



ST MARY'S COLLEGE  
THE UNIVERSITY OF MELBOURNE

## ST MARY'S COLLEGE PRIVACY POLICY

(last updated February 2020)

St Mary's College ABN 56 750 876 675 of 871 Swanston Street, Parkville, VIC 3052 ("**we**", "**us**", "**our**") is bound by the Australian Privacy Principles (which are part of the *Privacy Act 1988* (Cth) ("**Act**")).

We recognise and acknowledge that the protection of individuals' privacy is important and required under the relevant legislation.

Our Privacy Policy explains how:

- we protect the privacy of personal information we collect and use;
- we may use such information and to whom such information may be disclosed; and
- individuals can access their personal information, correct any personal information which we hold, lodge complaints with us in relation to alleged breaches of privacy or make any related enquiry.

### Scope

All our staff, contractors and volunteers must comply with this policy in relation to any personal information they handle.

Personal information may be collected from any individual with whom we may have contact (including current and prospective students who study at the University of Melbourne and other tertiary institutions).

### Types of information we collect and hold

For the purpose of this privacy policy:

- '**personal information**' is information that identifies you or information which could reasonably identify you. It may include (but is not necessarily limited to) your name, your contact details and records of your dealings with us; and
- '**sensitive information**' is a type of personal information which includes (without limitation) details about your racial or ethnic origin, your religious beliefs, your criminal history, or health or medical information.

We collect a range of personal information about an individual, including an individual's name, address, telephone number, email address, age and date of birth.

We may also collect information about you when you access our website. The information we collect from visits to our website is generally anonymous (unless you specifically fill in a form that is made available online via our website) and we generally do not use such information to identify specific individuals.

However, due to the nature of internet protocols, such information may contain details which may identify a particular individual (including the IP address of the computer accessing our website, the internet service provider used by the individual, the web-page directing the individual to our website and the individual's activity on our website).

### **How we collect personal information**

Generally, we will only collect personal information using lawful means. We may collect personal information about an individual from a variety of sources and in a variety of ways, including:

- a form (either physical or online) that is completed and submitted to us, including when a registration form to become a student resident is completed and submitted to us;
- a telephone, email or in-person inquiry or discussion about us and/or the services that we provide;
- mail correspondence, emails and other electronic means (including by accessing our website and the use of the "contact us" form on our website);
- publicly available sources of information;
- references from tertiary institutes (such as the University of Melbourne) or other residential colleges about an individual student;
- parents and/or guardians of a student;
- from job applicants, staff members and volunteers (including applicants to become volunteers);
- in the course of undertaking research;
- direct contact in the course of us providing student services or administration;
- in the course of conducting resident/student satisfaction surveys;
- from students past and present in order to maintain a database of past and present students (including an alumni database);
- from accommodation and event registration forms or residential accommodation bookings; and
- as otherwise required in order to enable us to manage and conduct our business.

We will usually collect personal information about an individual directly from that individual, unless it is unreasonable or impracticable to do so. Additionally, we will usually only collect personal information when we specifically ask for that information. However, from time to time, we may receive unsolicited personal information about an individual. In accordance with our statutory obligations, we will determine whether or not we could have collected that information lawfully; if we decide that we could not have done so lawfully, then we will promptly destroy or de-identify such information.

We may collect data from our website using various technologies and processes, including 'cookies'. A 'cookie' is a text file that our website transmits to an individual's browser which is stored on the individual's computer as an anonymous tag identifying the individual's computer to us. A browser can be configured to disable cookies; however, parts of our website may not function properly (or at all) if cookies are disabled.

From time to time, we may seek consent from residents or their parents/guardians (in the case of residents under the age of 18) to using the resident's name, image and likeness in materials produced or published by us or on our behalf, including newsletters, magazines, posters and other advertising materials to promote us and our services. Where the resident (or his/her parent/guardian) does not consent to our use of his/her name, image and likeness being used by us in this manner, we will refrain from using the resident's name, image and likeness. Additionally, a resident (or his/her parent/guardian) may at any time withdraw their consent and we will promptly remove the name, image and likeness from the materials produced or published, to the extent practical.

## How we use personal information we collect

We generally only use personal information for the primary purpose for which personal information is collected or a secondary purpose when permitted by the Act.

To the extent that we collect “sensitive information” (as the Act defines the term), then we would only use such information for the primary purpose of collection and for any secondary purposes which are directly related to the primary purpose and you would reasonably expect us to use or disclose the information for the secondary purpose.

We may use or disclose personal information (including sensitive information) for a purpose other than the primary purpose of collection if we are authorised or required by law.

