ASSOCIATION OF COEDUCATIONAL SCHOOLS

ACS Privacy Policy V1

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Drafted by	Moray & Agnew	Approved by committee on	6 November 2024
Responsible person	Michelle Sheehan	Scheduled review date	6 November 2026

1. SCOPE

1.1 The purpose of this privacy policy (**Policy**) is to ensure that ACS manages and protects personal information appropriately and in accordance with best practice principles. Whilst not covered by the *Privacy Act 1988* (Cth) (**Privacy Act**), ACS is committed to implementing best practice aligned with the Privacy Act and the Australian Privacy Principles (**APPs**).

1.2 This Policy outlines the circumstances in which ACS obtains personal information, how it uses that information and how it manages requests to access and/or change that information.

1.3 ACS may, from time to time, review and update this Policy to take account of new laws and technology, changes to ACS functions and practices and to make sure it remains appropriate to any changes in the provision of ACS operations.

1.4 This Policy does not apply to ACS' collection, holding, use and disclosure of employee records if directly related to a current or former employment relationship between ACS and the employee.

1.5 For the purposes of this policy, "Parent" includes legal guardian.

2. WHAT IS PERSONAL INFORMATION AND HOW WE COLLECT IT

2.1 Personal information is information or opinion about an individual from which they can be reasonably identified. The collection of personal information depends on the circumstances in which ACS is collecting it. If it is reasonable and practical to do so, ACS collects personal information directly from the individual and, in particular, from the student (or the student's Parent where applicable). On occasions people other than Parents and students provide personal information, such as ACS member schools.

2.2 Depending on the circumstances, ACS may collect personal information from or about the individual in their capacity as a student, Parent, friend/ relative of a student and Parent, contractor, volunteer, stakeholder, job applicant or in some other capacity.

2.3 ACS collects personal information about the following categories of individual via the following methods:

(a) Parents/students/nominated friends and relatives: forms and documents regarding participating in sport events filled out by Parents and/or students and/or ACS member schools including but not limited to:

(i) health/medical forms and other forms containing sensitive information;

(ii) face to face meetings and interviews, notes, letters, emails, telephone calls and other communications;

(iii) via our website;

(iv) via financial transactions;

(v) via surveillance activities such as email monitoring; and

(vi) other documents supplied by a Parent or member school including court orders, police reports, criminal records, health and medical reports.

(b) Contractors: contracts and other agreements, face to face meetings and interviews, notes, letters, emails, telephone calls and other communications, via our website, via financial transactions and via surveillance activities such as email monitoring.

(c) Volunteers: contracts and other agreements, face to face meetings and interviews, notes, letters, emails, telephone calls and other communications, via our website, via financial transactions and via surveillance activities such as email monitoring.

(d) Stakeholders: contracts and other agreements, face to face meetings and interviews, notes, letters, emails, telephone calls and other communications, via our website, via financial transactions and via surveillance activities such as email monitoring.

(e) Job applicants: applications, face to face meetings and interviews, notes, letters, emails, telephone calls and other communications, via our website, via financial transactions and via surveillance activities such as email monitoring and via information supplied by third party recruitment agencies and services as well as referees.

2.4 In the course of the provision of services by or to ACS, ACS may collect and hold:

(a) Personal Information including names, addresses (including residential, business, email) and other contact details, dates of birth, and financial information.

(b) Sensitive Information including health information, government identifiers (such as TFN), nationality, country of birth, professional memberships, family court orders, Working With Children Checks and criminal records.

(c) Health Information (particularly in relation to staff and students) including medical records, disabilities, immunisation details and psychological reports.

2.5 As part of our recruitment processes for employees, contractors and volunteers, ACS may collect and hold the following information supplied either directly by the individual or by third party recruitment agencies and services as well as referees:

(a) Personal Information including names, addresses and other contact details, dates of birth, financial information, citizenship, employment references, regulatory accreditation, media, directorships, property ownership and driver's licence information.

(b) Sensitive Information including health information, government identifiers (such as TFN), nationality, country of birth, professional memberships, family court orders, Working With Children Checks and criminal records.

(c) Health Information (particularly in relation to prospective staff and student records) including medical records, disabilities, immunisation details and psychological reports.

3. SOLICITED INFORMATION

3.1 ACS has, where possible, attempted to standardise the collection of personal information by using specifically designed forms. However, given the nature of our operations ACS often also receives personal information via other methods outlined above.

3.2 ACS may also collect personal information from other people (e.g., member schools) or independent sources. However, ACS will only do so where it is not reasonable and practical to collect the personal information from the individual directly.

3.3 ACS may collect information based on how individuals use our website. ACS uses "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 is collected to analyse and improve our website, marketing campaigns and to record statistics on web traffic. ACS does not use this information to personally identify individuals.

