



Privacy Policy

VERSION CONTROL:

Frequency of review: 36 months

Version	Date	Description
1.0	March 2002	Policy Adopted
2.0	October 2005	Policy Amended
3.0	August 2008	Policy Amended
4.0	September 2012	Policy Amended
5.0	May 2017	Policy Amended
6.0	February 2018	Policy Amended
6.1	May 2018	Board Approved
7.0	June 2019	Board Approved
8.0	November 2020	Board Approved
9.0	August 2023	GRC Reviewed, Board Approved
10.0	September 2024	Policy Amended, Legal Review
10.1	March 2025	Board Approved



LOURDES HILL COLLEGE PRIVACY POLICY

1 RATIONALE

This Privacy Policy outlines how Lourdes Hill College (the College) manages personal information provided to or collected by it. The College is bound by the *Privacy Act 1988* (Cth) ('Privacy Act') and acts in compliance with the Australian Privacy Principles ('APPs') which underpin the legislation and set minimum standards relating to the collection, security, storage, use, correction and disclosure of personal information and access to that information.

2 POLICY APPLICATION & RESPONSIBILITIES

2.1 This policy applies to the College, members of the College Board, Good Samaritan Education, employees, volunteers, parents/guardians and students, contractors and visitors; and 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.

2.2 Responsibilities of the College & Staff

The College respects a person's right to privacy and is committed to safeguarding the privacy of Students, Parents, Staff Members, Volunteers, Job Applicants and/or other persons (collectively, "You" or "Your"). You acknowledge that our primary obligation is to adhere to the Australian Privacy Principles (APPs) established by the *Privacy Act 1988* (Cth). We will also ensure that the College complies with other laws or regulations where legally obliged to do so. This Privacy Policy sets out how the College will collect and treat your personal information.

College Staff and the Leadership Team will take reasonable steps to ensure that personal information collected is accurate, complete and up to date. This information will be reviewed from time-to-time.

Staff will implement and maintain procedures in relation to the collection, storage and use of personal information which ensures compliance with the College's Privacy Policy. Staff will ensure that an individual's privacy is respected. Employees must also be aware that under the Privacy Act the APPs do not apply to an employee's records.

2.3 Responsibility of Parents and Carers

Parents and/or carers must provide the College with accurate information, including when requested in enrolment forms. Parents must ensure that they obtain consent from any third party on whose behalf they provide personal information to the College and must inform the College when changes occur.

2.4 Responsibility of Students

Students and other young people have rights under the Privacy Act. In some circumstances it would be appropriate to seek consent from them, particularly when they are older.

Students must comply with all College policies and cooperate with and actively support structures put in place to ensure an individual's right to privacy, including the rights of other students.



- 2.5 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 College environment.

3 What kinds of Personal Information does the College collect and how does the College collect it?

3.1 What personal information is provided

The type of information the College collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about:

- (a) Students and Parents and/or guardians ('**Parents**') before, during and after the course of a student's enrolment at the College, including:
 - (i) name, contact details (including next of kin), date of birth, gender, previous school, language and religion;
 - (ii) cultural background, occupation and level of education (parents only), siblings;
 - (iii) medical information (e.g. details of medical conditions, supports, prescribed medication, and/or allergies, absence notes, counselling and medical reports and names of doctors);
 - (iv) conduct and complaint records, or other behaviour notes, school reports and academic reports;
 - (v) information about referrals to government welfare agencies;
 - (vi) legal information such as court orders and child protection orders;
 - (vii) volunteering information; and
 - (viii) digital media records including photos and videos at College events, photographs taken at or provided to College, CCTV/video/surveillance footage, meeting records (Teams, Zoom, etc).
- (b) Job applicants, staff members, volunteers and contractors, including:
 - (i) name, contact details (including next of kin), date of birth, gender, background, languages and religion;
 - (ii) information on job applications;
 - (iii) professional development history, education;
 - (iv) salary and payment information, including bank account, tax file number and superannuation details;
 - (v) medical information (e.g. details of disability and/or allergies, and medical certificates);
 - (vi) complaint records and investigation reports;
 - (vii) leave details;



- (viii) photos and videos at College events, CCTV/video/surveillance footage, meeting records (Teams, Zoom, etc);
 - (ix) recorded/electronic teaching materials;
 - (x) workplace surveillance information;
 - (xi) work emails and private emails (when using work email address) and internet browsing history.
- (c) 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.

