



Nano Nagle  
NETWORK

## EREA Nano Nagle Network Privacy Policy

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Drafted by	Principal	Approved by	Principal
Responsible person	Principal	Scheduled review date	December 2020

### Introduction

EREA Nano Nagle Network (hereon in referred to as 'NNN') Flexible Learning Centres (FLCs) provide State and Federal Government funded secondary school education and support to vulnerable and disenfranchised young people. Our services are involved in the collection, storage, use and disclosure of personal information (that may also be sensitive) and health information.

### Purpose

This policy has been developed to ensure personal information provided to, collected or generated by NNN is used and managed in accordance with the Australian Privacy Principles (APPs) contained in the Commonwealth Privacy Act and various State legislation.

NNN will, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to our FLC's operations and practices, and to make sure it remains appropriate to the changing school environment.

### Policy

This policy applies to all individuals including NNN young people, employees, volunteers, contractors, labour hire and work experience young people. NNN acknowledges and respects the privacy of individuals and is committed to protecting all personal, sensitive and health information it holds. This is in accordance with NNN practice standards, sector standards, funding agreements and legislation such as:

- Privacy Act 1988 (C'th)
- Health Records Act 2001 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Public Records Act 1973 (Vic)

### Authorisation

Chloe Hand  
Principal  
EREA NNN  
April 2020

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[W] [www.youthplus.edu.au](http://www.youthplus.edu.au) | ABN: 96 372 268 340

## **1. Responsibilities**

It shall be the responsibility of the Principal (or a delegated authority) to: (i) implement this policy and to monitor its performance; (ii) ensure Campus Principals/Heads of Campus are given ongoing support and guidance to implement this Policy.

Other responsibilities are as follows:

Campus Principals or Heads of Campus

- that they are familiar with the Privacy policy and procedures and that they communicate and enforce this policy to employees, volunteers and contracted service providers.

NNN team and NNN Flexible Learning Centre staff members

- that they are familiar with the Privacy Policy and procedures and follow them accordingly.

## **WHAT KIND OF PERSONAL INFORMATION DOES NNN COLLECT AND HOW DOES NNN COLLECT IT?**

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

- Young people and parents and/or guardians (hereinafter referred to as ‘parents’) before, during and after the course of a student’s enrolment at NNN;
- Job applicants, staff members, volunteers and contractors; and
- Other people who come into contact with NNN.

## **PERSONAL INFORMATION YOU PROVIDE**

NNN will collect personal information about an individual by way of forms filled out by parents or young people, (either hard copy or on line), face-to-face meetings and interviews, and telephone calls.

## **PERSONAL INFORMATION PROVIDED BY OTHER PEOPLE**

In some circumstances NNN 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 NNN USE THE PERSONAL INFORMATION YOU PROVIDE?**

NNN will use personal information it collects for the primary purpose of collection (provision of learning and student services), and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which a person has consented.

## **YOUNG PEOPLE AND PARENTS**

NNN’s primary purpose of information collection is to enable NNN to provide education for a young person including satisfying both the needs of parents and those of the young person. Information collection and use includes, but is not limited to:

- Keeping parents informed about matters related to their child’s schooling, through correspondence, newsletters and magazines;
- Day-to-day administration including maintaining class lists, enrolment and attendance information;
- Looking after the educational, social and medical wellbeing of the young person;
- Satisfying NNN’s legal obligations including its duty of care;
- Complying with the requirements of government authorities and similar organisations; and

- In some cases NNN may request personal information about a student or parent that is essential to the provision of its services. If the information requested is not obtained, NNN may not be able to enrol or continue the enrolment of the young person. We will pre-advise a young person and parent/carer if this is this case.

## **JOB APPLICANTS, STAFF MEMBERS, VOLUNTEERS AND CONTRACTORS**

The primary purposes for which NNN collects and uses personal information of job applicants, staff members, volunteers and contractors is that of employment or engagement. Information collected and used includes, but is not limited to:

- Administering the individual's employment or engagement;
- Insurance purposes;
- Seeking funds and marketing NNN; and
- Satisfying NNN's legal requirements.

