

Privacy Policy

1. Purpose

Bayside Christian College (College) is bound by the Australian Privacy Principles contained in the Privacy Act 1988 (Cth) and Health Records Act 2001 (Vic). This Policy defines the College's approach for the collection, use, management and disclosure of Personal Information collected as part of the school activities.

2. Policy Statement

This Privacy Policy applies to the management of the Personal Information collected by the College, including that which is collected by solicited and unsolicited means, and is applicable to the management of any Personal Information that is under the control of the College. The management of Personal Information refers to the circumstances in which it is obtained, how it is used, disclosed, disposed of and/or changed or how it can be accessed. This policy does not apply to information that is under the control of any third party to which the College provides Personal Information in accordance with this policy.

3. Application

All members of College staff, contractors and volunteers must comply with this policy in relation to any Personal Information they handle in the course of carrying out their duties on the College's behalf.

Personal Information may be collected from any individual with whom the College may have contact (including current and prospective students, parents, alumni, job applicants, volunteers, contractors, past employees and the College community).

The College may also collect, use and disclose health information in relation to the provision of health services to students while they are in the care of the College.

Exception in relation to staff records: Although records of staff are exempt under the Privacy Act 1988 (Cth), as a matter of practice, the College maintains the confidentiality of such records.

4. Types of information the College collects and holds

The type of information the College collects and holds includes (but is not limited to) personal, health and sensitive information (collectively known as Personal Information).

- Personal Information – includes, but is not limited to: name, address, phone number, date of birth, next of kin details, financial information, photos, school reports and attendance records.
- Sensitive Information – includes, but is not limited to: religion, government identifiers, nationality, country of birth, relevant child protection law information, criminal records, language spoken at home, and family court orders.
- Health Information – includes, but is not limited to: medical records, nutrition and dietary requirements, disabilities, doctor/hospital reports, illnesses, individual health care plans, immunisations, Work Cover information, learning details.

5. Collection of Personal Information

The College will usually collect Personal Information directly from the individual (unless it is unreasonable or impractical to do so) where consent has been provided, or it is required by law.

The College collects and holds Personal Information about:

- Students and parents before, during and after the course of a student’s enrolment at the College;
- Job applicants, staff members, volunteers and contractors; and
- Other people who come into contact with the College (e.g., visitors, service providers).

5.1. Solicited information

The College has, where possible, attempted to standardise the collection of Personal Information by using specifically designed forms to ensure that only the information required for the College to provide its services is collected. However, the College may also receive the Personal Information necessary to effectively deliver its services or to meet its legislative obligations via email, letters, notes, social media, website, over the telephone, in face-to-face meetings through financial transactions, and surveillance activities such as the use of CCTV security cameras or email monitoring.

The College may also collect Personal Information from other sources (e.g. third-party administrator, referees for prospective staff, etc.). Personal information will only be collected from third parties where it is not reasonable and practical to collect the Personal Information from the individual directly.

5.2. Unsolicited information

The College may be provided with Personal Information without having sought it through our normal means of collection. This is known as “unsolicited information” and can be collected by:

- Misdirected postal mail – letters, documents
- Misdirected electronic mail – emails, electronic messages
- Employment applications received by the College that are not in response to an advertised vacancy
- Information entered into or stored in online systems and platforms
- Information communicated through mail, email, telephone or verbal communication.

Unsolicited information obtained by the College will only be held, used or disclosed if it is considered information that could have been collected by normal means. If that unsolicited information could not have been collected by normal means, it will be destroyed, permanently deleted or de-identified as appropriate.

5.3. Device information and activity

When a person visits the College’s website, information about a person’s device and activity may be collected, for example technical information, including:

- The IP address used to connect their computer to the internet
- Login information
- Browser type and version
- Time zone setting
- Browser plug-in types and version
- Cookies
- Operating system and platform
- The type of device used.

Additionally, when the College’s websites and platforms are viewed, the College collects information about the individual web pages that are viewed, what websites or search terms were used to refer viewers across those platforms, and information about how a person interacts with the College’s suite of products. The College refer to this automatically collected information as “Device Information”.

Device Information is collected using the following technologies:

- “Cookies” – data files that are placed on a person’s device or computer and often include an anonymous unique identifier. For more information about cookies and how to disable cookies, visit <http://www.allaboutcookies.org>
- “Log files” – track actions occurring on the College websites, and collect data including a person’s IP address, browser type, Internet service provider, referring/exit pages, and date/time stamps, and
- “Web beacons”, “tags”, and “pixels” – electronic files used to record information about how the College’s website is browsed

5.4. Information from Third Parties

Information may be collected by the College or on behalf of the College via third parties including:

- The date and time of the visit to the College’s website
- IP address
- Documents and pages accessed
- The type of browser and browser settings
- The person’s operating system
- Address of a recurring site visited
- Information a person submits regarding payment particulars
- Device identifier, including Unique Device Identifiers (UDID)
- Device details
- Pages visited
- Language selections
- Cookies
- Tracking pixels
- Geographic area and location.

