



Privacy Policy

OakTree College ('the College') is an independent co-educational specialist senior secondary school providing education opportunities for young people of migrant backgrounds who are at risk of disengaging from education.

OakTree College ('the College') seeks to provide a safe and supportive environment where all students can safely participate in the educational experiences offered by the College.

1. Purpose

The purpose of this policy is to ensure that the College protects information that the College collects in order to perform its legislative obligations as a Victorian registered school. The College will ensure that all personal, sensitive and health information are kept secured and confidential at all times.

2. Scope

This policy applies to the members of the College Board and staff, including contractors and volunteers. This policy explains how the College collects and manages personal, sensitive and health information, consistent with Victorian privacy law and other associated legislation. All College staff, including contractors and volunteers, must respect personal privacy and comply with Victorian privacy laws and this policy.

3. Legal Obligations

In Victoria, the management of personal, sensitive and health information is governed by [Privacy and Data Protection Act 2014](#) (Vic) and [Health Records Act 2001](#) (Vic). In addition, the College must comply with the [Victorian Data Sharing Act 2017](#) and other associated privacy laws including the [Office of the Victorian Information Commissioner: Information Privacy Principles](#). The College is also required by legislation such as the Education and Training Reform Act 2006, to collect some of this information.

4. Definitions

Personal information Is recorded information or opinion, whether true or not, about a person whose identity is apparent, or can reasonably be ascertained, from the information. The information or opinion can be recorded in any form. A person's name, address, phone number and date of birth (age) are all examples of personal information. Such information is regulated in Victoria under the Privacy and Data Protection Act 2014 (Vic).

Sensitive information Is a type of personal information with stronger legal protections due to the risk of discrimination. It includes information or opinion about an identifiable person's racial or ethnic origin, political opinions or affiliations, religious beliefs or affiliations, philosophical beliefs, sexual orientation or practices, criminal record, or membership of a trade union. Such information is regulated in Victoria under the Privacy and Data Protection Act 2014 (Vic).

Health information	Is information or opinion about an identifiable person's physical, mental or psychological health or disability. Health information is a type of personal information which, because of its sensitivity, also has different and stronger legal protections. Health information is regulated in Victoria under the Health Records Act 2001 (Vic).
Unique identifier	Is an identifier (usually a number) assigned by the College to a student i.e. a unique identifier/number is provided to every Victorian school student in its student records system to enable the College to carry out their functions effectively.
Consent	Consent is when someone (if less than 18 years, the parent, guardian or carer) voluntarily agrees for the student information to be collected, used and/or shared as appropriate by the College. Consent, when required, is sought in different ways and can be verbal, online or in writing, depending on the circumstances.

5. Objectives

The objectives of this policy relate to:

- the collection, use and disclosure of personal, sensitive and health information,
- the rights of individuals to access their personal, sensitive and health information,
- integrity and accuracy of such information,
- the College's governance and accountability process.

6. College Expectations

When parents enrol their child, the College will require personal, sensitive, health and emergency contacts information in several ways, including via the Enrolment Form. The College relies on parents, carers or guardians to provide personal, sensitive and health information including any medical condition or disability that their child has, medication their child may take while at the College, any known allergies, emergency contact details and contact details of their child's doctor. If parents do not provide all relevant health information, this may put their child's health at risk.

The College will also require current and relevant information about all parents, carers or guardians (e.g. copies of all current parenting plans and court orders about, or that affect, their children and provide updated copies when they change) so that it can take account of safety concerns that may affect their children.

The College will contact parents, carers or guardians twice annually to ensure that information held by the College is accurate and recent.

7. Collection and Use of Information

7.1 What information do we collect?

The College collects the following types of information:

- Information about students and their families provided by students or their families e.g. contact and enrolment details, health information, and parenting or access arrangements. If this information is not collected, the College may be unable to provide optimal education or support to students or fulfil legal obligations.

- Information about job applicants, staff, volunteers, contractors and visitors provided by job applicants, staff members, volunteers, contractors and visitors including qualifications, resumes, working with children checks, teacher registration and banking details.
- Information about the activities of students, staff and families if they are on the College grounds (e.g. captured through CCTV) or using the College network systems.

7.2 How do we collect this information?

The College collects information in several ways including:

- In person and over the phone from students and their families, staff, volunteers, contractors, visitors, job applicants or others.
- From electronic and paper documentation such as job applications, emails, invoices, letters, and forms (such as enrolment, medical, specialist or consent forms).
- Through the College's social media and website.
- Through online tools such as applications and other software used by the College.
- Through photographs, film, CCTV and other recordings.
- Through polls, surveys and questionnaires, and authorised information sharing arrangements with other services.

7.3 Why do we collect this information?

The College collects information about students and their families, when necessary, for the following reasons:

- To enable student enrolment and educate students;
- To support students' health including social and emotional wellbeing;
- To fulfil legal (duty of care) requirements, including to:
 - take reasonable steps to reduce the risk of reasonably foreseeable harm to students, staff and visitors
 - make reasonable adjustments for students with disabilities
 - ensure, as far as is reasonably practicable, the health and safety of people in the College workplaces
 - comply with the Ministerial Order 1359 promoting child safety;
- To enable the College to communicate with parents about students' education matters as well as celebrate the efforts and achievements of students;
- To maintain the good order and management of the College;
- To ensure the effective management, resourcing and administration of the College resources as well as evaluate the appropriateness of the College's policies and functions if they are fit for purpose;
- To comply with Federal and State laws as well as reporting requirements;
- To investigate incidents and respond to any issues, legal matter or when reasonably necessary for a specified law enforcement purpose.

