

LEVNT Privacy and Confidentiality Policy

1. Introduction

Personal information is information, whether true or not, which might directly or indirectly identify a living person. Lutheran Education VIC, NSW, TAS and ACT Ltd (LEVNT) collects and manages a range of personal information for the purposes of supporting the educational bodies of our region.

LEVNT is committed to:

- responsible and secure collection and handling of personal information
- protecting the privacy of each individual's personal information
- ensuring individuals are fully informed regarding the collection, storage, use, disclosure, and disposal of their personal information, and their access to that information.

2. Purpose

The purpose of this document is to provide a framework for LEVNT in dealing with privacy and confidentiality considerations. This policy provides a clear set of guidelines:

- for the collection, storage, use, disclosure, and disposal of personal information, including photos, videos, and health information at LEVNT
- to ensure compliance with privacy legislation

3. Definitions

- 3.1. "BLEVNT" means the governing body for Lutheran Education VIC, NSW, TAS and ACT Ltd.
- 3.2. "educational bodies" means Lutheran schools, colleges, kindergartens and early childhood centres.
- 3.3. "health information" means any information or an opinion about the physical, mental, or psychological health or ability (at any time) of an individual.
- 3.4. "LCAVD" means the Lutheran Church of Australia Victorian District (including Tasmania).
- 3.5. "LEVNT" means Lutheran Education VIC, NSW, TAS and ACT Ltd (ACN 647 390 369).
- 3.6. "LEVNT Region" means the joint area of the Lutheran Church of Australia Victorian District (including Tasmania) and the Lutheran Church of Australia NSW and ACT District.
- 3.7. "personal information" means recorded information (including images) or opinion, whether true or not, about a living individual whose identity can reasonably be ascertained.
- 3.8. "Privacy Officer" means the senior executive responsible for managing risks related to information privacy laws and regulations.

- 3.9. “sensitive information” means information or an opinion about an individual’s racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preference or practices, or criminal record.

4. Scope

This policy applies to the LEVNT regional office.

5. Policy Statement

LEVNT collects and administers a range of personal information for the purposes of supporting the educational bodies of our region, ensuring these bodies meet appropriate legal, financial, educational and operational requirements and for publicity about these bodies. LEVNT is committed to protecting the privacy of personal information it collects, holds and administers.

LEVNT fulfils its obligations under the Commonwealth Privacy (Private Sector) Act 1988 (“the Privacy Act”) including the Amendment (Enhancing Privacy Protection) Act 2012 and the Privacy Amendment (Notifiable Data Breaches) Act 2017 by complying with the Australian Privacy Principles.

LEVNT has adopted the following principles contained as minimum standards in relation to handling personal information.

LEVNT will:

- Only collect information which LEVNT requires for its primary function;
- Ensure that individuals are informed as to why the information is collected and how the information collected is administered;
- Use and disclose personal information only for primary functions or a directly related purpose, or for another purpose with the person’s consent;
- Store personal information securely, protecting it from unauthorised access;
- Provide individuals with access to their own information, and the right to seek its correction; and
- Respond appropriately to a data breach event, including notification of an eligible data breach to the Office of the Australian Information Commission and affected individuals.

6. Policy Implementation

Aims

To collect, handle, use, store and disclose personal and sensitive information in a manner compliant with the *Health Records Act 2001*, the *Privacy Act 1988 & the Privacy Amendment (Enhancing Privacy Protection) Act 2012* and the *Privacy Amendment (Notifiable Data Breaches) Act 2017*.

What kind of personal information does LEVNT collect and how is it collected?

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

- Staff members, job applicants, volunteers and contractors;
- Students and parents/carers ('parents') during and after the course of a student's enrolment at a LEVNT school; and
- Other people who come into contact with LEVNT.

Personal information provided:

LEVNT will generally collect personal information held about an individual by way of written communications, emails, face-to-face meetings and interviews, and telephone calls.

In some circumstances LEVNT may be provided with personal information about an individual from a third party, for example a report or reference from a LEVNT school. In these circumstances, LEVNT will rely on the third party information provider to verify the accuracy of information provided.

Exception in relation to employee records:

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

Photographs:

LEVNT may take photographs of staff, and other community members during LEVNT activities for internal use and marketing. This will be communicated when the LEVNT event is publicised.

LEVNT may use images of students, staff and other community members provided by LEVNT schools for internal use and marketing. LEVNT relies on the supplying school to verify that the appropriate consent for use has been provided.

Any requests for an individual to be removed from any published photos for legal reasons, may be made through a written statement with details of the legal requirements, directed to the LEVNT Privacy Officer.

How will LEVNT use the personal information provided?

LEVNT will use personal information it collects for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose and reasonably expected, or to which the individual consented.

Job applicants, staff members and contractors:

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

- Assessing the suitability for employment;
- Administering the individual's employment or contract, as the case may be;
- For insurance purposes, such as public liability or WorkCover;
- Satisfying LEVNT's legal obligations; and
- Investigating incidents or defending legal claims about LEVNT, its services or staff.

Students and Parents:

In relation to personal information of students and parents, LEVNT's primary purpose of collection is to enable LEVNT to provide support and oversight for LEVNT schools.

The purposes for which LEVNT uses personal information of students and parents include:

- To satisfy LEVNT's oversight obligations to LEVNT schools and their staff, parents and students;
- Celebrating the efforts and achievements of staff and students;
- Marketing and communication;
- To support LEVNT schools in meeting their legislative and duty of care obligations;
- To satisfy LEVNT's legal obligations; and
- To allow LEVNT to discharge its duty of care.

