



# Faith Lutheran College Redlands

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## IT Security Policy

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Purpose:	Faith Lutheran College, Redlands is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. This statement outlines the privacy policy of the College and describes how the College uses and manages personal information provided to or collected by it.	
Scope:	The policy applies to College Council members, employers, employees, volunteers, parents/guardians and students, contractors, and people visiting the College site; and describes the type of information the College collects, how the information is handled, how and to whom the information is disclosed, and how the information may be accessed.	
References:	<ul style="list-style-type: none"><li>• Privacy Act 1988 (Cth)</li><li>• Privacy Amendment (Enhancing Privacy Protection) Act 2012</li><li>• Child Protection Policy</li><li>• Disabilities Policy</li></ul>	
Supersedes:	Previous	
Authorised by:	Principal	Date of Authorisation: 3 March 2014
Review Date:	Bi-annually (annually), as appropriate, 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 environment.	Review Date: March 2021 Next Review Date: March 2023
Policy Owner:	Principal with reference to College Council.	

### **Exception in relation to employee records:**

Under the Privacy Act, the Australian Privacy Principles do not apply to an employee record held by the employing entity. 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.

### **Policy**

This Privacy Policy sets out how the College manages personal information provided to or collected by it. The College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. 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.



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## **What kinds of personal information does the 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, including health and other sensitive information, about:

- pupils and parents and/or guardians ('Parents') before, during and after the course of a pupil's enrolment at the College;
- job applicants, staff members, volunteers and contractors; and
- other people who come into contact with the College.

### **Personal Information you provide:**

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

### **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 school.

### **How will the College use the personal information you provide?**

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

## **Pupils and Parents**

In relation to personal information of pupils and Parents, the College's primary purpose of collection is to enable the College to provide schooling for the pupil. This includes satisfying the needs of Parents, the needs of the pupil and the needs of the College throughout the whole period the pupil is enrolled at the College.

The purposes for which the College uses personal information of pupils and Parents 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 pupil or Parent, if the information requested is not provided, the College may not be able to enrol or continue the enrolment of the pupil or permit the pupil to take part in a particular activity.



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## **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:

- in administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking donations and marketing for the College (Contractors only); and
- 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, such as alumni associations, to enable the College and the volunteers to work together.

## **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 provide a quality learning environment in which both pupils and staff thrive. Personal information held by the College may be disclosed to organisations that assist in the College's fundraising, for example, the College's Foundation or alumni organisation or, on occasions, external fundraising organisations.

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.

## **Who might the College disclose Personal Information to?**

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

- another school;
- government departments;
- medical practitioners;
- people providing services to the College, including specialist visiting teachers, counsellors and sports coaches;
- recipients of College publications, such as newsletters and magazines;
- Parents;
- anyone you authorise the College to disclose information to; and
- anyone to whom we are required to disclose the information by law.



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## **Sending Information Overseas**

The College may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers which are situated outside Australia or 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.

## **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, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information and biometric 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.

## **Management and security of personal information**

The College's staff are required to respect the confidentiality of pupils' and Parents' personal information and the privacy of individuals. The 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, an individual has the right to obtain access to any personal information which the College holds about them and to advise the College of any perceived inaccuracy. Pupils will generally be able to access and update their personal information through their Parents, but older pupils may seek access and correction themselves.

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

To make a request to access or update any personal information the College holds about you or your child, please contact the College Principal in writing. The College may require you to verify your identity and specify what information you require. The 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 College will advise the likely cost in advance. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

## **Consent and Rights of Access to the Personal Information of Pupils**

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 pupil to the pupil's Parents. The College will treat consent given by Parents as consent given on behalf of the pupil, and notice to Parents will act as notice given to the pupil.

As mentioned above, parents may seek access to personal information held by the College about them or their child by contacting the College Principal. However; there will be occasions when access is denied. Such



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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 pupil.

The College may, at its discretion, on the request of a pupil grant that pupil access to information held by the College about them, or allow a pupil 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 pupil and/or the pupil's personal circumstances so warranted.

## Enquiries and complaints

If you would like further information about the way the College manages the personal information it holds, or wish to complain that you believe that the College has breached the Australian Privacy Principles please contact the College Principal. The College 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.

## Data Breaches

### What is a Data Breach

"a data breach is when personal information held by an entity is lost or subjected to unauthorised access, modification, disclosure, or other misuse or interference. Examples of a data breach are when a device containing personal information of clients is lost or stolen, an entity's database containing personal information is hacked or an entity mistakenly provides personal information to the wrong person."

*Office of the Australian Information Commissioner*

It will be deemed that an 'eligible data breach' has occurred if:

- there has been unauthorised access to, or unauthorised disclosure of, personal information about one or more individuals (the affected individuals)
- a reasonable person would conclude there is a likelihood of serious harm to any affected individuals as a result
- the information is lost in circumstances where:
- unauthorised access to, or unauthorised disclosure of, the information is likely to occur
- assuming unauthorised access to, or unauthorised disclosure of, the information was to occur, a reasonable person would conclude that it would be likely to result in serious harm to the affected individuals.

Serious harm may include serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation.

### What must the college do in the event of an 'eligible data breach'?

If the college suspects that an eligible data breach has occurred, it will carry out a reasonable and expedient assessment/investigation within 30 days.

If it is not practicable to notify the affected individuals, the college will publish a statement providing information on the breach on its website, or publicise it in another manner.

If such an assessment/investigation indicates there are reasonable grounds to believe an eligible data breach has occurred, then the College will be required to lodge a statement to the Privacy Commissioner (Commissioner).

