



## Privacy and Confidentiality Policy and Procedure ("Privacy Policy")

University Senior College ("USC" or "the School") is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

The Privacy Policy sets out how USC manages personal information provided to or collected by it. Part A deals with that information held by USC relating to students and their families and alumni or old scholars. Part B deals with information held about employees of USC, members of the Council of USC, job applicants, volunteers and contractors and others who come into contact with USC.

The Privacy Policy will be updated to reflect new laws and technology, changes to the School's operations and practice and to ensure the Policy remains appropriate to the changing school environment.

A copy of the Privacy Policy will be made available to any members of the School community on request and can also be accessed via the USC website at <https://usc.adelaide.edu.au>

### **Part A: Information collected and held relating to students, families and alumni or old scholars.**

#### **What kinds of personal information does USC collect and how is it collected?**

The type of information USC collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about students and parents, carers and/or guardians ("Parents") before, during and after the course of a student's enrolment at the School.

**Personal Information you provide:** USC collects personal information held about an individual by way of forms filled out by Parents or students, both on paper and on-line, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than Parents and students provide personal information.

**Personal information generated by the School:** USC maintains records on each student which include attendance data, school reports, marks and grade information. This may also include records of incidents, such as help provided in the event of an accident. Individual teachers also maintain attendance and marks records.

**Personal Information provided by other people:** In some circumstances USC 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 USC use the personal information you provide?

USC will use personal information as necessary for the primary purpose of collection, meeting the individual needs of the students and their families and other members of the school community.

**Students and Parents:** In relation to personal information of students and Parents, the School's primary purpose of collection is to enable the School to provide schooling for the student. This includes satisfying the needs of Parents, the needs of the student and the needs of the School throughout the whole period the student is enrolled at the School.

The purposes for which USC uses personal information of students and Parents include:

- to keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- generating school reports, references etc.;
- providing assessment information to such bodies as the SACE Board, SATAC and Universities;
- day-to-day administration of the School;
- looking after students' educational, social, cultural, and medical wellbeing; and
- seeking donations and marketing for the School; and
- to satisfy the School's legal obligations and allow the School to discharge its duty of care.

In some cases where the School requests personal information about a student or Parent, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

**Marketing and fundraising:** The School considers marketing and seeking donations for the future growth and development of the School as important parts of ensuring that the School continues to be a quality learning environment in which both students and staff thrive. Personal information held by the School may be disclosed to organisations that assist in the School's fundraising, for example, the School's gift funds or alumni organisation.

Parents, staff, contractors and other members of the wider School community may from time to time receive fundraising information. School publications, like newsletters and magazines, which include personal information, may be used for marketing purposes. Those students and parents who do not wish to, for example, have student photographs included in any such publications have the option of denying permission for this.

**Collection of Overdue Tuition Fee Accounts:** The School feels very strongly about overdue tuition fees and enforces a very strict collection policy. All overdue tuition fees are referred to a debt collection agency and payment will be enforced by legal action. In order to facilitate the collection of overdue fee accounts, personal information held by the School such as residential and contact details will be disclosed to organisations that assist in the School's debtor collection including debt collection agencies and legal firms.

## To whom might the School disclose personal information?

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

- another school or University;
- SACE Board, SATAC;
- government departments;
- medical practitioners;
- people providing services to the School;
- recipients of School publications, such as newsletters and magazines;
- parents;
- anyone you authorise the School to disclose information to; and
- anyone to whom we are required to disclose the information by law.

In some of the above cases, such as forwarding assessment records to the SACE Board, consent for the sharing of this information is implied through the acceptance of the conditions of enrolment. Students often seek references for scholarships and entry into university places and in so doing are implying consent to have the information shared with those to whom the references are addressed. In other cases, there may be a legal obligation to disclose details such as in a child protection case. In any situation outside the usual business of the School, permission to disclose such information will be sought.

***Sending information overseas:*** The School may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers which may be situated outside Australia. For example, the School reporting system is a web-based system protected by a secured network, used by teachers to prepare written reports to students and families on their progress. Likewise, individual teachers, in the course of their work, may store records of student marks and attendance with 'cloud' service providers, perhaps as a backup to protect against loss of important data. The School will seek assurance from providers of such services that they are aware of their obligations under the amended Privacy Act. It is important to note that such information is unlikely to be regarded as sensitive information.

The School may also send information about individual students overseas in order to facilitate an exchange or to help a student gain a place in an overseas university. In cases such as these, the student and the family, in applying for this support, are implying consent for such information to be shared. However, the School 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 such as described in the previous paragraph) or;
- otherwise complying with the Australian Privacy Principles and other applicable privacy legislation.

