



**Pinnacle Academic College**  
Strive. Empower. Perform.

## PINNACLE ACADEMIC COLLEGE – PRIVACY POLICY 2023

<b>Purpose:</b>	The purpose of this Policy is to ensure that students, parents, employees and volunteers understand the Privacy Policy of Pinnacle Academic College.	
<b>Scope:</b>	Board members, students, parents/carers, all staff including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers, visitors and people undertaking work experience or vocational placements at the college. This policy sets out the type of information the school collects, how the information is handled, how and to whom the information may be disclosed and how the information may be accessed	
<b>Status:</b>	Approved	<b>Supersedes:</b> V1.3
<b>Authorised by:</b>	Akademeia Ltd Board Chair	<b>Date of Authorisation:</b> 15/02/2023
<b>References:</b>	<ul style="list-style-type: none"> <li>● Australian Privacy Principles</li> <li>● Privacy Act 1988 (Cth)</li> <li>● Pinnacle Academic College Disabilities Policy</li> <li>● Pinnacle Academic College Child Protection Policy</li> <li>● Pinnacle Academic College Privacy Policy</li> </ul>	
<b>Review Date:</b>	Annually, or when there are changes to the Family Law Court	<b>Next Review Date:</b> 10/02/2024
<b>Policy Owner:</b>	Akademeia Ltd	
<b>Note:</b>	This Policy may be reviewed at any time at the discretion of the Akademeia Ltd Board	

## VERSION HISTORY

VERSION	DATE	NOTES
Draft	23/01/19	Initial Draft Document
1.0	29/01/19	Approved
1.1	10/01/20	Reviewed and Approved without change
1.1	10/01/21	Reviewed and Approved without change
1.2	10/01/22	Reviewed and approved with some changes
1.3	10/02/23	Reviewed and approved with some changes
1.3	13/02/24	Reviewed and approved without change

**Exception in Relation to Employee Records:** Under the Privacy Act 1988 (Cth) (Privacy Act), the Australian Privacy Principles do not apply to an employee record held by the employing entity. As a result, this Privacy Policy does not apply to Pinnacle Academic College's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between Pinnacle Academic College (PAC) and an employee.

**Policy** This Privacy Policy sets out how PAC manages personal information provided to or collected by it. PAC is bound by the Australian Privacy Principles contained in the Privacy Act PAC may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to PAC operations and practices and to make sure it remains appropriate to the changing school environment.

### **The kinds of personal information the School collects and how the School collects it?**

The type of information PAC 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 a student's enrolment at the School:

- name, contact details (including next of kin), date of birth, gender, language background, previous school and religion;
- parents' education, occupation and language background; o 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:

- 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

- other people who come into contact with the School including name and contact details and any other information necessary for the particular contact with the school.

### **Personal Information you provide:**

PAC 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, emails and telephone calls. On occasions people other than parents and students provide personal information.

### **Personal Information provided by other people:**

In some circumstances PAC 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.

### **How will the School use the personal information you provide?**

PAC 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 Parents**

In relation to personal information of students and parents, PAC's primary purpose of collection is to enable us to provide schooling to students enrolled at the school, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all the activities of the school. This includes satisfying the needs of parents, the needs of the students and the needs of PAC throughout the whole period the student is enrolled at the College. The purposes for which PAC uses personal information of students and parents include:

- to keep parents informed about matters related to their child's schooling, through correspondence, Sentral and newsletters
- day-to-day administration of PAC
- looking after student's educational, social and medical wellbeing
- seeking donations and marketing for PAC
- to satisfy PAC's legal obligations and allow the school to discharge its duty of care.

In some cases where PAC requests personal information about a student or parent, if the information requested is not provided, PAC may not be able to enrol or continue the enrolment of the student or permit the student to take part in a particular activity. On occasions information such as academic and sporting achievements, student activities and similar news is published in School newsletters and magazines, social media avenues and on our website, this may include photographs and videos of student activities such as sporting events, school camps and school excursions.

On enrolment, formal permission will be sought from the student's parent or guardian (and from the student if appropriate) to include such photographs or videos in our promotional material or otherwise make this material available to the public such as on the internet. Permission to use such information may also be formally refused if preferred.

## **Job applicants, Staff Members and Contractors**

In relation to personal information of job applicants, staff members and contractors, PAC'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 PAC uses personal information of job applicants, staff members and contractors include:

- in administering the individual's employment or contract, as the case may be
- for insurance purposes
- seeking donations and marketing for the School
- to satisfy the School's legal obligations, for example, in relation to child protection legislation.

## **Volunteers**

PAC also obtains personal information about volunteers who assist in its functions or conduct associated activities, to enable PAC and the volunteers to work together.