3.2 How Personal Information is provided

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, Teams meetings, emails and telephone calls.

Personal Information may be collected from an enrolment application, or the completion of forms and consents through the use of mobile applications, apps/plugins, online chat systems, emails, phone calls and digital or paper forms. The College's Collection Notice will explain how Personal Information requested is to be used. The notice may be written or verbal. Where you provide Personal Information, including Sensitive Information, to Us, we will regard that information as having been provided with your consent.

On occasions people other than parents and students provide Personal Information.

3.3 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.

In some circumstances, the College may request You to facilitate and/or consent to the collection, storage and use of that information.

3.4 Collection from You

The College will endeavour to collect Personal Information about You, directly from You. However, in some circumstances it may be necessary to verify Your information by:

- (a) obtaining copies of documents; and/or
- (b) contacting third parties to obtain documents or information.

If the College needs to collect Sensitive Information, We will endeavour to collect only such information as is required to provide Our services or for a purpose identified in this policy, to hold the information only where required for those purposes and to desensitize, destroy or delete such information when no longer required for those purposes.

You acknowledge and consent to Us collecting Personal Information from others, including inadvertently where others provide Us with their Personal Information which may also contain Personal Information relating to You, where such collection is necessary and to retention and use of such information as required in accordance with the provisions of this policy.



Where You provide Us with information relating to others, You must inform them of the provision of that information to Us and We will assume that the information is provided with appropriate consent, unless You (or they) inform Us to the contrary.

3.5 Information We collect electronically

The College will maintain records of interactions when using Our website, learning management system and/or any other portal provided by the College.

The College may collect Personal Information that is intrinsic to the communication. For example, if We are contacted via email, We will collect the email address used.

3.6 Cookies and IP Addresses

The College may utilise "cookies" on its website to monitor traffic patterns, trends and to improve Your experience if You revisit the website. In most cases, a cookie does not identify You personally but may identify Your internet service provider or computer.

The College may gather Your IP address as part of its business activities and to assist with any operational difficulties or support issues. This information does not identify You personally.

3.7 Data

In relation to any data obtained as a result of Your use of the College's website or through any information which You provided to the College, You acknowledge that the College will own the data and all rights which may subsist in relation thereto. Such data will generally be collected and maintained in an aggregated form, without any personal details which would otherwise identify You.

4 How will the College use the Personal Information provided?

4.1 The College will use only lawful and fair means to collect your Personal Information where it is reasonably necessary for the provision of our services. The College will take reasonable steps to provide specific Privacy Notices at the time of collection of your personal information. The relevant Privacy Notice will contain a more detailed statement about what the College is collecting, the purpose and how the College will use and disclose the personal information.

4.2 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.

4.3 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 to students enrolled at the College 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 at the College.

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

- to provide educational services to Students enrolled at the College, including education, pastoral care, extra-curricular and health services;



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- to provide information to government including government departments, State Education offices and other departments or entities including where the provision of information is mandated or required by health order or direction;
- to provide information to Church or Parish as part of Our pastoral care;
- to keep Parents informed about matters relating to their daughter's schooling, through correspondence, newsletters and magazines;
- day-to-day administration of the College;
- looking after students' educational, social and medical wellbeing;
- seeking donations and marketing for the College; and
- to satisfy the College's additional legal obligations and allow the College to discharge its duty of care.

In some cases if You do not provide the information requested, the College may be unable to engage with You and 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.

4.4 Job Applicants, Staff members, Contractors and Volunteers

In relation to personal information of job applicants 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 donations and marketing for the College; and
- to satisfy the College's legal obligations, for example, in relation to child protection legislation;
- to protect Your interests;
- to pursue the College's legitimate interests;
- for other reasons where disclosed to You or set out in any request.

4.5 Marketing and 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 the College's fundraising, for example, the Lourdes Hill Foundation or Past Pupils' Association or, on limited occasions, external fundraising organisations.



