



POLICY	Privacy
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Policy Owner	Board Chair
Function/Area	School Community

Policy Statement

This policy outlines the circumstances in which Tranby College obtains personal and sensitive information, how we use and disclose that information and how we manage requests to access and/or change that information.

Tranby College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act (1988).

Policy Scope

This Policy applies to every person who releases their personal and sensitive information to Tranby College including, but not limited to students (and potential students), contractors, stakeholders, job applicants, past students, visitors and others that come in contact with the school.

Staff and Board members are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals.

This policy does not apply to staff records where they related to current or former employment relations between the College and staff member.

Policy Principles

Policy Principles are categorised into the headings of:

1. **WHAT IS PERSONAL INFORMATION AND HOW DO WE COLLECT IT?**
2. **HOW DO WE USE PERSONAL INFORMATION?**
3. **HOW DOES THE COLLEGE TREAT SENSITIVE INFORMATION?**
4. **STORAGE AND SECURITY OF PERSONAL INFORMATION**
5. **RESPONDING TO DATA BREACHES**
6. **TO WHOM MIGHT THE COLLEGE DISCLOSE PERSONAL INFORMATION?**
7. **COMPLAINTS**

1. WHAT IS PERSONAL INFORMATION AND HOW DO WE COLLECT IT?

Personal information is information or an opinion about an individual from which they can be reasonably identified. Depending on the circumstances, we may collect personal information from the individual in their capacity as a student, contractor, volunteer, stakeholder, job applicant, past student, visitors or others that come into contact with the school.

In the course of providing services we may collect and hold:

- **Personal Information** including names, addresses and other contact details; dates of birth; next of kin details; photographic images; attendance records and financial information.

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- **Sensitive Information** (particularly in relation to student and parent records) including government identifiers (such as TFN), religious beliefs, nationality, country of birth, professional memberships, family court orders and criminal records.
- **Health Information** (particularly in relation to student and parent records) including medical records, disabilities, immunisation details and psychological reports.

As part of our recruitment processes for employees, contractors and volunteers, we may collect and hold:

- **Personal Information** including names, addresses and other contact details, dates of birth, financial information, citizenship, employment references, regulatory accreditation, media, directorships, property ownership and driver's licence information.
- **Sensitive Information** including government identifiers (such as TFN), nationality, country of birth, professional memberships, family court orders and criminal records.
- **Health Information** (particularly in relation to prospective staff and student records) including medical records, disabilities, immunisation details and psychological reports.

Generally, we will seek consent from the individual in writing (hard copy or electronically) before we collect their sensitive information (including health information).

This information is in accordance with APP 1- Open and transparent Management of personal information, APP 3- Collection of solicited personal information and APP 9- Adoption use or disclosure of government related identifiers

1.1. Collection of personal information

The collection of personal information depends on the circumstances in which Tranby College is collecting it. If it is reasonable and practical to do so, we collect personal information directly from the individual.

Tranby College has, where possible, attempted to standardise the collection of personal information by using specifically designed forms (e.g. an Enrolment Form or Health Information Disclosure Form). However, given the nature of our operations, we also receive personal information by email, letters, notes, via our website, over the telephone, in face-to-face meetings, through financial transactions and through surveillance activities such as the use of CCTV security cameras or email monitoring.

We may also collect personal information from other people (e.g. a third-party administrator, referees for prospective employees) or independent sources. However, we will only do so where it is not reasonable and practical to collect the personal information from the individual directly.

This information is in accordance with APP 1- Open and transparent Management of personal information, APP 3- Collection of solicited personal information

1.2. Information collected from our website

We may collect information based on how individuals use our website. We use "cookies" and other data collection methods to collect information on website activity such as the number of visitors, the number of pages viewed and the internet advertisements which bring visitors to our website. This information is collected to analyse and improve our website, marketing campaigns and to record statistics on web traffic. We do not use this information to personally identify individuals.

This information is in accordance with APP 1- Open and transparent Management of personal information, APP 3- Collection of solicited personal information and APP 7- Direct Marketing

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1.3. Unsolicited information

Tranby College may be provided with personal information without having sought it through our normal means of collection. This is known as "unsolicited information" and is often collected by:

- misdirected postal mail – Letters, Notes, Documents
- misdirected electronic mail – Emails, electronic messages
- employment applications sent to us that are not in response to an advertised vacancy
- additional information provided to us which was not requested.

Unsolicited information obtained by Tranby College will only be held, used and or disclosed if it is considered personal information that could have been collected by normal means. If that unsolicited information could not have been collected by normal means then we will destroy, permanently delete or de-identify the personal information as appropriate.

