



BUNBURY REGIONAL COMMUNITY COLLEGE

Privacy Policy



Contents

1. Purpose	2
2. Scope	2
3. Definitions	2
4. Policy	3
<i>What information does BRCC collect, and how does it collect it?</i>	3
<i>Unsolicited information about you</i>	4
<i>Exception in relation to employee records.</i>	4
<i>Why we collect this information and how the information is used.</i>	4
<i>Consent and rights of access to the personal information of students</i>	6
<i>Disclosure of personal information</i>	6
<i>Sending and storing information overseas</i>	6
<i>How does BRCC treat sensitive information?</i>	7
<i>Management and security of personal information</i>	7
<i>Photographs</i>	8
<i>Updating personal information</i>	8
<i>Your right to access what personal information the College holds about you</i>	8
<i>Consent and rights of access to the personal information of students</i>	9
<i>Information collected from our website</i>	9
<i>Notifiable data breaches</i>	9
<i>Enquiries and complaints about a breach of the Australian Privacy Principles</i>	10
<i>COVID</i>	10
5. Applicable Legislation	11
6. Policy Review Date	11
7. Contact BRCC	11



1. Purpose

This policy provides information about how Bunbury Regional Community College ("BRCC" or "the College") manages any personal information that we may hold about you.

Personal information includes a range of information or an opinion about someone that can be used to identify someone. When BRCC collects information about you, we take reasonable steps to advise you of how the information will be handled. This policy includes the purpose of the collection, and how to access, update and correct information held about you.

BRCC 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.

For information about students and their families, a collection notice is provided to parents/carers (or students who are mature minors) on the enrolment form.

BRCC is bound by the thirteen Australian Privacy Principles contained in the Commonwealth's [Privacy Act 1988](#) which regulates how personal information is handled by an organisation.

BRCC 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 education environment.

2. Scope

This policy is applicable to Bunbury Regional Community College.

3. Definitions

Duty of care is a duty under common law to ensure that reasonable care is taken to minimise the risk of harm to students while they are on the College premises during the hours when the College is open, and during College-related off-site activities.

Eligible data breach is when there is unauthorised access to, or unauthorised disclosure of personal information, or a loss of personal information, that an organisation or agency holds and this is likely to result in serious harm to one or more individuals, and the organisation or agency has not been able to prevent the likely risk of serious harm with remedial action.

Health information is information or opinion about a person's physical, mental, or psychological health or disability, that may be held in writing or not. Health information is also personal information. This includes information or opinion about a person's health status and medical history, immunisation status and allergies, as well as counselling records.

Parent/carer includes parents, non-parental guardians, foster parents, grandparents, and other carers of students.

Permitted general situation is one of seven situations listed in the Australian Privacy



Principles in s16A. In relation to BRCC the following may be applicable permitted general situations:

- lessening or preventing a serious threat to the life, health, or safety of any individual, or to public health or safety
- taking appropriate action in relation to suspected unlawful activity or serious misconduct
- locating a person reported as missing.

Personal information is information or opinion, whether true or not, about a person whose identity is apparent, or can reasonably be identified, from the information or opinion – that is recorded in any form. For example, a person's name, address, phone number and date of birth (age). De-identified information about students can also be personal information.

Sensitive information is information or opinion about a set of particular characteristics, that may include a person's racial or ethnic origin, political opinions or affiliations, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, or criminal record. It also includes health information.

Unsolicited information is information we have taken no active steps to collect.

4. Policy

What information does BRCC collect, and how does it collect it?

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

Students and parents/carers before, during and after the course of a student's enrolment at BRCC, including:

- name, contact details (including next of kin), date of birth, gender, language and cultural diversity background, any special circumstances; and previous school details;
- parents/carers' education, occupation and cultural background;
- medical information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors; immunisation records);
- any additional learning support requirements;
- academic assessments and reports;
- conduct and complaint records, or other behaviour notes, and school reports;
- information about referrals to government welfare agencies;
- counselling reports;
- Medicare number;
- any relevant court orders;
- volunteering information; and
- photos and videos at College events;

Job applicants, staff members, volunteers and contractors, including:

- name, contact details (including next of kin), date of birth;
- information on job and 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 College events; and
- work emails and private emails (when using work email address) and Internet browsing history;

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.

BRCC may collect information in several ways, including:

- from students, their families or guardians, staff, volunteers, visitors, job applicants and others. This may be collected by forms filled out by parent/carers or students, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parent/carers and students provide personal information.
- In some circumstances BRCC 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 or college.
- from electronic and paper documentation: including from job applications, emails, invoices, enrolment forms, letters to BRCC, consent forms (for example: enrolment, excursion, Student Support Services consent forms), BRCC's website or school-controlled social media.
- through online tools: such as apps and other software used by BRCC.
- through any CCTV cameras located any of our College sites.

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.