## **Marketing and Fundraising**

PAC sees marketing and seeking donations for the future growth and development of the school as an important part of ensuring that PAC continues to provide a quality learning environment in which both students and staff thrive. Personal, non identifying information may be disclosed to organisations that assist in the school's fundraising. PAC will not under any circumstances, release personal information to any third party for fundraising purposes. School publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

## **Disclosure and storage of Personal Information**

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

- another school or staff at another school
- government departments (including for policy and funding purposes)
- medical practitioners
- people providing educational, support and health services to the School, including but not limited to specialist visiting teachers, sports coaches, volunteers, counsellors and providers of learning and assessment tools
- 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)
- people providing administrative and financial services to PAC
- recipients of School publications, such as newsletters, Sentral and magazines
- students' parents or guardians
- anyone you authorise PAC to disclose information to

- anyone to whom we are required or authorised to disclose the information to by law, including child protection laws.

### **Sending and Storing Information Overseas**

PAC may disclose personal information about an individual to overseas recipients, for instance, to facilitate a school exchange. However, PAC 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.

PAC may use online or 'cloud' service providers to store personal information and to provide services 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. An example of such a cloud service provider is Microsoft. Microsoft provides the 'Office 365 Apps' (O365) including Outlook, and stores and processes limited personal information for this purpose. School personnel and the AIS and its service providers may have the ability to access, monitor, use or disclose emails, communications (e.g. instant messaging), documents and associated administrative data for the purposes of administering O365 and ensuring its proper use. The data centres where the personal information is likely to be kept are located in Australia according to Microsoft, but backups of this information may be kept in locations such as the USA, Taiwan, Singapore, Ireland, Netherlands and Belgium.

### **Sensitive Information**

In referring to 'sensitive information', PAC 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 required by law.

### **Management and Security of Personal Information**

PAC's staff are required to respect the confidentiality of students' and parents' personal information and the privacy of individuals. PAC has in place steps to protect the personal information we hold 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.

### **Data Breaches**

It will be deemed that an 'eligible data breach' has occurred if:

- there has been unauthorised access to, or unauthorised disclosure of, personal information about one or more individuals (the affected individuals)
- a reasonable person would conclude there is a likelihood of serious harm to any affected individuals as a result
- the information is lost in circumstances where:

- o unauthorised access to, or unauthorised disclosure of, the information is likely to occur
- o assuming unauthorised access to, or unauthorised disclosure of, the information was to occur, a reasonable person would conclude that it would be likely to result in serious harm to the affected individuals.

Serious harm may include serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation.

### **What must the school do in the event of an ‘eligible data breach’?**

If PAC suspects that an eligible data breach has occurred, it will carry out a reasonable and expedient assessment/investigation within 30 days. If such an assessment/investigation indicates there are reasonable grounds to believe an eligible data breach has occurred, then PAC will be required to lodge a statement to the Privacy Commissioner. Where practical to do so, the school entity will also notify the affected individuals. If it is not practicable to notify the affected individuals, PAC will publish a copy of the statement on its website, or publicise it in another manner.

### **Exception to notification obligation**

An exception to the requirement to notify will exist if there is a data breach and immediate remedial action is taken, and as a result of that action:

- o there is no unauthorised access to, or unauthorised disclosure of, the information
- o there is no serious harm to affected individuals, and as a result of the remedial action, a reasonable person would conclude the breach is not likely to result in serious harm.

### **Access and Correction of Personal Information**

Under the Privacy Act, an individual has the right to seek and obtain access to any personal information which PAC holds about them and to advise the school of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Students will generally be able to access and update their personal information through their parents, but older students may seek access and correction themselves. To make a request to access or to update any personal information PAC holds about you or your child, please contact the School Principal in writing. PAC may require you to verify your identity and specify what information you require. PAC may charge a fee to cover the cost of verifying your application and locating, retrieving, reviewing and copying any material requested. PAC will advise the likely cost in advance. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal. The School will take reasonable steps to ensure that any personal information is accurate, up to date, complete, relevant and not misleading.

### **Consent and Rights of Access to the Personal Information of Students**

PAC respects every parent's right to make decisions concerning their child's education. Generally, PAC will refer any requests for consent and notices in relation to the personal information of a student to the student's parents. PAC 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. As mentioned above, parents may seek access to personal information held by PAC about them or their child by contacting the School Principal. 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 PAC's duty of care to a student. The School may, at its discretion, on the request of a student grant that student access to information held by PAC 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.

### **Enquiries and Complaints**

If you would like further information about the way PAC manages the personal information it holds, or wish to make a complaint about PAC's breach of the Australian Privacy Principles please contact the School Principal. PAC will investigate any complaint and will notify the complainant of any decision as soon as is practicable.