



MACKAY CHRISTIAN COLLEGE

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Privacy Policy

Purpose:	Mackay Christian College 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:	This policy applies to Board Members, employees, volunteers, parents/caregivers, students, contractors and people visiting the college site. It 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.	
Status:	Approved	Supersedes: Previous Policy
Authorised by:	Board Chair	Date of Authorisation: March 2023
References:	<ul style="list-style-type: none"> • <u>Australian Privacy Principles</u> • <u>Privacy Act 1988</u> • MCC Child Protection Policy • MCC Disabilities Discrimination Prevention Policy • MCC Enrolment Policy and Contract • MCC Staff Employment Policy • MCC Child Protection Policy • MCC Family Law Policy • MCC Fundraising Activities at the College Policy • MCC First Aid Policy • MCC Work Health and Safety Policy 	
Review Date:	Annually	Next Review Date: March 2024
Policy Owner:	Mackay Christian College Principal	



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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.

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 school environment.

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:

- students and parents and/or caregivers ('parents') before, during and after the course of a student's enrolment at the college:
 - a. name, contact details (including next of kin), date of birth, gender, language background, previous school and religion
 - b. parents' education, occupation and language background
 - c. medical information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors)
 - d. conduct and complaint records, or other behaviour notes, and school reports; information about referrals to government welfare agencies
 - e. counselling reports
 - f. health fund details and Medicare number
 - g. any court orders
 - h. volunteering information
 - i. photos and videos at school events
- job applicants, employees, volunteers and contractors:
 - a. name, contact details (including next of kin), date of birth, and religion
 - b. information on job application
 - c. professional development history
 - d. salary and payment information, including superannuation details
 - e. medical information (e.g. details of disability and/or allergies, and medical certificates)
 - f. complaint records and investigation reports
 - g. leave details
 - h. photos and videos at school events
 - i. workplace surveillance information
 - j. work emails and private emails (when using work email address) and Internet browsing history
- other people who come into contact with Mackay Christian College including the name and contact details and any other information necessary for the particular 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 students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parents and students 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.

Students and Parents

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

The purposes for which the college uses personal information of students and parents include:

- to keep parents informed about matters related to their child's schooling, through correspondence, College App and Basilikos (Year Book)
- day-to-day administration of the college
- looking after students educational, social and medical wellbeing
- seeking donations and marketing for the college
- 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 student or parent, if the information requested is not provided, the college may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

Job applicants, Employees and Contractors

In relation to personal information of job applicants, employees and contractors, the college's primary purpose of collection is to assess and (if successful) to engage the applicant, employee or contractor, as the case may be.

The purposes for which the college uses personal information of job applicants, employees 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
- 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 & 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 students 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, employees, contractors and other members of the wider college community may from time to time receive fundraising information. College publications, like the College App and Basilikos, 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 & sports coaches
- recipients of college publications, such as College App and Basilikos
- Parents or legal guardians
- anyone you authorise the college to disclose information to
- anyone to whom we are required to disclose the information to by law.

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)
- 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 students' 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.

Data Breaches

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:
 - a. unauthorised access to, or unauthorised disclosure of, the information is likely to occur
 - b. 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 Mackay Christian College suspects that an eligible data breach has occurred, it will carry out a reasonable and expedient assessment/investigation within 30 days.

If such an assessment/investigation indicates there are reasonable grounds to believe an eligible data breach has occurred, then Mackay Christian College will be required to lodge a statement to the Privacy Commissioner (**Commissioner**). Where practical to do so, the school entity will also notify the affected individuals. If it is not practicable to notify the affected individuals, Mackay Christian College will publish a copy of the statement on its website, or publicise it in another manner.

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 unauthorised 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.

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. Students will generally be able to access and update their personal information through their parents, but older students 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 the college 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

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.

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 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 student.

The college may, at its discretion, on the 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.



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 through its complaints process 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.

Last Reviewed: March 2023

APPENDIX 1: Standard Collection Notice

The college collects personal information, including sensitive information about students and parents or guardians, before and during the course of a student'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 student and to enable them to take part in all the activities of the college.

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.

Laws governing or relating to the operation of a school require certain information to be collected and disclosed. These include relevant Education Acts, and Public Health and Child Protection laws.

Health information about students is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. We may ask you to provide medical reports about students from time to time.

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 student to another school. This includes to other schools, government departments, medical practitioners, and people providing services to the college, including specialist visiting teachers, coaches, volunteers and counsellors.

Personal information collected from students is regularly disclosed to their parents or caregivers.

The college may store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.

The college's Privacy Policy sets out how parents or students 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 student, or where students have provided information in confidence.

The college's Privacy Policy also sets out how you may complain about a breach of privacy and how the college will deal with such a complaint.

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.

On occasions information such as academic and sporting achievements, student activities and similar news is published in the Basilikos and on our College App and website. Photographs of student activities such as sporting events, school camps and school excursions may be taken for publication in the Basilikos and on our College App and website. The college will obtain permission from the student's parent or caregiver as part of the enrolment process.

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.

APPENDIX 2: Alumni Association Collection Notice

The college representative for Alumni information 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 the activities of Mackay Christian College and to keep alumni members informed about other members.

We must have the information referred to above to enable us to continue your inclusion in the Alumni listing.

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 the college to assist in its fundraising activities.

From the Alumni listing, the college may publish details about you in our publications and the college's website. If you do not agree to this you must advise us now.

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 Australian Privacy Principles.

The college may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.

If you provide personal information to us about other people, we encourage you to inform them of the above matters.

APPENDIX 3: Employment Collection Notice

In applying for a position you will be providing Mackay Christian College with personal information. We can be contacted at 9 Quarry Street, North Mackay Qld 4740, via email at mcc@mccmky.qld.edu.au or by phoning 07 4963 1100.

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.

The college's Privacy Policy contains details of how you may complain about a breach of the Australian Privacy Principles 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.

We will not disclose this information to a third party without your consent.

We are required to collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws (this will normally happen in the form of professional registration or application for a Working with Children Blue Card). We may also collect personal information about you in accordance with these laws.

The college may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.

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.

APPENDIX 4: Contractor/Volunteer Collection Notice

In applying to provide services to the college, you will be providing Mackay Christian College with personal information. We can be contacted at 9 Quarry Street, North Mackay Qld 4740, via email at mcc@mccmky.qld.edu.au or by phoning 07 4963 1100.

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.

You agree that we may store this information for five years.

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 Australian Privacy Principles.

We will not disclose this information to a third party without your consent.

We are required to conduct a criminal record check, collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection laws (this will normally happen in the form of professional registration or application for a Working with Children Blue Card). We may also collect personal information about you in accordance with these laws.

The college may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside Australia.

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.