

# Lutheran Education Australia

## Privacy Policy

Policy	
Relevant to	Lutheran Education Australia
Responsible officer	LEA Executive Director
Contact officer	LEA Executive Director
Authorisation	Board for Lutheran Education Australia
Date introduced	March 2014
Effective date of latest version	March 2014
Reviewed	2018
Next review date	2021
Relevant legislation or source	Privacy Act 1988 Privacy Amendment (Enhancing Privacy Protection) Act 2012, effective 12/3/14 Australian Privacy Principles Australian Copyright Council Information Sheet – Photographers and copyright Office of the Privacy Commissioner – Unauthorised Photographs on the Internet and Ancillary Privacy Issues: Discussion Paper, November 2005 Commonwealth Privacy Amendment (Private Sector) Act 2000 Child Protection Act

### Purpose

LEA seeks to comply with its obligations under Privacy Act 1988, Privacy Amendment (Enhancing Privacy Protection) Act 2012, and the Australian Privacy Principles. This statement outlines the privacy policy of LEA and describes how LEA uses and manages personal information provided to or collected by it.

### Exclusion

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

**Lutheran Education Australia**  
**Privacy Policy**

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### Definitions

ECEs	Early childhood education and care centres
Employee record	<p>In relation to an employee, means a record of personal information relating to the employment of the employee. This includes health information and Personal Information about any of the following:</p> <ul style="list-style-type: none"><li>• Engagement, training, disciplining or resignation of the employee;</li><li>• Termination of the employment of the employee;</li><li>• Terms and conditions of the employee;</li><li>• Employee's personal and emergency contact details;</li><li>• Employee's performance or conduct;</li><li>• Employee's hours of employment;</li><li>• Employee's salary or wages;</li><li>• Employee's membership of a professional or trade association;</li><li>• Employee's trade union membership;</li><li>• Employee's recreation, long service, sick, personal, maternity, paternity or other leave;</li><li>• Employee's taxation, banking or superannuation affairs.</li></ul>
Individual	In relation to Personal Information, means the individual to whom the information relates.
LCA	Lutheran Church of Australia
LEA	Lutheran Education Australia
LEQ	Lutheran Education Queensland
LESER	Lutheran Education South East Region
LExICON	Lutheran Education Information Collection Network (national staff database for Lutheran schools)
LSA	Lutheran Schools Association SA/NT/WA
Personal Information	<p>Information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <ul style="list-style-type: none"><li>• Whether the information or opinion is true or not; and</li><li>• Whether the information or opinion is recorded in a material form or not.</li></ul> <p>Examples of Personal Information can include (without limitation) the name, age and date of birth of the individual.</p>
Privacy Officer	The LEA Executive Director acts as the 'Privacy Officer' in regards to this policy
Schools and colleges	Australian Lutheran schools and colleges (primary, secondary, P-12)
Sensitive Information	<p>means:</p> <p>Information or an opinion about an individual's:</p> <ul style="list-style-type: none"><li>• Racial or ethnic origin; or</li><li>• Political opinions; or</li><li>• Membership of a political association; or</li><li>• Religious beliefs or affiliations; or</li><li>• Philosophical beliefs; or</li><li>• Membership of a professional or trade association; or</li><li>• Membership of a trade union; or</li><li>• Sexual orientation or practices; or</li><li>• Criminal record;</li></ul> <p>that is also personal information, health information about an individual, genetic information about an individual that is not otherwise health information, biometric information that is to be used for the purposes of automated biometric verification or biometric identification or biometric templates.</p>

# Lutheran Education Australia

## Privacy Policy

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### Policy Statement

LEA seeks to comply with its obligations under the *Privacy Act 1988* (Cth) and the Australian Privacy Principles.

LEA manages a large volume of personal information, mostly about the staff of Australian Lutheran ECEs, schools, colleges and regional offices.

This information is provided to LEA from the Australian Lutheran ECEs, schools, colleges and regional offices to ensure a current database is maintained appropriately.

LEA has this policy outlining how personal information is collected, used, stored, disclosed and accessed.

### 1 Privacy Principles

In accordance with the legislated principles of privacy, LEA will:

- only collect personal information that is necessary for its functions or activities;
- only collect sensitive information about an individual if the individual has consented or the collection is required under law or otherwise permitted under the Australian Privacy Principles (eg collection of statistics for a church or government agency);
- take reasonable steps to ensure that the staff of Australian Lutheran ECEs, schools and colleges, as well as regional offices, are made aware that information is being collected before such collection or as soon after as practical;
- use fair and lawful ways to collect information;
- inform those persons via the responsible person in their respective Lutheran educational institution whom information is collected about, of the intended use for the information;
- wherever practicable, collect personal information directly from the responsible person via their respective Lutheran educational institution;
- take steps to ensure that information is used and disclosed in a manner consistent with the Australian Privacy Principles;
- take reasonable steps to ensure the personal information LEA collects, uses or discloses is accurate, complete and up-to-date;
- take reasonable steps to protect the personal information held from misuse and loss and from unauthorised access, modification or disclosure;
- take reasonable steps to destroy or permanently de-identify personal information when no longer needed;
- give access (when requested by the individual concerned) to the personal information held, unless there is an emergency situation, specified business imperatives and law enforcement, other public interests or any other exception pursuant to the *Privacy Act 1988* (Cth) applies which would preclude this;
- give people the option of interacting anonymously or under a pseudonym where it is practicable or lawful for us to do so. It is normally not practicable for us to do so. If you would like to discuss information being made anonymous or under a pseudonym, please contact our Privacy Officer.

