

# PRIVACY POLICY



METHODIST  
LADIES'  
COLLEGE

## POLICY STATEMENT

The College accepts the general principles of confidentiality and privacy, and that it is bound by the Australian Privacy Principles set out in the *Privacy Act 1988* (Cth) ('the Act'). The purpose of this policy is to set parameters for Methodist Ladies' College (MLC) as to how people's personal information is to be collected, used, maintained and disclosed so that it is appropriately protected and safe from misuse.

## AIM

It is important that personal information, including sensitive information, is protected in accordance with the trust vested in the College by those to whom the information belongs.

## POLICY

This policy will apply to:

- Prospective, present and former students of the College and their parents and/or guardians;
- Job applicants, staff members, volunteers and contractors; and
- Other people who come into contact with the College.

## Definitions

**Personal Information** - is information, an opinion or image that identifies or could reasonably identify an individual. Some examples are name, address, telephone number, date of birth, medical records, bank account details, opinions and security camera footage. Under this policy, personal information excludes information related to current or former employment relationships with the employer and employee records (such as employment records, payslips and personnel files). Employees seeking to access such information may request this and will be entitled to access such information in accordance with the *Fair Work Act 2009*.

**Person/s or individual/s** - is used interchangeably and means prospective, present and former students of the College and their parents and/or guardians, job applicants, staff members, volunteers and contractors; and other people who come into contact with the College.

**Sensitive information** - is personal information that is more sensitive because of the propensity for it to be used to the prejudice of the owner of this information and includes:

- health (including predictive genetic information);
- bank account details;
- racial or ethnic origin;
- political opinions;
- membership of a political association, professional or trade association or trade union;
- religious beliefs or affiliations;
- philosophical beliefs;

- sexual orientation or practices;
- criminal record;
- biometric information/templates that is to be used for certain purposes

**Health information** - includes any information or opinion about the health or disability of an individual. This includes general medical information, immunisation records, counselling notes, individual action plans (eg, for diabetes, asthma, allergies) and dietary requirements.

### **Collection of Information**

The College will only collect personal information where the information is necessary for one or more of its functions or activities.

The College may collect personal information directly or indirectly.

The College may collect the information directly about an individual in the following ways, including but not limited to:

- information provided to the College when an individual contacts or corresponds with the College (eg, name, date and place of birth, contact details, occupation and education/work history);
- information from prospective employees, volunteers, students and their parents/guardians;
- information on client contacts and prospective client contracts including business relationship history;
- information on supplier contacts;
- security camera footage; and
- when a complaint is made.

The College may collect the information indirectly when the information is in the public access or is provided by an authorised third party (eg, reference check, health practitioner).

The College may collect sensitive information about an employee or prospective employee which may include (but may not be limited to) information for psychometric testing candidates, health information and criminal history/background checks.

The College will not collect sensitive information unless the individual has consented, it is required by law or a permitted general situation or health situation exists in relation to the collection of the information.

The College will only collect personal information in a way that is fair, lawful and not intrusive.

On request by a person, the College will take reasonable steps to let the person know what sort of personal information it holds, and for what purposes it is held and disclosed. Any such requests are to be directed to the Principal.

## **Use and Disclosure of Information**

The College will use and/or disclose personal information it collects from individuals 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 the individual, or to which the individual has consented, or in circumstances related to public interest such as law enforcement and public health.

The main purposes the information is collected for include, but are not limited to:

- Students and parents - enabling provision of educational services;
- Prospective and current employees and contractors - enabling assessment of application and engagement of applicants, staff members or contractors, as the case may be.
- Volunteers, to enable the College and the volunteers to work together.

## **Marketing and fundraising**

- Personal information held by the College may be disclosed to organisations that assist in the College's fundraising eg, the College's Foundation.
- Parents, staff, contractors and other members of the wider College community may from time to time receive fundraising information. College publications, such as newsletters and magazines, which include personal information, may be used for marketing purposes.
- Persons in receipt of marketing and fundraising materials may contact the College to opt out from receiving such marketing information.