The College collects information about staff, volunteers and job applicants:

- To assess applicants' suitability for employment or volunteering;

- To administer employment or volunteer placement;
- To fulfil legal requirements, including employment obligations, Occupational Health and Safety laws, insurance and WorkCover;
- To investigate incidents and respond to any issues, legal matter or when reasonably necessary for a specified law enforcement purpose.

7.4 When do we use or disclose information?

Using and/or disclosing information deals with how it is utilised for a specific purpose and how it is shared and/or made available to other individuals or organisations. The College will use or disclose information consistent with Victorian privacy laws and other associated legislation, including as follows:

- For the primary purpose of operating a school by educating and supporting students;
- For the related secondary purpose that is reasonably to be expected in line with the legislation e.g. to enable the College governing body to fulfil its objectives, reporting and powers as a Not-for-Profit organisation;
- With notice and/or consent e.g. consent provided for the use and disclosure of enrolment details (the information collected will not be disclosed beyond the College without consent, unless such disclosure is lawful);
- When the College reasonably believes it is necessary in order to prevent a serious threat to a person's life, health, safety (child safety) or welfare, or the public's health, safety or welfare;
- When required or authorised by law e.g. to meet the College's duty of care obligations including anti-discrimination law, Occupational Health and Safety law, child wellbeing and safety law, family violence law, Child and Family Violence Information Sharing Schemes or reporting obligations to agencies such as the Department of Health and the Department of Families, Fairness and Housing, and complying with tribunal or court orders, subpoenas, summonses or search warrants;
- To investigate or report suspected unlawful activity, or when reasonably necessary for a specified law enforcement purpose, including the prevention or investigation of a criminal offence or seriously improper conduct, by or on behalf of a law enforcement agency;
- As de-identified information, for research or statistics purposes;
- To establish or respond to a legal claim.

8. Transfer of Student Information

The College may be required to share information with another/new school to enable the other school to continue to provide for the education of the student, support the student's social and emotional wellbeing and to fulfil its legal requirements. In this instance, consent will be obtained from the parent, carer or guardian.

The Child and Family Violence Information Sharing Schemes allow prescribed organisations to share confidential information with each other to promote the wellbeing or safety of children, or to assess or manage family violence risk. The College and a range of other Victorian schools and services fall under these schemes.

9. Unique Identifiers

The College assigns a unique identifier to every student in its student records system to enable the College to carry out its functions effectively. The College uses the unique Victorian Student Number (VSN) assigned to each student by the Victorian Curriculum and Assessment Authority when they enrol in a Victorian school. The use of the VSN is regulated and can only be used as stipulated by legislation.

10. Access to Student Information

The College will only provide educational reports and communicate with students, parents, carers or guardians who have a legal right to that information.

All individuals, or their authorised representative(s), have a right to access, update and correct any information about them that the College holds by contacting the Executive Principal. If access is not granted by the Executive Principal, the parents, carers or guardians can request for access through the College Board Chair (refer to the Freedom of Information section below on the process for lodging a Freedom of Information request to the College Board or they can lodge a Complaint in line with the College Complaints Policy).

Exception: In some circumstances, an authorised representative (parents, carers or guardians) may not be entitled to information about the student. These circumstances may include when granting access would not be in the student's best interests or would breach the College's duty of care to the student or would unreasonably impact on the privacy of another person.

11. Access to Staff Information

The College staff can seek access to their personnel file by contacting the Executive Principal. If access is not granted by the Executive Principal, the staff member can request access through the College Board Chair (refer to the Freedom of Information section on the process for lodging a Freedom of Information request).

12. Complaints

Complaints can be lodged in line with the College Complaints policy in relation to the College's handling of personal information or if there is a belief that there is a privacy breach. In resolving a complaint, the College may use and disclose information as considered appropriate in line with privacy laws, to respond to the complaint (including responding to complaints made to external organisations or agencies). More information about the complaints process can be found in the Complaints Policy on our website.

13. Freedom of Information

Members of the public can request access to students' information or staff members' information under the provision of the Freedom of Information Act. This will occur by submitting a request in writing addressed to the College Board Chair via oaktreecolleges@gmail.com and after paying the required nominal fee of \$60. The College Board Chair will respond within 60 working days to such requests in line with the legislative provisions and on a need-to-know basis.

There are some exceptions to the release of information if such release shall affect the personal affairs of another person, are commercially confidential or would undermine law enforcement. Each request is assessed before a decision is made on whether it can be released in line with the relevant legislative provisions.

13. Storing and Securing Information

The College takes reasonable steps to protect information from misuse and loss, and from unauthorised access, modification and disclosure. All staff and third-party contractors must comply with the privacy requirements and this policy to mitigate against any privacy and information handling risk. The College will not use or disclose personal information it holds for direct marketing without appropriate and parental consent.

14. Governance

The College Board is responsible for the governance of the College and must ensure that adequate risk management processes and internal controls are in place to prevent any privacy breaches. The Executive Principal will have operational oversight on the application and implementation of this policy.

15. Reporting

To ensure appropriate oversight, the College Board will receive operational and compliance reports including any privacy breaches from the Executive Principal at its regular meetings or as appropriate.

16. Communication

The College will communicate this policy via the College website to the school community and will be referenced in the Student & Parent/Guardian Handbook.

17. Contact

If you have any concerns, contact the College Executive Principal.

18. Related Policies

- Duty of Care Policy
- Occupational Health and Safety Policy and Procedures
- Child Safety Policy
- Privacy Collection Statement
- Complaints Policy
- Record Management Policy
- Emergency and Critical Incident Management Plan

19. Approval and Review

Document Owner:	Executive Principal
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