The College collects this information for the purpose/s of:

- Providing people with local information and alerts about the College's products and services
- Improving the website and services
- Complying with local legal obligations
- Gathering anonymised statistics for analytical purposes
- Ensuring proper function of the website and online software
- Any other reason allowed at law.

6. Use of Personal Information

The College only uses Personal Information that is reasonably necessary to deliver its services (the primary purpose), for a related secondary purpose that would be reasonably expected by the individual, or for an activity or purpose to which an individual has consented.

The College’s primary uses of Personal Information include, but are not limited to:

- Providing education, pastoral care, extracurricular activities and health services
- Satisfying the College’s legal obligations, including its duty of care and child safety and wellbeing obligations
- Sharing College information with parents/carers
- Marketing, promotional and fundraising activities
- Supporting the activities of the College Association
- Supporting community-based causes and activities, charities and other causes in connection with the College’s functions or activities
- Helping the College improve day-to-day operations, including training staff
- Systems development; developing new programs and services; undertaking planning, research and statistical analysis

- College administration, including for insurance purposes
- Employment of staff
- Engagement of volunteers

The College will only use or disclose sensitive information for a secondary purpose if an individual would reasonably expect the College to use or disclose the information and the secondary purpose is directly related to the primary purpose.

The College may share Personal Information with related bodies corporate, but only if necessary, for the College to provide its services.

7. Photographs / Images

Photographs, images and video recordings of students, staff, alumni and visitors are used in many instances via the College's newsletter, yearbook, website and other public relations material, for both internal and external promotion of the College and its activities. Specific permission is obtained from Parents with regard to the use of student photographs, images and video recordings.

Where the Parent does not consent to their child's name, image and likeness being used by the College in this manner, the College will take reasonable steps to refrain from using their child's name, image and likeness in this manner (to the extent reasonably possible).

8. Disclosure of Personal Information

Personal Information is used for the purposes for which it was given to the College, or for purposes which are directly related to one or more of our functions or activities.

Personal Information may be disclosed to government agencies, other parents, other schools, staff, recipients of College publications, visiting teachers, counsellors and coaches, our service providers, agents, contractors, business partners, related entities and other recipients from time to time, if the individual:

- has given consent; or
- would reasonably expect the Personal Information to be disclosed in that manner.

The College may disclose Personal Information without consent or in a manner that an individual would reasonably expect if:

- the College is required to do so by law
- the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual's or public safety
- disclosure is reasonably necessary for a law enforcement-related activity
- another permitted general situation applies
- another permitted health situation exists.

9. Information Sharing Schemes

Victorian schools and a range of other Victorian services are prescribed Information Sharing Entities and can request and share information under the Child Information and Family Violence Information Sharing Schemes to promote the wellbeing or safety of children or to assess or manage family violence risk. The Information Sharing Schemes complement existing obligations and frameworks and do not replace current legislative obligations (such as Child Safe Standards, Mandatory Reporting, Privacy or Criminal Law and Reportable Conduct) to share information.

Information Sharing Entities must meet a range of requirements when using the Information Sharing Schemes to request and share information.

10. Disclosure to overseas recipients

The College may disclose Personal Information to recipients outside Australia in certain circumstances, such as arranging student exchange programs, organising an overseas school trip, using overseas online or 'cloud' service providers to provide services to the College.

The College will take all reasonable steps to not disclose Personal Information to overseas recipients unless:

- consent is received from the individual (in some cases this consent will be implied); or,
- the College is satisfied that the overseas recipient complies with the Australian Privacy Principles or other applicable privacy legislation such as General Data Protection Regulation (GDPR); or,
- the College reasonably believes that the use or disclosure is necessary to lessen or prevent serious threat to life, health or public safety and it is unreasonable or impracticable to obtain consent; or,
- the College is taking appropriate action against suspected unlawful activity or misconduct of a serious nature; or
- the College is assisting with locating a person reported as missing.

11. Personal Information of students

The Privacy Act does not differentiate between adults and children and does not specify an age after which individuals can make their own decisions with respect to their Personal Information.

The College takes a “common-sense” approach to dealing with a student’s Personal Information and generally will refer any requests for Personal Information to a student’s parents/carers. The College will treat notices provided to parents/carers as notices provided to students and will treat consents provided by parents/carers as consents provided by a student.

In seeking to respect the rights of children under the Privacy Act and recognising that in certain circumstances (especially when dealing with older students and when dealing with sensitive information), it will be appropriate to seek and obtain consent directly from students. The College also acknowledges that there may be occasions where a student may give or withhold consent with respect to the use of their Personal Information independently from their parents/carers.