4. UNSOLICITED INFORMATION

4.1 ACS may be provided with personal information without having sought it through the means of collection outlined in this Policy. This is known as "unsolicited information" and could be collected by:

(a) postal– letters, notes, documents (either misdirected or otherwise);

(b) electronic– emails, SMS, electronic messages (either misdirected or otherwise);

(c) telephone enquiries to reception or other staff members;

(d) employment applications sent to ACS that are not in response to an advertised vacancy; or

(e) additional information provided to ACS which was not requested. This may include information supplied by the Police, government authorities including education or child protection departments and agencies, and medical professionals, including in emergency situations.

4.2 Unsolicited information obtained by ACS will only be held, used and or disclosed if it is considered as personal information that could have been collected by the means outlined in this Policy. If that unsolicited information could not have been collected by normal means then ACS will destroy, permanently delete or de-identify the personal information as appropriate unless it is otherwise lawful and reasonable for ACS to hold, use and disclose that personal information.

5. COLLECTION AND USE OF SENSITIVE INFORMATION

5.1 ACS only collects sensitive information if it is:

(a) reasonably necessary for one or more of the functions, activities and operations of ACS, and ACS has the individual's consent;

(b) necessary to protect the welfare of a student or employee, including by preventing a serious medical or health scenario or threat to life, health, safety and physical and mental wellbeing;

(c) another permitted general situation; and

(d) another permitted health situation.

5.2 ACS may share sensitive information to other related entities but only if necessary, for ACS to provide its products or services or have services provided to ACS.

6. HOW WE USE PERSONAL INFORMATION

6.1 Subject to the below, ACS only uses personal information that is reasonably necessary for operating as a coeducational interschool sports association and providing opportunities to students to play sport (the primary purpose) or for a related secondary purpose that would be reasonably expected by the individual, or for an activity or purpose to which the individual (or the individual's Parent where applicable) has consented.

6.2 In relation to personal information of students/ Parents, ACS primary purpose of collection is to enable ACS to provide interschool sport events to students enrolled at association schools, exercise its duty of care and child protection obligations, and perform related administrative activities, which enable students and Parents to participate and be engaged in the services provided by ACS.

6.3 ACS' primary uses of personal information include, but are not limited to:

(a) administering and coordinating student sporting events, awards and competitions;

(b) attending to students' health and wellbeing;

(c) satisfying our legal obligations including our duty of care and child protection obligations;

(d) keeping Parents informed as to ACS community matters through correspondence, newsletters and publications on the website, as well as informing the wider community via these means of student sporting achievements;

(e) marketing, promotional and fundraising activities;

(f) supporting community-based causes and activities, charities and other causes in connection with ACS' functions or activities;

(g) day-to-day operations including training employees, contractors, volunteers and stakeholders;

(h) systems development, developing new programs and services, undertaking planning, research and statistical analysis;

(i) administration including for insurance purposes;

(j) seeking donations and engaging in fundraising activities;

(k) marketing activities;

(l) the employment of staff; and

(m) the engagement of volunteers and contractors.

6.4 ACS will only use or disclose sensitive or health information for a secondary purpose if it would be reasonable to expect ACS to use or disclose the information and the secondary purpose is directly related to the primary purpose. For example, in the case of medical emergency.

6.5 ACS may share personal information to its related entities, but only if necessary, for ACS to provide services or have services provided to it, including engaging third-parties for their services.

6.6 In some instances where ACS requests personal information and that information requested is not provided, ACS may not be able to provide, or continue to provide, services to an individual. This may include that ACS may not be able to permit a student to participate in a particular event.

6.7 In relation to personal information of contractors, volunteers, stakeholders and job applicants, ACS' primary purpose of collection is to assess, engage and communicate with the individual, as the case may be, and to facilitate the provision of the relevant services by or to ACS.

6.8 The purposes for which ACS uses personal information of job applicants include, administering the individual's employment or contract, as the case may be; for insurance purposes, satisfying ACS' legal obligations, for example, in relation to child protection legislation.

6.9 ACS also obtains personal information about contractors, volunteers and stakeholders who assist it in its functions or conduct associated activities, such as events and functions, boards and committees, to enable ACS and the contractors, volunteers and stakeholders to provide services and/ or be provided with services.

6.10 ACS also engages in marketing and fundraising for its growth and development and as an important part of ensuring that it continues to provide interschool events. Personal information held by ACS may be disclosed to organisations that assist in marketing and fundraising activities.

6.11 Parents, employees, contractors, volunteers, stakeholders and other members of the wider community may from time to time receive fundraising information. Publications such as emails and newsletters which include personal information may be used for marketing purposes.

6.12 Sensitive information (including health information) will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless an individual/ Parent agrees otherwise, or the use or disclosure of the sensitive information is permitted by law or court order.

7. HOW LONG WE HOLD PERSONAL INFORMATION FOR AND WHEN IT IS DESTROYED OR DE-IDENTIFIED

ACS will take reasonable steps to destroy or de-identify the personal information it holds once the personal information is no longer needed for any purpose for which the personal information may be used or disclosed under this Policy, save where ACS is required by law or a court order to retain the personal information.

