user's computer without notification. Personal preferences or information may be stored in the cookie, which is then sent back to the server on completion of the session. Cookies may be turned off within the user's browser, however, this may make some sections of the ELC website unusable.

## **Online Payments**

ELC does not permanently store credit card details.

## **Enquiries**

Requests for further information about the way Eastside Lutheran College manages the personal information it holds can be directed to the College Principal at [admin@elc.tas.edu.au](mailto:admin@elc.tas.edu.au)

## **Complaints about Privacy**

### **How to make a complaint**

To make a complaint, contact the College Principal, who will review the issue.

### **How ELC manage complaints**

ELC:

- Keep a record of the complaint
- Respond to the complaint within three business days, or make contact if more time is required to address the complaint

- Keep the complainant updated on what is being done to address the complaint
- Give a final response within 45 days. If a response cannot be given in this time, ELC will contact the complainant to explain why and determine a new timeframe.

### **What else can you do?**

If you remain unsatisfied with how the complaint has been managed, you can contact the Office of the Australian Information Commissioner.

### **Review**

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

Adopted 2019  
Reviewed 2021  
Next Review 2023