Volunteers:

LEVNT also obtains personal information about volunteers who assist LEVNT in its functions, such as LEVNT Board (BLEVNT), LEVNT School Boards, LEVNT Kindergarten Management Committees, the LEVNT Business Committee and Schools Assembly to enable LEVNT and the volunteers to work together effectively.

Communication and Marketing:

Staff, contractors, volunteers, parents, and other member of the wider LEVNT community may from time to time receive publications, such as the LEVNT Networks Newsletter and LEVNT Action Memo, which include personal information for communication and marketing purposes.

Who might LEVNT disclose personal information to?

LEVNT may disclose personal information including sensitive information held about an individual, whether this was directly collected by LEVNT or provided to LEVNT by a third party, to:

- Any LEVNT school;
- Any Australian Lutheran entity;
- Government departments;
- People providing services to LEVNT, including specialist consultants;
- Recipients of LEVNT publications, e.g. newsletters; and
- Anyone LEVNT is authorised to disclose information to.

Sending information overseas:

LEVNT will, on occasion, disclose personal information to overseas recipients. The situations in which LEVNT may disclose personal information overseas include:

- The publication on the internet of material which may contain personal information, such as reports and other documents or photographs.
- The provision of personal information to recipients using a web-based email account where data is stored on an overseas server.
- The use of online or 'cloud' service providers, such as Microsoft Office 365, to store personal information and to provide services that involve the use of personal information, such as services relating to email. 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.

Apart from these situations LEVNT will not send personal information about an individual outside Australia without obtaining the consent of the individual or otherwise complying with the National Privacy Principles.

How does LEVNT treat sensitive information?

LEVNT understands 'sensitive information' to be 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.

LEVNT will not normally collect sensitive information about individuals. Sensitive information will only be collected where necessary and will only be used for the primary purpose for which it was provided unless agreed otherwise, or the use or disclosure of the sensitive information is allowed by law.

How does LEVNT treat personal information?

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

LEVNT can disclose personal information for another purpose when:

- The person consents;
- It is necessary to lessen or prevent serious or imminent threat to life, health or safety; or
- It is required by law or for law enforcement purposes.

Management and Security of Personal Information

LEVNT staff are required to respect the confidentiality of personal information and the privacy of individuals.

LEVNT has in place steps to protect the personal information LEVNT holds from misuse, loss, unauthorised access, modification or disclosure, by use of various methods including locked storage of paper records and password controlled access rights to computerised records.

Updating Personal Information

LEVNT endeavours to ensure that the personal information it holds is accurate, complete and current. A person may seek to update their personal information held by LEVNT by contacting the LEVNT Privacy Officer at any time.

Requests to Access Personal Information

Under the Privacy Act, a person has the right to obtain access to any personal information which LEVNT holds about them, and to advise LEVNT of any perceived inaccuracy. There are some exceptions to this right, as set out in the Privacy Act.

Requests to access any information LEVNT holds must be in writing and addressed to the LEVNT Privacy Officer.

LEVNT may require verification of identity and specific details of the information required. Depending on the extent of the information required, LEVNT may charge a fee to cover the cost of verifying the application and locating, retrieving, reviewing and copying any information requested. If the information sought is extensive, LEVNT will advise the likely cost in advance.

7. Online Information

The LEVNT web server keeps a record of all visits to the LEVNT website (www.levnt.edu.au) and logs information on users' online experience for statistical purposes only. Information collected does not identify individual users, but does identify the computer used to access the site, including:

- Visitor server IP addresses and domain names;
- The times and dates the site was visited;
- The pages accessed and files downloaded; and
- Visitors' browsers and operating systems.

In the event of an investigation, a law enforcement or government agency may exercise its legal authority to have access to LEVNT's web server logs.

Cookies

The LEVNT website uses cookies, which are small text files that are generated by the LEVNT web server and stored on the user's computer, to allow recognition of returning users and to register preferences.

A cookie is sent from the LEVNT web server and automatically placed on the user's computer without notification. Personal preferences or information may be stored in the cookie, which is then sent back to the server on completion of the session. Cookies may be turned off within the user's browser, however, this may make some sections of the LEVNT website unusable.

Online Payments

LEVNT does not accept online payments and does not permanently store credit card details.

8. Enquiries

Requests for further information about the way LEVNT manages the personal information it holds can be directed to the LEVNT Privacy Officer at Dir.Ops@levnt.edu.au

9. Privacy Officer

LEVNT Director: Operations
755 Station Street Box Hill 3128
Email: Dir.Ops@levnt.edu.au
Phone: (03) 9236 1250

10.Complaints

How to make a complaint:

To make a complaint, contact the LEVNT Privacy Officer, who will review the issue.

How LEVNT manage complaints:

LEVNT:

- Keep a record of the complaint
- Respond to the complaint within three business days, or make contact if more time is required to address the complaint
- Keep the complainant updated on what is being done to address the complaint
- Give a final response within 45 days. If a response cannot be given in this time, LEVNT will contact the complainant to explain why and determine a new timeframe.

What else can the complainant do?

If a complainant remain unsatisfied with how the complaint has been managed, they can contact the Office of the Australian Information Commissioner.

11.Review

LEVNT may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to LEVNT operations and practices, and to ensure it remains appropriate to the changing LEVNT environment.

This policy will be reviewed every three years, or as required by legislation.

Date of BLEVNT Endorsement: 22/07/2021

Policy to be Reviewed: December 2024