### 2 Requests for information

All requests for information held by LEA and affected by privacy legislation should be in writing and directed to:

LEA Executive Director  
Lutheran Education Australia  
197 Archer Street  
North Adelaide SA 5006

### 3 Collection

LEA collects / holds information including personal information and sensitive information, concerning:

- Australian past and present staff of Lutheran ECEs, schools, colleges and regional offices;
- job applicants, staff members, volunteers and contractors; and
- other people who come into contact with LEA.

#### 3.1 Personal information provided by Lutheran ECEs, schools and colleges

LEA will generally collect personal information held about an individual by way of an annual LEA request to regional offices. LEA will be provided with personal and professional information about a Lutheran ECE, school and college staff member for the purpose of inclusion into the national Lutheran school database (LEXICON). The regional offices seek to collect information from individuals in a manner in line with the Australian Privacy Principles.

**4 Use**

**Use4.1 Job applicants, staff members and contractors**

In relation to personal information of job applicants, staff members and contractors, LEA's primary purpose of collection is to assess and (if successful) to assist a LCA State Body to engage the applicant, staff member or contractor, as the case may be.

The purposes for which LEA uses the personal information of job applicants, staff members and contractors include:

- administering the individual's employment or contract, as the case may be;
- insurance purposes;
- satisfying LEA's legal obligations, for example, in relation to child protection legislation.

**4.2 LEA promotion and marketing**

Personal information may be collected for marketing, research and development purposes.

**5 Disclosure**

LEA may disclose personal information, including sensitive information, held about an individual;

- Between LEA and Lutheran education regional offices (namely LEQ, LSA, LESER);
- And to:
  - The LCA;
  - Affiliated schools and early childhood centres;
  - government departments as required from time to time;
  - recipients of LEA publications, like newsletters, magazines and web sites;
  - anyone you authorise LEA to disclose information to.

**5.1 Sending information overseas**

Information may be disclosed to a reputable overseas entity such as a cloud-hosting service provider for the purposes of delivering educational and support services to LEA.

LEA 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); or
- otherwise complying with the Australian Privacy Principles.

**6 Sensitive information**

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 where the use or disclosure of the sensitive information is allowed by law.

**7 Management and security of personal information**

LEA's staff are required to respect the confidentiality of personal information concerning Australian Lutheran ECEs, school, college and regional office staff and other individuals.

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

**8 Currency of personal information**

LEA endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by LEA by contacting the LEA office at any time.

LEA Executive Director  
Lutheran Education Australia  
197 Archer Street  
North Adelaide SA 5006

Telephone: 08 8267 7318  
Email: leadirector@lutheran.edu.au

**9 Access to information held by LEA**

To make a request to access any information LEA holds about a person, that individual should contact the LEA Executive Director in writing.

The Australian Privacy Principles require the school not to store personal information longer than necessary.

Under the Commonwealth Privacy Act, an individual has the right to obtain access to any personal information which LEA holds about them and to advise LEA of any perceived inaccuracy. There are several exceptions to this right set out in the Act. LEA reserves its rights to rely upon these exceptions in not consenting to an Individual's request to access to information.

**10 Enquiries**

Enquiries regarding privacy matters or access to information should be forwarded to the LEA Executive Director.

LEA Executive Director  
Lutheran Education Australia  
197 Archer Street  
North Adelaide SA 5006  
  
Telephone: 08 8267 7318  
Email: leadirector@lutheran.edu.au

**11 Privacy Officer**

The responsibilities of the LEA Executive Director, as Privacy Officer, include:

- ongoing review of LEA's practices and procedures to ensure that they comply with this policy, current legislation and best practice;
- reviewing this policy and advising and educating LEA staff of their responsibilities under this policy;
- the receipt of requests for information held under privacy legislation;
- the receipt and investigation of complaints relating to breach of privacy;
- maintenance of the privacy register.

**12 Complaints**

An individual whose personal information is/has been held by LEA, may lodge a complaint in writing to the LEA Executive Director about an act or practice of LEA which the individual believes to be inappropriate or unlawful.

LEA Executive Director  
Lutheran Education Australia  
197 Archer Street  
North Adelaide SA 5006

The LEA Executive Director will investigate the complaint. A decision will be made concerning the complaint and the complainant will be advised in writing of the result of the investigation within 30 days of the complaint.

Should the complainant be dissatisfied with LEA's response, or not receive a response by the end of the 30 day period, the complainant may make a complaint to the Office of the Australian Information Commissioner.

Information collected by LEA with regard to employment records is exempt.