There may also be occasions where parents/carers are denied access to information with respect to their children, because to provide such information would have an unreasonable impact on the privacy of others or result in a breach of the College’s duty of care to the student.

12. Sensitive and Health Information

Sensitive 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 where the use or disclosure of that sensitive information is allowed by law.

The College may use health information collected about an individual for the purpose of providing health services to that individual where required. The College may disclose health information to a medical professional or to a health service provider where that professional or provider is engaged in providing health services to an individual. The College will not use or disclose such information for a purpose other than the primary purpose of collection unless:

- the individual consents to the use or disclosure,
- the secondary purpose is directly related to the primary purpose and the individual would reasonably expect the College to use or disclose the information for the secondary purpose,
- the use or disclosure is required, authorised or permitted, whether expressly or impliedly by or under law,
- if the requesting entity is listed as an Information Sharing Entity under the Child Sharing Information Scheme and Family Violence Information Sharing Scheme, or
- as otherwise authorised, permitted or required under the Health Records Act 2001 (Vic).

13. Storage and Security of Personal Information

The College stores Personal Information in a variety of locations including, but not limited to:

- Local servers
- Remote servers
- Hard copy files
- Personal devices, including laptop computers

- Third-party storage providers such as cloud storage facilities.

The College takes all reasonable steps to protect the Personal Information it holds from misuse, loss, interference, unauthorised access, modification or disclosure.

These steps include, but are not limited to:

- Restricting access and user privileges to information by staff depending on their role and responsibilities
- Educating staff and students on protection of personal passwords
- Ensuring hard copy files are stored in lockage filing cabinets in lockable rooms. Staff access is subject to user privilege
- Implementing security measures around the College buildings and grounds. Ensuring the College's IT and cyber security systems, policies and procedures are implemented and current.
- Monitoring staff compliance with internal policies and procedures when handling Personal Information
- Undertaking due diligence with respect to third party service providers who may have access to Personal Information, including customer identification providers and cloud service providers, to ensure, as far as reasonably practicable, that they are compliant with the APP or a similar privacy regime
- The destruction, deletion or deidentification of Personal Information that the College holds that is no longer needed or required to be retained by any other laws.

14. Responding to data breaches

The College maintains procedures for responding to data breaches, including initial containment, formal investigation, and the formation of a data breach response team.

If the College has reasonable grounds to believe that a data breach has occurred, which is likely to result in serious harm to any individual, the College will:

enact procedures to contain and investigate the data breach

attempt to notify the affected and/or at-risk individuals directly or, if it is not possible to notify individuals directly, publish a statement on our website and through appropriate public channels, and

provide a statement to the Office of the Australian Information Commissioner (OAIC) including details of the breach.

15. Access and correction of Personal Information

A request may be submitted to the College to access Personal Information it holds or request a change or update to Personal Information. Upon receiving such a request, the College will take steps to verify the requestor's identity before granting access or correcting the information.

If the College rejects the request, the requestor will be notified accordingly. Where appropriate, the College will provide the reason/s for its decision. If the rejection relates to a request to change Personal Information, an individual may make a statement about the requested change, and the College will attach this to their record.

16. Complaints

The College takes all complaints seriously. Privacy complaints can be made to the College's Privacy Officer and will be handled in accordance with our Complaints policy and procedures.

17. How to contact the College

The College can be contacted about this Privacy policy or about Personal Information generally, by:

Email: privacyofficer@baysidecc.vic.edu.au

Mail: Privacy Officer, Bayside Christian College, P.O. Box 21, Baxter VIC 3911

18. Changes to our Privacy and Information Handling practices

The Privacy Policy is subject to change at any time. Please check the College’s Privacy Policy on our website regularly for changes.

19. Related Documents

- Data Breach Policy
- Photography and Filming Policy
- Child Safety and Wellbeing Policy
- CCTV Policy
- Privacy and Data Breach Manual
- Child and Family Violence Information Sharing Policy
- Child and Family Violence Information Sharing Procedure

20. Related Legislation

- Privacy Act 1988 (Cth), including the Australian Privacy Principles (“APPs”)
- Privacy and Data Protection Act 2014 (Vic)
- Health Records Act 2001 (Vic)
- Surveillance Devices Act 1999 (Vic)
- Child Wellbeing and Safety Act 2005
- Child Information Sharing Scheme Ministerial Guidelines
- Child Wellbeing and Safety (Information Sharing) Regulations 2028 (Vic)
- Family Violence Protection Act 2008 (Vic)
- Family Violence Protection (Information Sharing and Risk Management) Regulations 2018 (Vic)

Approver College Leadership

Authoriser College Board