8. STORAGE AND SECURITY OF PERSONAL INFORMATION

8.1 ACS stores personal information in a variety of formats including, but not limited to:

(a) databases;

(b) hard copy and paper-based files;

(c) personal devices, including laptop computers and mobile phones; and

(d) third-party storage providers such as cloud storage facilities.

8.2 ACS uses two-factor authentication for employee and contractor access to ACS' systems including its website.

8.3 ACS takes all reasonable steps to protect the personal information it holds from misuse, loss, unauthorised access, modification or disclosure. ACS' employees, contractors, volunteers and stakeholders are required to respect the confidentiality of an individual's personal information that they access, and the privacy of individuals, in the provision of services by or to ACS.

8.4 These steps include, but are not limited to:

(a) restricting access and user privilege of information by employees, contractors, volunteers and stakeholders depending on their role and responsibilities;

(b) ensuring employees, contractors, volunteers and stakeholders do not share personal passwords and update their passwords regularly;

(c) ensuring hard copy files are stored in lockable filing cabinets in lockable rooms. Access by employees, contractors, volunteers and stakeholders is subject to user privilege;

(d) ensuring access to ACS's premises are always secured;

(e) ensuring IT and cyber security systems, policies and procedures are implemented and up to date;

(f) ensuring employees, contractors, volunteers and stakeholders comply with internal policies and procedures when handling the information;

(g) undertaking due diligence with respect to third-party service providers who may have access to personal information, third-party contractors who are engaged to

facilitate the provision of services, and cloud service providers, to ensure as far as practicable that they are compliant with the APPs or a similar privacy regime; and

(h) the destruction, deletion or de-identification of personal information it holds that is no longer required for the purpose that it was collected unless required to be retained by any other laws.

8.5 The public website may contain links to other third-party websites outside of ACS. ACS is not responsible for the information stored, accessed, used or disclosed on such websites and ACS cannot comment on their privacy policies.

9. RESPONDING TO DATA BREACHES

ACS will take appropriate, prompt action if it has reasonable grounds to believe that a data breach may have or is suspected to have occurred.

10. DISCLOSURE OF PERSONAL INFORMATION

10.1 Personal information is used for the purposes for which it was given to ACS, or for purposes which are directly related to one or more of ACS's operations. Personal information may be disclosed to government agencies, related entities, and other recipients from time to time, if the individual has given consent, or would reasonably expect the personal information to be disclosed in that manner.

10.2 ACS may disclose personal information without consent or in a manner which an individual would reasonably expect if:

(a) it is required to do so by law;

(b) The disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety;

(c) Another permitted general situation applies;

(d) Disclosure is reasonably necessary for a law enforcement related activity; or

(e) Disclosure is part of the process of saving the personal information as part of the provision of cloud services.

11. QUALITY OF PERSONAL INFORMATION

11.1 ACS takes all reasonable steps to ensure the personal information it holds, uses and discloses is accurate, complete and up to date, including at the time of using or disclosing the information.

11.2 If ACS becomes aware that the personal information is incorrect or out of date, ACS will take reasonable steps to rectify the incorrect or out of date information.

12. ACCESS AND CORRECTION OF PERSONAL INFORMATION

12.1 Individuals may submit a request/ application to access the personal information held by ACS, or request that ACS change the personal information. Upon receiving such a request, ACS will take steps to verify the individual's identity before granting access or correcting any perceived inaccuracy. If the rejection relates to a request/ application to change personal information, an individual may make a statement about the requested change and ACS will include this statement with the relevant record. Students of ACS member schools will generally be able to access, correct and update their personal information via their Parents, but older students may seek access, corrections and updates of their information themselves. There are some exceptions to these rights.

12.2 To make a request/ application to access or to update any personal information ACS holds about an individual, please contact ACS' Executive Officer by telephone on 03 9909 9303 or in writing by email to admin@acssport.org.au. An applicant will be required to verify their identity and to specify what information is sought to be accessed, corrected or updated. ACS may charge a fee to cover the cost of verifying an application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, ACS will advise the likely cost in advance.

12.3 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 ACS's duty of care to the student. If ACS cannot provide an applicant access to that information, it will provide the applicant with written notice explaining the reasons for refusal. There are some exceptions to these rights.

12.4 ACS may, at its discretion, on the request of a student, grant that student access to information held by ACS 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.

12.5 ACS respects every Parent's right to make decisions concerning their child's/ student's education. Generally, ACS will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. ACS 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.

13. COMPLAINTS

13.1 An individual can make a complaint about how ACS manages personal information by notifying ACS in writing as soon as possible. ACS will respond to the complaint within a reasonable time. ACS may seek further information in order to provide a response.

13.2 ACS does not charge a fee for the handling of complaints.

14. HOW TO CONTACT US

ACS can be contacted about this Privacy Policy or about personal information generally, by contacting the Executive Officer using the following details:

- Telephone: 03 9909 9303; or
- Email: admin@acssport.org.au

15. CHANGES TO OUR PRIVACY AND INFORMATION HANDLING PRACTICES

This Privacy Policy is subject to change at any time. Please check the Privacy Policy regularly for any changes.