This information is in accordance with APP 4- Dealing with unsolicited personal information

1.4. Collection and Use of sensitive information

We only collect sensitive information if it is:

- reasonably necessary for one or more of these functions or activities, and we have the individual's consent
- necessary to lessen or prevent a serious threat to life, health or safety
- another permitted general situation
- another permitted health situation.

We may share sensitive information to other entities in our organisation structure, but only if necessary for us to provide our products or services.

This information is in accordance with APP 1- Open and transparent Management of personal information, APP 3- Collection of solicited personal information

2. HOW DO WE USE PERSONAL INFORMATION?

Tranby College only uses personal information that is reasonably necessary for one or more of our functions or activities (the primary purpose) or for a related secondary purpose that would be reasonably expected by you, or for an activity or purpose 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 both the needs of parents and the needs of the student 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,
- newsletters and magazines;
- day-to-day administration;
- looking after the educational, social and medical well-being of students. This may include photographic documentation to alert staff to certain health or pastoral conditions;
- seeking donations and marketing for the College;

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- to satisfy the College's legal obligations and allow the College to discharge its duty of care;
- provision of data to state and federal government agencies.

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.

Job applicants, Staff members and Contractors: In relation to personal information of job applicants, staff members and contractors, the College's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

The purposes for which the College uses personal information of job applicants, staff members and contractors include:

- in administering the individual's employment or contract;
- for insurance purposes;
- seeking funds 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 the OWCA.

Communication, Marketing and Fundraising: Tranby College regards these as an integral part of engaging the community and planning future growth and development.

Relevant personal information may be used for fundraising purposes. Parents, staff and other members of the wider College community may receive fundraising and marketing information from the College.

For various types of communication and also for educational purposes, samples of student's work, photographic images and videos of students taken during College activities may be used. This includes, but is not limited to, College newsletters, College website, College publications and external media.

Parents can opt out of their child being photographed or identified in marketing and communications at time of enrolment or by emailing privacy@tranby.wa.edu.au .

This information is in accordance with APP 1- Open and transparent management of personal information, APP 5 Notification of the collection of personal information, APP 6- Use or disclosure of personal information and APP – 7 Direct Marketing

3. HOW DOES THE COLLEGE TREAT 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, sexual preferences or criminal record, that is also personal information; and health 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.

This information is in accordance with APP 1- Open and transparent management of personal information, APP 5 Notification of the collection of personal information and APP 6- Use or disclosure of personal information

4. STORAGE AND SECURITY OF PERSONAL INFORMATION

Tranby College stores Personal Information in a variety of formats including, but not limited to:

- databases
- hard copy files

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- personal devices, including laptop computers
- third party storage providers such as cloud storage facilities
- paper based files.

Tranby College takes all reasonable steps to protect the personal information we hold from misuse, loss, unauthorised access, modification or disclosure. These steps include, but are not limited to:

- restricting access and user privilege of information by staff depending on their role and responsibilities.
- ensuring staff do not share personal passwords.
- ensuring hard copy files are stored in lockable filing cabinets in lockable rooms. Staff access is subject to user privilege.
- ensuring access to Tranby College's premises are secured at all times.
- implementing physical security measures around the school buildings and grounds to prevent break-ins.
- ensuring our IT and cyber security systems, policies and procedures are implemented and up to date.
- ensuring staff comply with internal policies and procedures when handling the 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 practicable that they are compliant with the APPs or a similar privacy regime.
- the destruction, deletion or de-identification of personal information we hold that is no longer needed, or required to be retained by any other laws.

Our public website may contain links to other third-party websites outside of Tranby College. Tranby College is not responsible for the information stored, accessed, used or disclosed on such websites and we cannot comment on their privacy policies.

This information is in accordance with APP 1- Open and transparent management of personal information, APP 5 Notification of the collection of personal information and APP 11- Security of personal information

5. RESPONDING TO DATA BREACHES

Tranby College will take appropriate, prompt action if we have reasonable grounds to believe that a data breach may have, or is suspected to have, occurred. Depending on the type of data breach, this may include a review of our internal security procedures, taking remedial internal action, notifying affected individuals and the Office of the Australian Information Commissioner (OAIC).

If we are unable to notify individuals, we will publish a statement on our website and take reasonable steps to publicise the contents of this statement.