## **How does the School treat sensitive information?**

In referring to 'sensitive information', the School 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; family circumstances such as relationship breakdowns.

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 or required by law.

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

The School's staff are required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals.

The School has in place steps to protect the personal information it holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records, restricted access, building and security alarms, password access rights to computerised records, firewalls and other security technology.

## **Data Breach**

A data breach concerns the security of personal information and involves the actual unauthorised access or disclosure of personal information, or the loss of personal information where the loss is likely to result in unauthorised access or disclosure. A data breach is different from an interference with privacy that involves a breach of another privacy principle such as a use or disclosure of personal information which is not permitted under the Privacy Act.

In the event of a data breach, the School will comply with its notification obligations under the Privacy Act. The School has in place a Data Breach Response Plan which staff are required to follow in the event that a data breach occurs or is suspected to have occurred.

## **Access and correction of personal information**

Under the Commonwealth Privacy Act 1988, an individual has the right to obtain access to any personal information which the School holds about them and to advise the School of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Students will generally be able to access and update their personal information through their Parents, but those 18 years and over 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 School holds about you or your child, please contact the Principal in writing. USC may require you to verify your identity and specify what information you require. USC 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, USC 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 students**

USC respects and supports every Parent's right to make decisions concerning their child's education.

Generally, USC will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. USC 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.

As mentioned above, parents may seek access to personal information held by the School about them or their child by contacting the Principal. 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 School's duty of care to the student.

The School may, at its discretion, on the request of a student grant that student access to information held by USC 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.

### **DISCLOSURE STATEMENT TO STUDENTS**

#### **Counselling at University Senior College - Things You Should Know**

The School provides counselling services for its students as part of its mentoring program. These are provided through the counsellor, the Deans and the mentors employed by the School. Students are encouraged to make use of these services if they need assistance. There are however, a number of things that students and their parents should know before using the counselling service.

1. Records will be made of counselling sessions and because the counsellor is an employee, those records belong to the School, not the counsellor.
2. The School 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 student's welfare to discharge the School's duty of care to the student.
3. It is also possible that the Principal may need to disclose aspects of discussions with counsellors to others in order to assist the student.
4. Where a disclosure is made it would be limited to those who need to know, unless the student consents to some wider disclosure.

We emphasise that disclosures (if any) would be very limited. However if a student is not prepared to use the counselling services on the basis set out above, the student will need to obtain counselling services from outside the School.

## **Part B: Information collected and held relating to job applicants, staff members, Council Members, volunteers and contractors and other people who come into contact with the School**

### **What kinds of personal information does USC collect and how is it collected?**

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

- Job applicants, staff members, volunteers and contractors; and
- Other people who come into contact with the School.

**Personal Information you provide:** USC collects personal information held about an individual by way of applications for employment. These would include written applications and resumes in electronic form sent to the School seeking employment. In addition, the School keeps such information as contact details and bank account and tax file numbers for staff members.

**Personal information generated by the School:** USC maintains records on each staff member in accordance with the requirements of the National Standards for Teachers (AITSL) as well as details required for the Teachers' Registration Board, which include Police checks and Working with Children checks.

**Personal Information provided by other people:** In some circumstances USC may be provided with personal information about an individual from a third party, such as a reference from a former employer.

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

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

USC will use personal information it collects from you for the purposes of fulfilling its obligations to you as an employee or agent of the School.

**Job applicants, staff members and contractors:** In relation to personal information of job applicants, staff members and contractors, the School'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 School 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 School; and

- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

**Volunteers:** The School also obtains personal information about volunteers who assist the School in its functions or conduct associated activities, such as alumni associations, to enable the School and the volunteers to work together.

Staff, contractors, volunteers and other members of the wider School community may from time to time receive fundraising information. School publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

## **Enquiries, feedback and complaints**

If you would like further information about the way the School manages the personal information it holds, or wish to provide some feedback about this, please contact the School's Privacy Officer.

If you wish to complain that you believe the School has breached the Australian Privacy Principles, please also contact the Privacy Officer and/or any member of the School Council. The School will investigate your complaint and will notify you of the outcome of the investigation as soon as is practicable.

If you are dissatisfied with the way in which the School has handled your complaint, you may wish to contact the Office of the Australian Information Commissioner:

Office of the Australian Information Commissioner  
GPO Box 5218  
Sydney NSW 2001  
Telephone: 1300 363 992  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

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