

Privacy Policy

1. Policy Statement

Kennedy Baptist College is committed to protecting the personal information of all prospective, current, and past students, their families, and staff, that is obtained for the purposes of providing education services.

This policy sets out how the College manages personal information and the rights of parties in relation to personal information, including how to make a complaint and how the College deals with complaints.

The College may, from time to time, review and update this *Privacy Policy* to take into account new laws and technology, changes to the College's operations and practices and to make sure it remains appropriate to the changing College environment. The current version of this *Privacy Policy* is published on our website.

2. Rationale

Kennedy Baptist College is bound by the *Australian Privacy Principles (APPs)* contained in the *Commonwealth Privacy Act 1988 (Privacy Act)*. In relation to health records, the College is bound by the *Health Services Act 2016*.

Under the *Privacy Act* and the *Health Services Act 2016*, the APPs do not apply to certain treatment of an employee record. As a result, this *Privacy Policy* does not apply to the College's treatment of an employee record held by the College, where the treatment is directly related to a current or former employment relationship between the College and the employee. The College handles staff health records in accordance with the *Health Services Act 2016*.

3. Definitions

Term	Definition
Document	A 'document' is defined to include anything on which there is writing, anything from which sounds, images or writings can be reproduced, drawings or photographs, an electronic file created with an application program.
Eligible Data Breach	An eligible data breach occurs when the following criteria are met: <ol style="list-style-type: none"> 1. There is unauthorised access to, or disclosure of personal information held by the College; and 2. This is likely to result in serious harm to any of the individuals to whom the information relates; and 3. The College has been unable to prevent the likely risk of serious harm with remedial action.

Term	Definition
Health Information	Is a subset of sensitive information. It includes any information collected about an individual's health or disability and any information collected in relation to a health service that is provided. It includes such things as notes of symptoms, diagnosis or treatments and doctor's reports.
Individual	Include students, parents / guardians, prospective parents / guardians, staff, prospective staff, volunteers, alumni, suppliers, visitors, contractors, board members. Personal Information includes 'Sensitive Information' and 'Health Information'.
Personal Information	Is information or an opinion, whether true or not, and whether recorded in material form or not, about an identified individual, or an individual whose identity is reasonably apparent, or can be determined, from the relevant information or opinion and includes such information as a person's name, address, financial information, marital status, or billing details.
Record	The <i>Privacy Act</i> regulates personal information contained in a 'record' (e.g. written down, on a database, in a photograph or video etc.). A 'record' includes a 'document' or an 'electronic or other device'.
Sensitive Information	Is a type of personal information. It includes information with respect to an individual's racial or ethnic origin; political opinions; membership of a political association; religious beliefs or affiliations; philosophical beliefs; membership of a professional or trade association; membership of a trade union; sexual preferences or practices; criminal record as well as health and genetic information. Special requirements apply to the collection and handling of sensitive information.

4. Types of Personal Information Collected

The types of information the College collects include (but is not limited to) personal information, including health and other sensitive information, about:

4.1 Students and parents and / or guardians ('parents') before, during and after the course of a student's enrolment at the College, including:

- Name, contact information (including next of kin), date of birth, gender, language background, previous school(s), and religion.
- Parents' education, occupation, language spoken at home, nationality, and country of birth.
- Health information (e.g., details of disability and / or allergies, dietary requirements, absence notes, immunisation details, medical reports, and names of doctors).
- Results of assessments, tests, and examinations.
- Conduct and complaints records, or other behaviour notes and school reports.

- Information about referrals to government welfare agencies.
- Counselling reports.
- Health fund details and Medicare number.
- Any Family Court Orders.
- Criminal records.
- Volunteering information.
- Photos and videos at College events.

4.2 Job applicants, volunteers, and contractors, including:

- Name, contact information (including next of kin), date of birth, and religion.
- Information on job application.
- Professional development history.
- Salary and payment information, including superannuation details.
- Health information (e.g., details of disability and / or allergies, and medical certificates).
- Grievance / complaint records and investigation reports.
- Leave details.
- Photos and videos at College events.
- Workplace surveillance information.
- Work emails and private emails (when using work email address) and internet browsing history.

4.3 Other people who encounter the College, including name and contact details and any other information necessary for contact with the College.