Unsolicited information about you

BRCC may receive information about you that we have taken no active steps to collect. If permitted or required by law, BRCC may keep records of this information. If not, we will destroy or de-identify the information when practicable, lawful and reasonable to do so.

Exception in relation to employee records.

Under the Privacy Act, the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to the College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the College and employee.

Why we collect this information and how the information is used.

BRCC will use personal information it collects from you for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection



and reasonably expected by you, or to which you have consented.

Students and Parent/Carers: In relation to personal information of students and parent/carers, the College's primary purpose of collection is to enable BRCC to provide education to students enrolled at the College, 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/carers, the needs of the student, and the needs of BRCC throughout the whole period the student is enrolled at the College.

The purposes for which BRCC uses personal information of students and parent/carers include:

- to keep parents/carers informed about matters related to the student'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 if required; and
- to satisfy BRCC's legal obligations and allow the College to discharge its duty of care.

In some cases where the College requests personal information about a student or parent/carer, if the information requested is not provided, BRCC may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity.

Job applicants and contractors: 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 or contractor.

The purposes for which BRCC uses personal information of job applicants and contractors include:

- administering the individual's employment or contract, as the case may be;
- for insurance purposes; and
- satisfying the College's legal obligations, for example, in relation to child protection legislation.

Volunteers: BRCC also obtains personal information about volunteers who assist the College in its functions or conduct associated activities to enable BRCC and the volunteers to work together.

Marketing and fundraising: BRCC may consider 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 BRCC may be disclosed to organisations that assist in the College's fundraising.

Parent/carers, 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.



Consent and rights of access to the personal information of students

BRCC respects every parent/carer's right to make decisions concerning the student'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 parent/carer. BRCC will treat consent given by parent/carer as consent given on behalf of the student and notice to parent/carer will act as notice given to the student.

Parent/carers may seek access to personal information held by BRCC about them or the student by contacting the Principal 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 BRCC's duty of care to the student.

BRCC 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 parent/carer. This would normally be done only when the maturity of the student and/or the student's personal circumstances warrant it.

Disclosure of personal information

BRCC may disclose personal information, including sensitive information, held about an individual for educational, administrative and support purposes. This may include to:

- another college and teachers at the College;
- government departments (including for policy and funding purposes);
- medical practitioners and relevant allied health professionals;
- assessment and educational authorities;
- providers of specialist advisory services and assistance to the College, including in the area of Human Resources, child protection and students with additional needs;
- people providing educational, support and health services to the College, including specialist visiting teachers, volunteers, and counsellors;
- anyone to whom we are required to disclose the information by law, including child protection laws;
- agencies and organisations to whom we are required to disclose personal information for education, funding, and research purposes;
- people providing administrative and financial services to the College;
- recipients of College publications, such as newsletters and magazines;
- students' parents/carers; and
- anyone you authorise the College to disclose your private information to.

Sending and storing information overseas

BRCC may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, the College will not send personal information about an individual outside Australia without:



- obtaining the consent of the individual (in some cases this consent will be implied); or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

BRCC 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 server which may be situated outside Australia.

How does BRCC treat sensitive information?

In referring to 'sensitive information', BRCC means information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information and biometric information about an individual.

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

Management and security of personal information

BRCC's staff are required to respect the confidentiality of students' and parent/carers' personal information and the privacy of individuals. The Principal ensures staff are regularly reminded of their obligation to protect student and parent/carers personal information and privacy. The BRCC Code of Conduct, and the BRCC ICT Policy require staff to take reasonable steps to protect the personal information that is held from misuse and unauthorised access.

The College has in place steps to protect the personal information BRCC 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.

BRCC stores Personal Information on a variety of platforms including, but not limited to:

- on and off premise databases;
- personal devices, including notebook computers;
- third party storage providers such as cloud storage facilities; and
- paper-based files.

BRCC 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:

- implementing the Australian Signals Directorate's "[Essential Eight](#)";
- restricting access and user privilege of information by staff depending on their role and responsibilities;



- ensuring staff do not share personal passwords;
- ensuring paper-based files are stored in lockable filing cabinets in lockable rooms;
- staff access is subject to user privilege;
- ensuring access to the College's premises are secured at all times;
- 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 Australian Privacy Principles or a similar privacy regime; and
- 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 BRCC. BRCC is not responsible for the information stored, accessed, used, or disclosed on such websites and we cannot comment on their privacy policies.

Photographs

Images of the College's students, staff, alumni, and visitors are used in many instances via the College's newsletters, Website, and other public relations materials, for both internal and external promotion of the College and its activities.

Explicit permission from parent/carers to use photographs is sought on the enrolment form. If an outside agency or company seeks to use images of students, specific permission is obtained from the parent/carer and student. It should be noted that students' full names will not be used in conjunction with a photograph in any publication that will be freely available beyond the college community.

Updating personal information

BRCC seeks to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by the College by contacting the Principal of the College at any time.

The Australian Privacy Principles require BRCC not to store personal information longer than necessary.