This information is in accordance with APP 1- Open and transparent management of personal information, and APP 11- Security of personal information

6. TO WHOM MIGHT THE COLLEGE DISCLOSE PERSONAL INFORMATION?

Personal information is used for the purposes for which it was given to Tranby 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, recipients of school publications, visiting teachers, counsellors and coaches, our services providers, agents, contractors, business partners, related entities and other recipients from time to time, if the individual:

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

Tranby College may disclose personal information without consent or in a manner which an individual would reasonably expect if:

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

This information is in accordance with APP 6- Use or disclosure of personal information

6.1 Sending information overseas

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); or
- otherwise complying with the Australian Privacy Principles

This information is in accordance with APP 8- Cross-border disclosure of personal information

6.2 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.

At Tranby College we take 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. We will treat notices provided to parents/carers as notices provided to students and we will treat consents provided by parents/carers as consents provided by a student.

We are however cognisant of the fact that children do have rights under the Privacy Act, and that in certain circumstances (especially when dealing with older students and especially when dealing with sensitive information), it will be appropriate to seek and obtain consents directly from students. We also acknowledge 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 school's duty of care to the student.

6.3 The quality of personal information

We take all reasonable steps to ensure the personal information we hold, use and disclose is accurate, complete and up-to-date, including at the time of using or disclosing the information.

If Tranby College becomes aware that the Personal Information is incorrect or out of date, we will take reasonable steps to rectify the incorrect or out of date information and destroy incorrect information.

This information is in accordance with APP 10- Quality of personal information

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6.4 Access and correction of personal information

You may submit a written request to Tranby College to access the personal information we hold, or request that we change the personal information. Upon receiving such a request, we will take steps to verify your identity before granting access or correcting the information.

The College may charge a fee to cover the cost of verifying your request 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 we reject the request, you will be notified accordingly. Where appropriate, we will provide the reason/s for our decision. If the rejection relates to a request to change personal information, an individual may make a statement about the requested change and we will attach this to their record.

This information is in accordance with APP 12- Access to personal information and APP 13- Correction of personal information

7. COMPLAINTS

You can make a complaint about how Tranby College manages personal information, including a breach of the APPs by notifying us in writing as soon as possible. We will respond to the complaint within a reasonable time (usually no longer than 30 days) and we may seek further information in order to provide a full and complete response.

Tranby College does not charge a fee for the handling of complaints, however, we reserve the right to charge you for the cost including labour of providing copies of information to you.

If you are not satisfied with our response, you may refer the complaint to the OAIC. A complaint can be made using the OAIC online Privacy Complaint form or by mail, fax or email.

A referral to OAIC should be a last resort once all other avenues of resolution have been exhausted.

Related Policy and Procedures

Policy	Concerns, Complaints and Disputes
Policy	Critical Incident and Emergency Response
Policy	Enrolment
Policy	Record Retention
Policy	Use of Photographs and Student Images
Procedure	Enrolment
Form	Enrolment Form

Applicable Legislation

Australian Privacy Principles (APP) 2014
Privacy Act 1988 (Cth)

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Responsibilities

Staff Responsibility

Each Staff member has the responsibility to:

- Respect the confidentiality of students and parents' personal and sensitive information
- Know and enact the policy and related procedures

Manager's Responsibility

The Board, Principal and the College Leadership has responsibility to:

- Respect the confidentiality of students and parents' personal and sensitive information
- Know and enact the policy and related procedures
- Respond to any breaches of the Privacy policy

College's Responsibility

Tranby College has a responsibility to:

- Ensure that all staff have access to and understand the policy
- Ensure that all students have access to and understand the policy
- Ensure that all parents have access to and understand the policy
- Ensure that the policy is fairly and justly applied across Tranby College
- Respond to the needs of a particular individual as appropriate within the values of Tranby College
- Comply with legislated requirements

Further Information

Tranby College can be contacted about this Privacy Policy or about personal information generally, by:

- **Email:** privacy@tranby.wa.edu.au
- **Phone:** +61 8 9524 2424
- **Post:** letters addressed to our Privacy Officer, Tranby College, *PO Box 2186, ROCKINGHAM DC WA 6967*

If practical, you can contact us anonymously (i.e. without identifying yourself) or by using a pseudonym. However, if you choose not to identify yourself, we may not be able to give you the information or provide the assistance you might otherwise receive if it is not practical to do so.

Changes to our privacy and information handling practices

This Privacy Policy is subject to change at any time.

Policy Sign off & Acceptance

Sign off is required by:

Board Chair

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Revision History *(filled out Board or Principal)*

Version	Approved/ Amended/ Rescinded	Date	Board/ Principal	Approval/ Resolution Number	Key Changes & Notes
	Approved	June 2021	Board	21.18	New format and reviewed information

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