5. How the College collects personal information

5.1 Personal information individuals provide

The College generally collects personal information about an individual directly from the individual (or their parents in the case of students). This includes by way of paper-based forms, surveys, face-to-face meetings and interviews, emails, online forms through the College website, other publicly available sources, and telephone calls. The College does not guarantee website links or policies of authorised third parties.

5.2 Personal information third parties provide

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, a reference from another school or a referee for a job applicant. If a student transfers to a new school, the new school may collect personal information about the student from the student's previous school to facilitate the transfer.

5.3 Personal information from other sources

We may also collect personal information through surveillance activities (such as CCTV security cameras) and student email monitoring.

6. Purposes for which the College collects, uses, and discloses personal information

The College collects, uses and discloses personal information:

- For the primary purpose for which it was obtained.
- For the secondary purpose that is directly related to the primary purpose; and
- With the consent of the owner where required or authorised by law.

Depending on the College's relationship with the individual this may include the following:

6.1 Students and Parents

- Providing schooling and school activities.
- Satisfying the needs of parents, the needs of students and the needs of the College throughout the whole period a student is enrolled at the College.
- Making required reports to government authorities.
- Keeping parents informed about matters related to their child's schooling, through correspondence, apps, and newsletters.
- Day-to-day administration of the College.
- Looking after students' educational, social, and safety and health wellbeing.
- Seeking donations for the College (fundraising).
- To satisfy the College's legal obligations and allow the College to discharge its duty of care.

6.2 Volunteers

- To contact volunteers about, and administer, the volunteer position.
- For insurance purposes.
- To satisfy the College's legal obligations, for example, in relation to child protection legislation.

6.3 Job applicants and contractors

- Assessing and (if successful) engaging the applicant or contractor.
- Administering the individual's employment or contract.
- For insurance purposes.
- To satisfy the College's legal obligations, for example, in relation to child protection legislation.

7. Who the College discloses personal information to

The College may disclose personal information, including sensitive information, for educational, care, and administrative purposes, and to seek support and advice. This may include:

- Other schools and teachers at those schools, including a new school to which a student transfers to facilitate the transfer.
- Government departments (including for policy or funding purposes).
- Medical practitioners.
- People providing educational support and health services to the College, including specialist visiting teachers, [sports] coaches, volunteers, and counsellors.
- Organisations that assist us with fundraising.
- Providers of specialist advisory services and assistance to the College, including in the areas of human resources, child protection, students with additional needs, and for the purpose of administering Microsoft 365 and ensuring its proper use.
- Providers of learning and assessment tools.
- Assessment and educational authorities, including the Australian Curriculum Assessment and Reporting Authority (ACARA) and NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN).
- Agencies and organisations to whom we are required to disclose personal information for education, funding, and research purposes.
- People providing administrative and financial services to the College.

- Providers of our information management and storage systems and other technology services.
- Recipients of College publications, such as newsletters and Yearbooks.
- Students' parents or guardians.
- Anyone individual's authorise the College to disclose information to.
- Anyone to whom the College is required to disclose information to by law, including child protection laws.

8. How the College stores personal information

The College stores personal information in hard copy form and electronically. We use information management and storage systems (e.g., SEQTA) provided by third-party service providers. Personal information is stored with and accessible by the third-party service providers for the purpose of providing services to the College in connection with the systems.

The College may use online or 'cloud' based service providers to store personal information and to provide services to the College that involve the use of personal information.

When personal information is no longer needed for the purpose for which it was obtained, the College will take reasonable steps to destroy or de-identify personal information. Personal information will be retained for the required period in accordance with the Australian Society of Archivists *Records Retention and Disposal Schedule*.

9. Sending and storing information overseas

The College may disclose personal information about an individual to overseas recipients in certain circumstances.

The College may use online or 'cloud' based service providers to store personal information and to provide services to the College that involve the use of personal information, such as services relating to email, instant messaging, and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services and provide technical support. 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.

An example of such a cloud service provider is Microsoft. Microsoft provides the Microsoft 365 suite of programs and applications, including Outlook (email), and stores and processes limited personal information for this purpose. College personnel and its service providers may have the ability to access, monitor, use or disclose emails, communications (e.g., instant messaging), documents and associated administrative data for the purposes of administering Microsoft 365 and ensuring its proper use.