Where practical to do so, the college entity will also notify the affected individuals.



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Privacy Commissioner

GPO Box 5218

Sydney NSW 5218

Ph: 1300 363 992

Em: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

## **Exception to notification obligation**

An exception to the requirement to notify will exist if there is a data breach and immediate remedial action is taken, and as a result of that action:

- there is no authorised access to, or unauthorised disclosure of, the information
- there is no serious harm to affected individuals, and as a result of the remedial action, a reasonable person would conclude the breach is not likely to result in serious harm.

## **Complaints**

An individual whose personal information is/has been held by the College, may lodge a complaint in writing to the College Business Manager about an act or practice of the college which the individual believes to be inappropriate or unlawful.

The Business Manager will investigate the complaint and report to the Principal. A decision will be made concerning the complaint and the complainant will be advised in writing of the result of the investigation within 30 days of the complaint.

Should the complainant be dissatisfied with the college's response, or not receive a response by the end of the 30 day period, the complainant may make a complaint to the [Office of the Australian Information Commissioner](#).



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## APPENDIX 1

### Standard Collection Notice

1. The College collects personal information, including sensitive information about pupils and parents or guardians before and during the course of a pupil'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 pupil and to enable them to take part in all the activities of the College.
2. Some of the information we collect is to satisfy the College's legal obligations, particularly to enable the College to discharge its duty of care.
3. Laws governing or relating to the operation of a 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 pupils is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. We may ask you to provide medical reports about pupils from time to time.
5. The College from time to time discloses personal and sensitive information to others for administrative and educational purposes, including to facilitate the transfer of a pupil to another school. This includes to other schools, government departments, medical practitioners, and people providing services to the College, including specialist visiting teachers, sports coaches, volunteers and counsellors.
6. Personal information collected from pupils is regularly disclosed to their parents or guardians.
7. The College may store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.
8. The College's Privacy Policy sets out how parents or pupils 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 pupil, or where pupils have provided information in confidence.
9. The College Privacy Policy also sets out how you may complain about a breach of privacy and how the College will deal with such a complaint.
10. As you may know the College from time to time engages in fundraising activities. Information received from you may be used to make an appeal to you. It may also be disclosed to organisations that assist in the College's fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.
11. On occasions information such as academic and sporting achievements, pupil activities and similar news is published in College newsletters and magazines and on our website. Photographs of pupil activities such as sporting events, College camps and College excursions may be taken for publication in College newsletters and magazines and on our website. The College will obtain permissions from the pupils' parent or guardian prior to publication.
12. We may include pupils' and pupils' parents' contact details in a class list and College directory/Buzz Book. Parents may opt out of having details published in the College Buzz Book.
13. If you provide the College with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you 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.



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## APPENDIX 2

### Alumni Association Collection Notice

1. The FLCR Alumni Association may collect personal information about you from time to time. The primary purpose of collecting this information is to enable us to inform you about our activities and the activities of Faith Lutheran College, Redlands and to keep alumni members informed about other members.
2. We must have the information referred to above to enable us to continue your membership of the FLCR Alumni Association.
3. As you know, from time to time we engage in fundraising activities. The information received from you may be used to make an appeal to you. It may also be used by Faith Lutheran College, Redlands to assist in its fundraising activities. If you do not agree to this, please advise us now.
4. The FLCR Alumni Association may publish details about you in our Faith Herald/Faith Focus and our College's website. If you do not agree to this you must advise us now.
5. The College's Privacy Policy contains details of how you may seek access to personal information collected about you or how you may complain about a breach of the APPs.
6. The College may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
7. If you provide personal information to us about other people, we encourage you to inform them of the above matters.





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## APPENDIX 3

### Employment Collection Notice

1. In applying for this position you will be providing Faith Lutheran College, Redlands with personal information. We can be contacted PO Box 5400, Victoria Point Qld 4165, email: [applications@flcr.qld.edu.au](mailto:applications@flcr.qld.edu.au) Phone: 3820 5500.
2. 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 for employment. We may keep this information on file if your application is unsuccessful in case another position becomes available.
3. The College's Privacy Policy contains details of how you may complain about a breach of the APPs or how you may seek access to personal information collected about you. 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. We will not disclose this information to a third party without your consent. We usually disclose this kind of information to the following types of organisations: Lutheran Education Australia, Lutheran Education Queensland, Queensland College of Teachers, ISQ.
5. We are required to conduct a criminal record check and collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws as applicable. We may also collect personal information about you in accordance with these laws.
6. The College may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
7. If you provide us with the personal information of others, we encourage you to inform them that you 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 the information to third parties.



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## APPENDIX 4

### Contractor/Volunteer Collection Notice

1. In applying to provide services to the College, you will be providing Faith Lutheran College, Redlands with personal information. We can be contacted PO Box 5400, Victoria Point Qld 4165, email: [admin@flcr.qld.edu.au](mailto:admin@flcr.qld.edu.au), Phone: 3820 5500.
2. 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. We may also make notes and prepare a confidential report in respect of your application.
3. You agree that we may store this information.
4. The College's Privacy Policy sets out how you may seek access to your personal information and how you may complain about a breach of the APPs.
5. We will not disclose this information to a third party without your consent.
6. We are required to conduct a criminal record check and collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection law. We may also collect personal information about you in accordance with these laws.
7. The College may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.
8. If you provide us with the personal information of others, we encourage you to inform them that you 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 the information to third parties.

Reviewed March 2021