



# Privacy Policy

March 2014

## 1.0 Purpose

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This policy outlines how the Association of Independent Schools of SA and the SA Independent Schools Block Grant Authority (“the Organisations”) use and manage personal information provided to or collected by them. It also serves as a guide to the Organisations’ staff as to the standards to be applied in respect of handling personal information and ensure consistency in the Organisations’ approach to Privacy.

The Organisations are bound by the Australian Privacy Principles (APPs) contained in the Commonwealth Privacy Act and will collect, use and retain personal information in accordance with those Principles.

The Organisations may, from time to time, review and update this Privacy Policy to take account of new laws and technology and changes to its operations and practices and to make sure it remains appropriate to changes in the Organisations’ environments.

## 2.0 Scope

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Within the Organisations, this policy applies to all management, employees, board members, consultants, members, volunteers, contractors, and visitors entering the workplace and all events and activities conducted by the Organisations or those attended as representatives of the Organisations, whether on or off site.

## 3.0 Responsibilities

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### Obligations of Organisations

The Organisations have a legal obligation to ensure the collection, use and retention of personal information satisfies the requirements of the Acts.

### Obligations of Employees and others

Staff, board members, consultants, members, contractors, clients and visitors must ensure they are aware of relevant matters on collection of personal information.

## 4.0 Background and Relevant Legislation

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### The Privacy Act 1988

### Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Amending Act)

In this policy, the Privacy Act, 1988 and the Amending Act are referred to as the ‘Privacy Act’. The Privacy Act regulates the collection, storage, use and disclosure of different types of personal information by:

- a. Commonwealth and Australian Capital Territory government agencies; and
- b. private sector organisations with turnovers of over \$3 million.

The Privacy Act applies to an organisation including:

- i. an individual
- ii. a body corporate
- iii. a partnership
- iv. any other unincorporated association, or
- v. a trust.

## 5.0 Definitions

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A key component of the legislation is the mandatory requirement for the Organisations to comply with the 13 Australian Privacy Principles (APPS). The APPs set minimum standards which relate to the collection, security, storage, use, correction and disclosure of personal information and access to that information.

### 5.1 Types of information covered

The following types of information are covered by the Privacy Act:

- a. personal information
- b. sensitive information and
- c. health information.

#### 5.1.1 Personal information

Personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable whether the information is true or not, and whether the information is recorded in a material form or not. It includes all personal information regardless of its source that identifies an individual or allows an individual to be identified.

Personal information does not include information that has been de-identified so that the individual is no longer identifiable either from the information or from the information when combined with other information reasonably available to the Organisations.

#### 5.1.2 Sensitive information

Sensitive information is a type of personal information that is given extra protection and must be treated with additional care. It includes any information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, or criminal record. It also includes health information.

#### 5.1.3 Health information

Health information is a subset of sensitive information. It is any information or opinion about the health or disability of an individual, the individual's expressed wishes about the future provision of health services and a health service provided, currently or in the future, to an individual that is also personal information. Health information also includes personal information collected in the course of providing a health service.

## 6.0 Procedures

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### 6.1 Types of personal information collected and held by the Organisations

The type of information the Organisations collect and hold includes (but is not limited to) personal information, including sensitive information about:

- School staff and Board Members
- Students for the purpose of providing advice to schools and other agencies
- Students for the purposes of funding applications and other activities that provide support to Independent schools to assist students
- Job applicants, staff members, volunteers, consultants and contractors and
- Other people who come into contact with the Organisations.

## 6.1.1 Personal Information you provide

The Organisations will generally collect personal information held about an individual by way of forms filled out by those individuals, face-to-face meetings and interviews, and telephone calls.

## 6.1.2 Personal Information provided by other people

In some circumstances, the Organisations may be provided with personal information about an individual from a third party, for example, a referral or reference from a school or educational organisation.

## 6.1.3 Exception in relation to employee records

The Australian Privacy Principles do not apply to employee records, and this Privacy Policy does not apply, in relation to the Organisations' treatment of an employee record where the treatment is directly related to a current or former employment relationship between the organisation and the employee.