10. Fundraising and direct marketing

Fundraising for the future growth and development of the College is an important part of ensuring that the College continues to provide a quality learning environment in which both students and staff thrive. Personal information may be used to make an appeal to the College community. It may also be disclosed to organisations that assist in the College's fundraising efforts, for example, the Parents and Friends Association and, on occasions, external fundraising organisations.

Individuals who do not wish to receive fundraising communications from the College can contact our Public Relations Officer.

11. Security of personal information

The College has steps in place to protect personal information that it 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 electronic records.

These steps include:

- 11.1 Restricting access to information on College databases on a need to know basis with different levels of security allocated to staff based on their roles and responsibilities and security profile.
- 11.2 Staff awareness that personal passwords must be protected and not shared.
- 11.3 Personal and health information that is stored in hard copy files must be stored in lockable filing cabinets / cupboards and in lockable rooms. Access to these records is restricted to authorised staff only.
- 11.4 Implementation of physical security measures around the College facilities and grounds to prevent security breaches (e.g., break-ins).
- 11.5 Implementation of ICT security measures, policies, and procedures, designed to protect personal information storage on the College's networks.
- 11.6 Implementation of human resources policies and procedures, such as email and internet usage, confidentiality, and document security policies, to ensure staff follow correct protocols when handling personal information.
- 11.7 Undertaking due diligence when engaging third party service providers who may have access to personal information, including cloud service providers, to ensure as far as reasonably practicable that they are compliant with the Australian Privacy Principles or a similar privacy regime.

12. Access and correction of personal information

The College will take reasonable steps to make sure that personal information is accurate, complete and up to date. It is important to the College that personal information is up to date. If you find that the information the College holds is not up to date, you can advise the College as soon as practicable so records can be updated to ensure quality service is provided by the College.

Under the *Privacy Act 1988* and the *Health Services Act 2016*, an individual has the right to seek access to, and / or correction of, any personal information which the College holds about them, subject to certain exceptions set out in the legislation. Students will generally be able to access and update their personal information through their parents, but older students may seek access and correction themselves.

To make a request to access, update or correct any personal information the College holds about an individual (parent, staff member) or their child (student), please contact the Principal by email, post, or telephone at:

Email: privacy@kennedy.wa.edu.au

or write to: The Principal,
Kennedy Baptist College
PO Box 26
Bull Creek, WA 6149

The College requires the individual to verify their identity and specify what information they require. The College may charge an administration fee for giving access to personal information (but will not charge for making the request or correcting the personal information). If the information sought is extensive, the College will advise you of the likely cost in advance.

If the College refuses your request, a written notice will be provided explaining the reasons for refusal (unless, considering the grounds for refusal, it would be unreasonable to provide reasons) and how to lodge a complaint.

13. Consent and rights of access to the personal information of students

The College respects every parent'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. 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.

There may be occasions when access is denied. Such occasions may include (but are not limited to) where the College believes the student has capacity to consent and the College is not permitted to disclose the information to the parent without the student's consent, 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, upon 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. 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

For further information about the way the College manages personal information it holds or wish to make a complaint where you believe the College has breached the *Australian Privacy Principles* or *Health Services Act 2016*, it is preferred that you make your complaint in writing. The College will investigate any complaints in a timely manner and respond in writing. For further information about our complaint handling processes please see the *Complaints Handling Policy*.

If you are not satisfied with the College's response, a complaint can be lodged with the Office of the Australian Information Commissioner (OAIC) on their website.

15. Contact Details

If you have any enquiries or complaints about privacy, or if you wish to access or correct your personal information, please email privacy@kennedy.wa.edu.au or write to:

The Principal
Kennedy Baptist College
PO Box 26
Bull Creek, WA 6149

16. Availability of this Privacy Policy

If you wish to access this *Privacy Policy* in an alternative format (e.g. hard copy) please contact the College using the contact details set out above. This Policy will be made available free of charge. This Policy will be reviewed from time to time, as required.

Version control					
Version	Amendments	Date Reviewed	Endorsed by Board	Next Review	Author of version
1			20/09/2016		
2		08/05/2017	08/05/2017		
3		25/02/2021	01/03/2021	05/2023	
4	Amended in accordance with the AISWA Privacy Compliance Manual 2023	30/07/2024	05/11/2024	05/2026	C Acciano