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Parents, staff, contractors and other members of the wider College 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.

5 Who might the College disclose Personal Information to and store Your information with?

5.1 Disclosure

The College may disclose Personal Information, including Sensitive Information, held about an individual for educational, administrative and support purposes.

This may include to:

- other schools and teachers at those schools;
- government departments;
- medical practitioners;
- people providing educational, support and health services to the College, including specialist visiting teachers, sports coaches, volunteers, counsellors and providers of learning and assessment tools;
- providers of specialist advisory services and assistance to the School, including in the area of Human Resources, child protection and students with additional needs;
- assessment and educational authorities, including the Australian Curriculum; Assessment and Reporting Authority (ACARA) and NAPLAN Test Administration Authorities (who will disclose it to the entity that manages the online platform for NAPLAN);
- recipients of College publications, such as newsletters and magazines;
- Parents or guardians of College students;
- anyone You authorise the College to disclose information to;
- anyone to whom we are required to disclose their information by law, including child protection laws; to comply with legal and regulatory obligations;
- to protect Your interests;
- to pursue the College's legitimate interests.

Information may also be disclosed as part of or incidental to:

- Awards nights, recognition events and similar ceremonies;
- Artistic, musical, theatrical and dance performances;
- Fetes and College events;
- Sporting, athletic, cultural, performance and extracurricular activities;



- Educational undertakings and through the submission of assessment;
- Through the generation of uploaded, streamed or distributed content, including material submitted by the Student for that purpose or in which they participate.

The Privacy Act does not differentiate between adults and children and does not specify an age upon which an individual can make their own decision in respect of their personal information. For the sake of acting diligently, 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 a Student and notice to Parents will act as notice given to the Student. However, in certain circumstances (particularly in relation to Sensitive Information of older Students) it may be appropriate for the College to seek and obtain consent directly from that Student. The College acknowledges that there may be occasions where a Student may wish to give or withhold consent with respect to the use of Personal Information independently from their parents/carers.

Where You provide personal information (including sensitive information) to Us, We will regard that as Your consent to retain and use the information for the purposes identified in the request and in accordance with the provisions of this policy.

5.2 Digital Media and Video Surveillance

The College uses and/or may implement the further use of technologies such as online learning and meetings which may occur between students and staff, parents and friends, board, committees and staff. The College may also adopt video surveillance to monitor and record activity for a range of purposes including to provide a safe and secure environment for Students, Staff Members and other visitors, as well as to protect school buildings and assets, both during and after school hours.

Surveillance footage recorded is securely stored and is only access and viewed by authorised persons. A recording is only retained for its authorised purpose and will be deleted in accordance with this Privacy Policy, or such other policies as are implemented by the College, unless required by law enforcement authorities to be preserved.

Surveillance recordings may be disclosed to third parties in accordance with the Australian Privacy Principles, including:

- for law enforcement purposes;
- where it is necessary for the health, safety or welfare of individuals or public health reasons; and
- when otherwise required by law.

5.3 Sending and storing information overseas

The College may disclose personal information about an individual to overseas recipients, for instance, to facilitate a College 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.



The College may use online or 'cloud' service providers to store personal information and to provide services to the College 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.

5.4 Other disclosures and transfers

The College may also disclose Your Personal Information to third parties for the following purposes:

- if necessary to provide the College's services;
- if the College receives court orders, subpoenas or other requests for information by law enforcement;
- where necessary following request by medical personnel or other professional service providers;
- if otherwise permitted or required by law;
- for other purposes with Your consent.

You acknowledge and consent to Us providing Personal Information (including Sensitive Information) to third party service providers, such as contractors, medical personnel and other professional service providers, caterers and other contractors. Such information may include, without limitation, details of allergies, dietary requirements, health conditions, illness and other relevant health matters such as inoculation and/or vaccination status.

5.5 Provision of informed consent

In addition to other consent which You have provided to Us, by submitting Your Personal Information to the College, You expressly agree and consent to the disclosure, transfer, storing or processing of Your Personal Information outside of Australia. In providing this consent, You understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to Personal Information. However, the College will take steps to ensure that Your information is used by third parties securely and in accordance with the terms of this Privacy Policy.