## **WHO MIGHT NNN DISCLOSE PERSONAL INFORMATION TO?**

NNN may disclose personal information, including sensitive information, held about an individual to:

- The individual (with the exception of personnel records);
- Another school;
- Government departments;
- Medical practitioners;
- Child Protection;
- Police;
- People providing services to NNN, including specialist visiting teachers and sports coaches; and
- Anyone to whom a young person or parent/carer authorises NNN to disclose information.

Of special note are records relating to current and past employees. These records, if directly related to employment at NNN, are exempt from the Privacy Act 1988.

## **SENDING INFORMATION OVERSEAS**

NNN will not send personal information about an individual outside Australia without:

- Obtaining the consent of the individual (in some cases this consent may be implied), and/or
- Otherwise complying with the APPs.

NNN may also store information by way of cloud computing systems, in which case information may be stored on secure servers outside Australia.

## **HOW DOES NNN TREAT SENSITIVE INFORMATION?**

Sensitive information is information relating to a person's racial or ethnic origins, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record and health information. Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless there is an agreement otherwise; or if the use or disclosure of that sensitive information is allowed by law.

## **MANAGEMENT AND SECURITY OF PERSONAL INFORMATION**

NNN staff are required to respect the confidentiality of young people, parents' and others' personal information and the privacy of individuals

NNN will take reasonable steps to protect the personal information NNN holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and pass-worded access rights to computerised records. Where information is passed to external organisations acting on behalf of NNN, appropriate privacy safeguards are to be put in place prior to the release of information.

## **UPDATING PERSONAL INFORMATION**

NNN endeavors to ensure that the personal information of individuals it holds is accurate, complete and up to date. A person may update or correct their personal information by contacting the administration office of the Flexible Learning Centre in which a young person is enrolled.

The APPs require NNN not to store personal information longer than necessary. Accordingly, personal information will be destroyed according to legal record retention periods and when business use ceases.

## **CONSENT AND RIGHTS OF ACCESS TO THE PERSONAL INFORMATION OF YOUNG PEOPLE**

NNN respects every parent (and every young person's right) to make decisions concerning their child's education.

Generally, NNN will refer any request for consent and notices in relation to the personal information of a student to the young person's parents. NNN will treat consent given by parents as consent given on behalf of the young person and notice to parents will act as notice given to the young person.

Parents, young people (including past students) may seek access to personal information held by NNN about them or their child by contacting the Principal who will respond within 30 days. NNN will consider the request with due reference to the relevant APPs and ensure that there is not an unreasonable impact on the privacy of others, a breach of NNN's duty of care to the young person, or a breach of an APP.

NNN may, at its discretion, on the request of a student, grant that student access to the information held by NNN 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 occur when the young person involved has reached 18 years of age, but NNN could do so in other circumstances when the maturity of the young person and/or the young person's personal circumstances so warranted.

## **ENQUIRIES OR COMPLAINTS**

If you would like further information about the way NNN manages the personal information it holds, please contact your Flexible Learning Centre directly.

If you feel NNN has breached any of the APPs in relation to personal information held about you, contact the Principal who will ensure that the complaint is assessed and investigated. A response will be provided within 30 days of receiving the complaint.

Alternatively, complaints may be referred to the Office of the Australian Information Commissioner, Level 3, 175 Pitt Street, Sydney NSW 2000, telephone: 1300 363 992, email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

## **BREACHES OF THIS POLICY**

NNN expects that any employees who become aware of a breach of this policy will advise their Campus Principal/Head of Campus at the time the breach is identified. NNN will consider each breach of the policy in the context in which it has occurred and will determine if the matter is a minor or serious breach. A serious breach may result in disciplinary action, up to and including termination of employment.

## **FURTHER INFORMATION**

Further information concerning any aspect of this policy may be directed to the Principal.

## **RELATED DOCUMENT/S**

- Teaching Profession Code of Ethics and Code of Conduct (Victoria & Tasmania)
- Complaints Policy