

PRIVACY POLICY AND PROCEDURE

Approving authority	School Council
Purpose	This policy and procedure sets out how Ozford College manages the personal information provided to or collected by it.
Responsible Officer	Principal and Academic Director (the "Principal")
Associated documents	Records Management Policy and Procedure Student Complaints and Appeals Policy and Procedure

1. RATIONALE

Ozford College (the College) respects the privacy of your personal information. This Privacy Policy sets out how the College manages personal information provided to or collected by it.

The College is subject to the National Privacy Principles ("NPPs") under the Privacy Act 1988 (Cth) and the Health Privacy Principles which are contained in the Health Records Act 2001 (Vic) (Health Records Act). The following Privacy Policy is based on the Australian Privacy Principles (APP) in the Privacy Act 1988 (Privacy Act) and the Office of the Australian Information Commissioner's (OAIC) APP guidelines.

The College may, from time to time, review and update this **Privacy Policy and Procedure** to take account of new laws and technology, changes to its operations and practices and to make sure it remains appropriate to the changing environment.

2. SCOPE

This policy and procedure applies to all College staff and students.

3. POLICY

What is Personal information?

Personal information is information or an opinion about an identified individual, or an individual who is reasonably identifiable. This might include a person's name and address, medical records, bank account details, photos, videos and even information about what an individual likes, their opinions and where they work.

What is Sensitive information?

Sensitive information means information or an opinion about an individual's:

- health (including predictive genetic information)
- racial or ethnic origin
- political opinions
- membership of a political association
- religious beliefs, affiliations or philosophical beliefs
- membership of a professional or trade association or membership of a trade union
- sexual preferences or practices, or
- criminal record
- biometric information that is to be used for certain purposes
- biometric templates.

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.

The College collects personal information from a variety of sources. This privacy policy applies to any personal information collected by the College about:

- prospective employees;
- individuals who are customers of the College's clients;
- clients;
- business partners;
- suppliers;
- contractors;
- shareholders;
- students;
- other people who may come into contact with the College;

How Ozford College collects Personal Information

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 guardians ('Parents') before, during and after the course of an enrolment at the College, including:
 - name, contact details (including next of kin), date of birth, previous school and religion;
 - medical information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors);
 - conduct and complaint records, or other behaviour notes, and school reports;
 - information about referrals to government welfare agencies;
 - counselling reports;
 - health fund details and Medicare number;
 - any court orders;
 - volunteering information; and
 - photos and videos at School events;
- job applicants, staff members, volunteers and contractors, including:
 - name, contact details (including next of kin), date of birth, and religion;
 - information on job application;
 - professional development history;
 - salary and payment information, including superannuation details;
 - medical information (e.g. details of disability and/or allergies, and medical certificates);
 - complaint records and investigation reports;
 - leave details;
 - photos and videos at School events;
 - workplace surveillance information;
 - work emails and private emails (when using work email address) and Internet browsing history; and
- other people who come into contact with the College, including name and contact details and any other information necessary for the particular contact with the College.

The particular purpose for which personal information is collected by the College is generally either specified or reasonably apparent at the time the information is collected.

Personal Information you provide: The College will generally collect personal information held about an individual by way of forms filled out by Parents, students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than Parents and students provide personal information such as education agents.

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 education provider.

On occasions, the College may collect personal information about you from:

- Commonwealth and State agencies;
- Education agents who may be based in Australia or overseas;
- a company for whom you work;
- other individuals and/or organisations with whom you have any dealings;
- an employment recruitment agent or agency;
- a student related recruitment agent or agency;

Exception in relation to employee records: Under the Privacy Act, the College handles staff health records in accordance with the [Health] Privacy Principles in the Health Records Act.

How Ozford College uses Personal Information

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, or to which you have consented.

Students and Parents: In relation to personal information of Students and Parents, the primary purpose of collection is to enable the College to provide education services to prospective or enrolled students, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all the activities of the College. 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.