The Privacy Act 1988 requires the College to take such steps as are reasonable in the circumstances to ensure that any recipients of Your Personal Information outside of Australia do not breach the privacy principles contained within the Privacy Act 1988. The College acknowledges the importance of protecting Personal Information and have taken reasonable steps to ensure that Your information is used by third parties securely and in accordance with the terms of this Privacy Policy.

5.6 If you do not consent

If You do not agree to the disclosure of Your Personal Information outside Australia by the College, You should tell us that You do not consent. To do this, either elect not to submit the Personal Information to Us or contact Us via the details set out in this policy.



6 How does the College treat 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 the Sensitive Information is allowed by law.

7 Management and Security of Personal Information

The College mostly holds Personal Information electronically in its IT systems, secure servers and databases, as well as in Our paper records. 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.

All College staff are also required to respect the confidentiality of students' and Parents' Personal Information and the privacy of individuals.

8 Access and correction of Personal Information

8.1 Right to access and correct Personal Information

Under the Privacy Act an individual has the right to seek and obtain access to any Personal Information which the College holds about them and advise the College of any perceived inaccuracy. Students will generally be able to access and update their Personal Information through their Parents; however older students may seek access and correction themselves.

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

If we cannot provide you with access to that information, we will provide You with written notice explaining the reasons for refusal.

To make a request to access or update any Personal Information the College holds about you or your child, or to exercise your privacy rights in relation to any Personal Information which the College holds about you, please contact the Director of Admissions and Office Administration by telephone on (07) 3399 0498 or in writing, by email to enrolments@lhc.qld.edu.au.

The College may require You to verify Your identity and specify what information you require. If any external costs are incurred by the College, an equivalent fee may be charged to cover the cost of verifying Your application and locating, retrieving and copying any material requested. If the information sought is extensive the College will advise the likely cost in advance.

8.2 Consent and rights of access to the personal information of students

The College respects every Parent's right to make decisions regarding 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.

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 warrant it.



9 Notifiable Data Breaches Scheme

In the unlikely event of loss or unauthorised access or disclosure of an individual's Personal Information that is likely to result in serious harm to that individual, the College will:

- Take all reasonable steps to recover or otherwise secure Your Personal Information;
- Limit access to your Personal Information;
- Minimise the risk of harm; and
- Take such other steps as We may decide would be prudent for Us to take in the circumstances.

The College will also notify You of any breach in the event that the College, in acting reasonably, forms the view that the breach is likely to result in any serious harm.

For more information on this, please refer to the College's Data Breach Plan.

10 De-identification and destruction of records

When de-identifying and/or destroying information contained in the College's records, the College does so in accordance with the requirements of the Privacy Act and APPs which are reflected in the College's General Records Management Policy and Document Security Policy.

The College mostly holds personal information electronically in its IT systems, secure servers and databases, but also in the College's paper records. The College has in place steps to protect the personal information the College holds from misuse, interference and loss, unauthorised access, modification or disclosure including locked storage of paper records

and password access rights to computerised records. All College staff are also required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals.

11 Opt Out

If at any time You do not wish to receive any further communication from the College, including any Direct Marketing Communications, You may ask Us not to send You any further information and not to disclose Your information to other organisations for that purpose. You may do this at any time by using the "unsubscribe" facility included in the Direct Marketing Communication or by contacting Us via the details set out in this document.

12 Definitions

Australian Privacy Principles (APPs) means the thirteen Australian Privacy Principles made pursuant to the Privacy Act which apply to the handling of personal information which are:

- **Health Information** is classified as sensitive information, see below. It is information about the health, including illness, disability or injury of an individual and information collected to provide, or in providing a Health Service (collectively, 'Personal Information')
- **Health Service** means an activity performed in relation to an individual that is intended or claimed to assess, maintain or improve an individual's health, including diagnosis, treatment and recording of an individual's health for the purpose assessing, maintaining, improving or managing that individual's health.



- **Personal Information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable. This Privacy Policy applies to Personal Information collected and/or held by the College.

Privacy Act means the Privacy Act 1988 (Cth).