## 6.2 Use of Personal Information You provide

The Organisations will use personal information collected 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, or to which you have consented.

### 6.2.1 Students

In relation to personal information of students, the Organisations' primary purpose of collection is to enable the Organisations to assess applications for funding or other activities that provide support to Independent schools to assist students.

In some cases where the Organisations will request personal information about a student, if the information requested is not obtained, the Organisations may not be able to assess a student's funding or other application, or provide support to the school to assist students.

### 6.2.2 Job applicants, staff members, consultants and contractors

In relation to personal information of job applicants, staff members, consultants and contractors, the Organisations' primary purpose of collection is to assess and (if successful) to engage the applicant, staff member, consultant or contractor, as the case may be.

The purposes for which the Organisations use personal information of job applicants, staff members, consultants and contractors include:

- In administering the individual's employment or contract, as the case may be
- for insurance purposes
- to provide information and advice to schools
- to satisfy the Organisations' legal requirements.

### 6.2.3 School Staff and Board Members

The Organisations' use of personal information about School staff and Board Members is to provide services to schools including the provision of information and advice, professional development,

administration of Programs, representation and advocacy and the promotion of independent schools to the public.

## 6.3 Disclosure of Personal Information

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

- Schools
- Government departments and education authorities
- People providing services to the Organisations
- Recipients of the Organisations' publications, like newsletters and magazines
- Anyone you authorise the Organisations to disclose information to and
- Anyone to whom we are required to disclose the information by law.

### 6.3.1 Sending Information Overseas

The Organisations 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. The Organisations 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.

### 6.3.2 Treatment of Sensitive Information

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 that sensitive information is allowed by law.

## 6.4 Management and Security Of Personal Information

The Organisations' staff members are required to respect the confidentiality of personal information and the privacy of individuals. The Organisations have in place steps to protect the personal information held from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerised records.

## 6.5 Rights of 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 Organisations hold about them and to advise the Organisations of any perceived inaccuracy. There are some exceptions to this right set out in the Act.

To make a request to access or update any personal information the Organisations hold about you, please contact the AISSA Chief Executive in writing. The Organisations may require you to verify your identity and specify what information you require.

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 Organisations' duty of care to an individual. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

## 6.6 Enquiries and Complaints

If you would like further information about the way the Organisations manage the personal information held, or wish to complain that you believe that the Organisations have breached the Australian Privacy Principles, please contact the AISSA Chief Executive. The AISSA Chief Executive will investigate any

complaint and will notify you of a decision in relation to your complaint as soon as is practicable after it has been made.

## 7.0 Related Documents

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AISSA & BGA Collection Notice  
Collection Notice - Prospective Consultants/Contractors  
Collection Notice - website  
The Australian Privacy Principles (Appendix 1)

## 8.0 Authorisation

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This policy was adopted by the AISSA Board, March 2014.

## 9.0 Review Date

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This policy is due for Review in February 2016.

## 10.0 Appendices

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### Appendix 1: The Australian Privacy Principles

From 12 March 2014, the Australian Privacy Principles (APPs) will replace the National Privacy Principles and Information Privacy Principles and will apply to organisations, and Australian Government (and Norfolk Island Government) agencies. The APPs set minimum standards which relate to the collection, security, storage, use, correction and disclosure of personal information and access to that information.

APP 1: Open and transparent management of personal information  
APP 2: Anonymity and pseudonymity  
APP 3: Collection of solicited personal information  
APP 4: Dealing with unsolicited information  
APP 5: Notification of the collection of personal information  
APP 6: Use or disclosure of personal information  
APP 7: Direct Marketing  
APP 8: Cross-border disclosure of personal information  
APP 9: Adoption, use or disclosure of personal information  
APP 10: Quality of personal information  
APP 11: Security of personal information  
APP 12: Access to personal information  
APP 13: Correction of personal information

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Alteration Permissions: Carolyn Grantskalns Chief Executive	Pages: 5 Appendices: 1