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

- to keep Parents and Students informed about matters related to education services, through correspondence, newsletters and magazines;
- day-to-day administration;
- to provide products and services that have been requested or previously agreed to
- looking after educational, social and medical wellbeing;
- to assist in the management and improvement of services, including analysis of future employee and student needs;
- marketing for the school; and
- to satisfy the College's regulatory and legal obligations including in the case of students, to comply with the specific reporting requirements of the Education Service for Overseas Students Act 2000 (ESOS) and the National Code of Practice 2018 for Registration Authorities and Providers of Education and Training to Overseas Students; and
- allow the College to discharge its duty of care

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

The purposes for which a school uses personal information of job applicants 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
- satisfying the school's legal obligations, for example, in relation to child protection legislation.

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

Marketing and fundraising: The College treats marketing for the future growth and development of the school as an important part of ensuring that the College continues to be a quality learning environment in which both students and staff thrive. Personal information held by the College may be disclosed to an organisation that assists in the school's marketing.

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

The College may periodically use the personal information it collects about you to assist identifying particular products and services which it believes may be of interest and benefit to you. The College may then contact you to let you know about these products and services and how they may benefit you.

If you do not want to receive any of this information, you should contact the College immediately.

Exception in relation to related organisations: The Privacy Act allows each Ozford entity, being legally related to share personal (but not sensitive) information. The College may then only use this personal information for the purpose for which it was originally collected. This allows the College to transfer information between Ozford College Pty Ltd and Ozford English Language Centre Pty Ltd, and Ozford Institute of Higher Education Pty Ltd.

The College may periodically use the personal information it collects about you to assist identifying particular products and services which it believes may be of interest and benefit to you. The College may then contact you to let you know about these products and services and how they may benefit you.

If you do not want to receive any of this information, you should contact the College immediately.

4. PROCEDURE

Collection of information

Manner and purpose of collection

The information must be necessary for the College's work and collected fairly and lawfully. The College will collect personal information only:

- if the information is necessary for one or more of its functions or activities;
- by lawful and fair means;
- from the individual concerned.
- The College will not collect sensitive information about an individual unless:
 - the individual has consented;
 - the collection is required under law;
 - the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual;

- the collection is necessary for the establishment, exercise or defence of a legal or equitable claim;
- the purpose for which the information is used is directly related to the purpose for which the information was obtained.

Collecting information directly from individuals

The College will take steps to tell individuals why they are collecting personal information, what laws give them authority to collect it, and to whom they usually disclose it. This is done by what is called an Information Privacy Principles 2 notice.

In some cases where the College requests personal information about a Student or Parent, if the information requested is not obtained, 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.

Collecting information generally

The College will take steps to ensure the personal information it collects is relevant, up-to-date and complete and not collected in an unreasonably intrusive way.

Students must give informed consent to their information being provided to the Australian Government. The College will ensure that students are given appropriate privacy notices at the time they provide their personal information via enrolment application forms.

Use and disclosure of personal information

Information not publicly known concerning staff and students will be treated as confidential and will not be disclosed to anyone but College staff with a demonstrated need for this information to carry out their duties.

The College may disclose your personal information for the purpose which was either specified or reasonably apparent at the time when the information was collected. Depending on the circumstances, the College may disclose personal information to:

- its related entities, Ozford English Language Centre Pty Ltd, Ozford Business College Pty Ltd, Ozford Institute of Higher Education Pty Ltd and Ozford Education Group
- State and Commonwealth Government departments
- The school regulator, the Victorian Registration and Qualifications Authority and the assessment and educational authorities, including the Victorian Curriculum and Assessment Authority and the Australian Curriculum, Assessment and Reporting Authority
- service providers and specialist advisers including people providing educational, support and health services, including specialist visiting teachers, [sports] coaches, volunteers, counsellors and providers of learning and assessment tools
- medical practitioners;
- people providing administrative and financial services including insurance organisations
- recipients of school publications, such as newsletters and magazines
- Student's parents and guardians;
- anyone that a student or employee has been authorised for disclosure information; and
- anyone to whom the College is required or authorised to disclose the information by law, including child protection laws
- any person with a lawful entitlement to obtain the information;
- in the case of students, information provided by students may be made available to relevant Commonwealth and State Agencies and the Tuition Protection Service in compliance with the ESOS legislative requirements.

Information Accuracy and Security

If the College has accurate personal information about you, it enables the College to provide the best possible service. The College will take reasonable steps to ensure that the personal information it collects, uses and discloses is accurate, complete and up to date.