Regulatory Defined Terms means terms that are defined in the Privacy Act or the APPs, such as personal information or sensitive information, will be given the same meaning in this Policy.

Sensitive Information is a sub-set of personal information. It includes information or opinion about an individual, their racial or ethnic origin, political opinion, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual or gender orientation or practices, criminal record, family court orders, health information including medical records, particulars of injury, illness, isolation or treatment, disabilities, immunisation record, vaccination status, individual healthcare plans, counselling reports, nutritional or dietary requirements, and biometric information used for the purpose of automated biometric verification, biometric identification or biometric templates.

In this policy, **the College (including 'Our', 'We', 'Us')** means and will include (where the context requires) one or more of:

- Lourdes Hill College Pty Ltd ABN 84 010 639 460
- Lourdes Hill College Foundation Public Library ABN 48 197 832 696
- Lourdes Hill College Parents' and Friends' Association ABN 86 183 569 749
- Lourdes Hill Foundation Scholarship Fund ABN 63 593 871 658
- Good Samaritan Education ABN 41 707 969 952

For completeness, this Privacy Policy also applies to people in the European Union (EU), as required under the General Data Protection Regulation (GDPR).

13 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 the College has breached the Australian Privacy Principles, please contact the College Principal on (07) 3399 0407 or principal@lhc.qld.edu.au.

The College will investigate any complaint 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.

14 Interaction of this Policy with contracts

This Privacy Policy is a compliance document prescribed by law rather than a legal contract between two or more persons. However, the College will ask for Your consent, consistent with the terms of this policy and certain contracts, such as Our enrolment agreement. The consents which you provide pursuant to this Privacy Policy are also provided as terms of Our enrolment agreement.

The consents provided in this policy are provided in accordance with the terms of Our enrolment agreement.



15 Modification and Updates

The College operates in a dynamic environment. The College reserves the right to modify this Privacy Policy as required. The College will take reasonable steps to notify You of such changes (whether by direct communication or by posting a notice on the College website). If You do not agree to Our continued use of Your Personal Information due to the changes in Our Privacy Policy, please contact us via the details set out in this document. You acknowledge that that by not agreeing for the College to continue to use Your Personal Information, the College may be unable to continue to engage with or provide services to You, including the enrolment of Student/s at the College.

16 Credit Reporting Policy

The College may also be bound by the credit reporting provisions of the Privacy Act and the Credit Reporting Code registered under the Privacy Act. For instance, where the College provides services to You on credit (that is, You will pay for those services after we start providing them to You), We are a credit provider for the purposes of the Privacy Act.

This Credit Reporting Policy describes how the College must manage credit-related information about individuals (credit information). It does not apply to the collection or use of credit related information about corporations.

The College will ensure that all Personal Information (including credit information) is managed in accordance with the Privacy Act and other applicable laws protecting privacy.

17 Collection of credit information

You acknowledge that the College is not in the business of providing credit.

The College may collect, hold and use certain credit related information about You. We will generally only obtain this information from You. The College will not routinely collect or exchange information with credit reporting bodies and other credit providers unless You authorise Us to do so. The College uses credit related information to assist Us in determining whether We will provide or continue to provide services and to manage Our relationship with You. Credit related information includes Your name and contact details, Your credit history (including any repayments or late repayments you have made), any credit rating or credit assessment score that We calculate; and details of any credit related court proceedings or insolvency applications that relate to You.

The College will securely store all credit related information that We collect or hold about You.

18 Disclosure of credit information

Unless otherwise required by law, the College will only disclose Your credit related information to third parties in limited circumstances as permitted by the Privacy Act. The College may disclose Your credit related information to parties that provide credit related services to Us such as debt collectors, credit management agencies and our agents. The College may also disclose Your credit related information to a third party that You or We request act as a guarantor. The College may also disclose credit information to credit reporting bodies where there has been a default in payment. The College will provide at least 14 days' notice of our intention to disclose default information to a credit reporting body before making any such disclosure. The College will not disclose any credit information to any recipient located outside of Australia.



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Other circumstances where the College may disclose Your credit related information include where required by law or the order of a court or tribunal and where You otherwise expressly consent to the use or disclosure.