Your right to access what personal information the College holds about you

Under the Commonwealth Privacy Act, an individual has the right to obtain access to any personal information which BRCC holds about them and to advise the College of any perceived inaccuracy.

There are some exceptions to this right set out in the Act.

Students will generally have access to their personal information through their parent/carers, but older students may seek access themselves.



To make a request to access any information BRCC holds about you or your child, please contact the Principal in writing or by email to principal@brcc.org.au .

BRCC may require you to verify your identity and specify what information you require and may charge a fee to cover the cost of verifying your application and locating, retrieving, reviewing, and copying any material requested. If the information sought is extensive, BRCC will advise the likely cost in advance.

Consent and rights of access to the personal information of students

BRCC respects every parent/carer's right to make decisions concerning their child's education.

Generally, the College will refer any requests for consent and notices in relation to the personal information of a student to the student's parent/carer. The College will treat consent given by parent/carer as consent given on behalf of the student, and notice to parent/carer or will act as notice given to the student.

Parent/carers may seek access to personal information held by BRCC about them or their child by contacting the Principal in writing at principal@brcc.org.au or by telephone. However, there will be occasions when access is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of the College's duty of care to the student.

The College may, at its discretion, on the request of a student, grant that student access to information held by the College about them, or allow a student to give or withhold consent to the use of their personal information, independently of their parent/carer. This would normally be done only when the maturity of the student and/or the student's personal circumstances so warranted.

Information collected from our website

BRCC may collect information based on how individuals use our website. We may 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 may be collected to analyse and improve our website, marketing and to record statistics on web traffic. We do not use this information to personally identify individuals.

Notifiable data breaches

A data breach happens when personal information is accessed or disclosed without authorisation or is lost. In the event of a data breach, if BRCC is unable to prevent the likely risk of serious harm with remedial action, BRCC will immediately notify affected individuals [and the Office of the Australian Information Commissioner](#) (OIA).



Enquiries and complaints about a breach of the Australian Privacy Principles

If you would like further information about the way the BRCC manages the personal information it holds, or wish to complain on the grounds you believe that the College has breached the Australian Privacy Principles, please contact the Principal at principal@brcc.org.au. BRCC 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.

If the matter of complaint remains unresolved to your satisfaction and the Principal has been formally advised that the person intends to take the issue to the BRCC's College's Board of Governors, the individual can write to the Chair of the Board to complain formally. The only exception would be in the case of the Principal being the subject of the complaint, in that situation alone, the person could bypass the Principal and write directly to the Board Chair.

If the matter of complaint is still unresolved after discussion with the Board Chair, the individual must accept that their complaint has been heard and cannot be resolved, as they would wish it to be resolved by BRCC.

If the person is not satisfied with the outcome offered by BRCC, the person may make a complaint to the Australian Information Commissioner under section 36 of the Privacy Act.

Additional information on the Australian Privacy Principles and the Office of the Australian Information Commissioner is available at www.oaic.gov.au.

COVID

BRCC will only collect personal information that is reasonably necessary in order to prevent or manage COVID-19 in the workplace, and this information may be used or disclosed. BRCC staff will be informed if a colleague or visitor has or may have contracted COVID-19 but only to the extent that is necessary. It may not be necessary to reveal the name of an individual in order to prevent or manage COVID-19, or the disclosure of the name of the individual may be restricted to a limited number of people on a 'need-to-know basis'.

In relation to informing the wider College community of a suspected or actual case, BRCC will consider firstly, what information is reasonably necessary to prevent or manage COVID-19 in the College and College community, and secondly, if providing information will identify an individual, and whether it is appropriate to seek their consent to do so. BRCC will seek advice from public health officials on what information should be provided and who should be informed, for example, the whole College, or just that class, or year.

If it is reasonably necessary to provide identifying information about an affected individual to others who may have been in contact with the affected individual, obtaining the consent of the affected individual will be sought where possible. If obtaining consent is unreasonable or impracticable, the Privacy Act provides an exemption for a "permitted general situation". This exception applies where the BRCC reasonably believes that the collection, use or disclosure of this sensitive personal information "is necessary to lessen or prevent a serious threat to the life, health or safety of an individual, or to public health or safety" and it is unreasonable or impracticable to obtain the individual's consent.



5. Applicable Legislation

Privacy Act 1988 (Cth)

Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)

Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth)

6. Policy Review Date

This policy was submitted to the Governing Council for endorsement and is due for review annually.

7. Contact BRCC

Web <http://www.brcc.org.au/contact/>

Email principal@brcc.org.au

Phone 6724 6971

Bunbury Campus: Level 1/16 Victoria Street, Bunbury

Busselton Campus: 50 Albert St, Busselton WA 6280

Approval Process	New Policy or Amendment	Minor Amendment or review
First approved by Governing Council	December 2016	November 2017
Reviewed	May 2021	
Approved by Governing Council	July 2021	
Next Review	July 2022	