Please advise the College as soon as possible if the personal information held is inaccurate, incomplete or out of date. The College will take reasonable steps to ensure your personal information is corrected.

The College and its 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 it 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.

The College takes all reasonable steps to ensure your personal information is stored in a secure environment protected from unauthorised access, modification and disclosure. The College uses industry standard safeguards to ensure the security of personal information through physical, electronic and managerial procedures. When the College no longer requires personal information, it will safely destroy the information and delete it from its systems.

Access and Correction

Upon receiving written request from a student via a **Student Service Request Form**, the College will provide individual student with access, or a copy of personal information held by the College in relation to that student.

If the student and the College disagree about whether the information is accurate, complete and up to date, and the individual asks College to associate with the information a statement from the individual claiming that the information is not accurate, complete or up to date, the College will take reasonable steps to do so.

If a student requests access to, or the correction of, personal information held by the College, the College will correct the information within 20 working days.

Where a student requests that a record be amended because it is inaccurate, but the record is found to be accurate, the details of the request for amendment are noted on the record.

Unique Identifiers

The College will not assign unique identifiers to individuals except for a Staff Number to identify a staff member and a Student Number to identify a student. Staff Numbers and Student Numbers are considered necessary for the College to carry out its functions efficiently.

The College will not adopt as its own unique identifier of an individual a unique identifier of the individual that has been assigned by another organisation.

The College will not require an individual to provide a unique identifier in order to obtain a service unless the provision of the unique identifier is required or authorised by law or the provision is in connection with the purpose (or a directly related purpose) for which the unique identifier was assigned.

International Data Flow

The College does not transfer your personal information overseas unless it is authorised by law to do so or you have consented to it as part of the services College provides to you.

The College may use online or 'cloud' service providers to store personal information and to provide services to the school that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may be stored in the 'cloud' which means that it may reside on a cloud service provider's servers which may be situated outside Australia.

If the College engages a third-party contractor to perform services which involves handling personal information, the College will ensure that the contractor will be subject to the same privacy obligations as the College to protect your personal information. College will also take reasonable steps to prohibit the contractor from using personal information, except for the purposes for which it was supplied.

Access to and use of personal information stored in records

An individual has the right to seek and 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 themselves or through their Parents.

There are some exceptions to these rights set out in the applicable legislation.

To make a request to access or to update any personal information College holds, please contact the College by telephone or in writing.

The College may require an applicant to verify your identity and specify the information required. The College may charge a fee to cover the cost of verifying an 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, the College will provide a written notice explaining the reasons for refusal. Any request for access will be dealt with in a reasonable time.

The College may provide access to personal information without your consent only in certain prescribed circumstances, including but not limited to:

- emergency situations;
- specified Commonwealth and State departments, agencies, authorities, regulators and other organisations (including auditors) to comply with legislative requirements;
- law enforcement;
- lessening or preventing a serious and imminent threat to an individual's life, health or safety or a serious threat to public health or public safety;

The College respects every Parent's right to make decisions concerning their child's education while they are under the age of 18.

Generally, the College will refer any requests for consent and notices in relation to the personal information 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.

Parents may seek access to personal information held by the College about them or their child by contacting the College by telephone or in writing. However, there may 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 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 school 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 warrant it.

Personal information will be secured at all times:

- Paper-based records will not be left where members of the public, or others to whom the information they contain is not generally made available, may access them. Records containing personal information will be filed securely.
- Appropriate arrangements will be put in place at the departmental level to ensure that access to computerised records is granted only to staff requiring such access in the course of their duties.
- Where information is obtained orally and not recorded, privacy will be respected, and the information will not be discussed with others, except where this is necessary to undertake functions concerning the student or staff member who has provided the information.

Contact Us

If you wish to gain access to or correct your personal information or make a complaint about a breach of your privacy, you should contact:

Telephone: +61 3 8663 7188

Mail: 333 Queen Street
Melbourne, Australia VIC 3000

Email: info@ozford.edu.au

College will investigate any complaint as set out in the **Student Complaints and Appeals Policy and Procedure** and will notify of a decision in relation to the complaint as soon as is practicable after it has been made.

5. FEEDBACK

Feedback or comments on this policy and procedure is welcomed by the responsible officer(s).