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

A person has a right to request access to any personal information which the College holds about them and to advise the College of any perceived inaccuracy.

The College may refuse access where the Act allows it to do so, which includes (but is not limited to) where:

- giving access would pose a threat to the life of any individual; or
- giving access would have an unreasonable impact on the privacy of other individuals; or
- it is commercially sensitive; or
- the request for access is frivolous or vexatious; or
- denying access is required or authorised by or under law or court/tribunal order.

Students will generally be able to access and update their personal information through their parents, but older students may seek access and correction themselves.

All enquiries regarding access or correction in accordance with this policy must be communicated to the Principal.

Any request to access or update any personal information the College holds about a student or other individual, should be sent to the Principal in writing.

The College may require the individual requesting a correction to verify their identity and specify what information they require to be corrected.

The College may charge a fee to cover the cost of verifying the 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 the College cannot provide access to the information, the College will provide a written notice explaining the reasons for refusal.

The College will provide reasons for a denial of access or a refusal to correct personal information in writing.

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

The College may store personal files in hard copy or electronically in the College's IT systems, which may include Australian-based cloud servers.

The College will take reasonable steps to protect personal information from misuse, loss and unauthorised access, modification or disclosure.

The College has systems in place 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 access restricted to those who directly use the data stored there;
- paper records containing personal information should not be copied unless it is essential to do so;
- all paper records should be kept in lockable storage when not in use and should be shredded or burned when no longer required or governed by legislative time limitations;
- password access rights to computerised records;
- regulated levels of access to databases for staff according to the needs of their role;
- security for College buildings, including coded electronic locking as well as physical locks;
- policies and practices that ensure staff management of personal information complies with the *Privacy Act 1988*;
- Information and Learning Technology security systems, policy and procedures are designed to protect personal information stored on College systems and devices;
- completing due diligence with regard to third party service providers, including cloud service providers, to ensure as far as practicable where they have access to personal information collected and stored by the College, their own practices are compliant with the APP or equivalent privacy protocols;
- no personal information should be given over the phone unless it has been established that the person making the request has legitimate grounds to access the information and provided proof of identity;
- no personal information should be left on voicemail unless requested by the owner of the voicemail on the basis that the voicemail is secure;
- mail containing personal information should be labelled "Private and Confidential: Attention [...]";

- only authorised individuals should receive personal information and are not permitted to forward such information without consent;
- personal information should not be left unattended, nor should it be discussed in public areas where others may overhear.

Employees and other persons who are directly involved with the activities of the College are required to consent to applicable confidentiality obligations in writing.

### **Breaches of the Policy and Security**

- Any serious breach of the policy will be immediately investigated. If a data breach has occurred the MLC Data Response Plan must be followed.
- Information obtained in breach of this policy may not be used in disciplinary proceedings against an employee or student of the College.

### **Enquiries and complaints**

Requests for further information about the way the College manages the personal information it holds should be directed to the Principal. Complaints about a perceived breach of the Australian Privacy Principles by the College may be provided to the Principal in writing or by requesting a meeting with the Principal to provide details verbally.

Contact details:

Phone: 08 9384 4000

Email: [mlc@mlc.wa.edu.au](mailto:mlc@mlc.wa.edu.au) or [privacyofficer@mlc.wa.edu.au](mailto:privacyofficer@mlc.wa.edu.au)

Post: Methodist Ladies' College  
356 Stirling Highway  
Claremont WA 6010

The College will investigate any complaint through the College's *Resolving Grievances Policy - Students and Parents*, and in that process may request additional information from the person making the complaint. The decision in relation to the complaint will be notified by the Principal as soon as is practicable.

Under the *Privacy Act 1988* a complaint can also be made to the Office of the Australian Information Commissioner (OAIC) about the handling of personal information.