We collect personal information for the purposes of:

- facilitating our ability to function as an educational institution;
- other administrative functions, including assessing job applicants and managing volunteers;
- fulfilling our duty of care to its resident students;
- complying with our legal obligations owed to the State and Commonwealth Governments in relation to the provision of our services to resident students;
- addressing queries or resolving complaints;
- marketing ourselves and the services we provide to current and prospective residents;
- keeping interested individuals informed on matters relating to the provision of services through our correspondence, newsletters, magazines and reports;
- maintaining our archives and retaining information of past residents for heritage, alumni engagement and donor purposes;
- seeking and administering donations and bequests made to us.

Without limiting the foregoing, we may disclose personal information to third parties in the following circumstances:

- when we publish newsletters, publications and other materials which include the names, images or likenesses of students, alumni and friends;
- communicating enrolment applications to and from The Intercollegiate Office at The University of Melbourne;
- engaging in fundraising activities to benefit us;
- assisting with The University of Melbourne on various alumni engagement and donor initiatives;
- conducting reference checks on prospective students who wish to reside at our facilities (including reference checks with secondary schools);
- informing The University of Melbourne or other tertiary institutes where students are enrolled in relation to academic performance;
- informing The University of Melbourne in relation to fundraising and development activities;
- informing Centrelink of a student’s enrolment details if the student is in receipt of payments from Centrelink;
- releasing statistical information to the Department of Home Affairs;
- releasing statistical information to the Department of Education; and
- informing the Australian Taxation Office of a student’s taxation liabilities.

We may also disclose personal information we collect from individuals to third parties, such as our bankers, professional advisers, courts, tribunals, regulatory authorities, other companies and individuals for the purpose of:

- complying with our obligations owed to an individual under any contract between us and the individual, or as required by law;
- enabling those third parties to perform services on our behalf or for our benefit; and
- recovering debts where amounts owed to us in consideration for services we provide remain due and outstanding beyond relevant payment terms.

Third parties we engage from time to time may have access to personal information we hold about individuals, but we do not authorise them to use such information for any purpose other than facilitating the completion of their obligations owed to us.

We may disclose personal information (including sensitive information) held about an individual to The University of Melbourne or to another tertiary institute, another college, government departments (where we must disclose such information for the purpose of us complying with our legal obligations), medical practitioners, recipients of our publications, and our current and past students in relation to their access to and enjoyment of our archives and alumni database.

We may use sensitive information about an individual for the purpose of arranging for the provision of health services to that individual where required. We may disclose personal information (including sensitive information) to a medical professional or to a health service provider where that medical professional or health service provider is providing medical care to that individual. We may disclose personal information where it is reasonably necessary to prevent harm.

### **Effect of non-provision of personal information; anonymity and pseudonymity**

From time to time you may be able to deal with us anonymously or by using a pseudonym. For example, without limitation, if you have a general inquiry about us, and/or our services, we may be able to respond to your inquiry on an anonymous or pseudonymous basis.

However, if you do not provide the personal information we request, or you provide the information anonymously or pseudonymously, then we may be unable to fulfil our functions or provide our services to you or to discharge our duty of care to you.

Further, in some situations, we may need to verify your identity as part of our response to a request to access and/or correct personal information we hold about an individual, or as part of our complaints handling procedure. If we cannot verify your identity, or you continue to engage with us on an anonymous or on a pseudonymous basis, then we may be unable to complete your request or pursue our complaints-handling procedure.

### **Direct marketing**

We may directly market our services to you on the basis that you would reasonably expect us to do so, where we have already collected your personal information. Where we collect personal information about you from a third party, we will not use that information to directly market to you without your consent.

We will also comply with other laws relevant to marketing, including the *Spam Act 2003* (Cth), the *Do Not Call Register Act 2006* (Cth) and the *Competition and Consumer Act 2010* (Cth).

All direct marketing communications which we send will include an easy opt-out procedure if at any time you wish for us to stop sending you marketing communications.

### **Cross-border transfer or disclosure of information**

We do not disclose an individual's personal information to entities outside Australia except in special circumstances and generally with the consent of the individual concerned.

In the unlikely event we engage in cross-border disclosure of personal information, we will endeavour to ensure that adequate security mechanisms are in place to protect the information disclosed. Wherever reasonably practicable, we will first seek your consent to such cross-border disclosure. Where you consent to such disclosure, you will be exempt from the requirements of the *Act* in relation to such disclosed information. Where it is not reasonably practicable for us to obtain your consent, we will otherwise comply with the requirements of the *Act*.

### **Quality and security of information**

We take reasonable steps to ensure that, having regard to the purpose for which the information is to be used or disclosed by us, the personal information we collect, use, hold or disclose is accurate, complete, up-to-date and relevant to our functions or activities, and the purposes for which we collect such information.

Additionally, we will take reasonable steps to destroy or de-identify personal information about an individual if we no longer require that personal information.

We have implemented procedures and adopted reasonable technical and other security measures to minimise the possibility that the security of personal information is not compromised.

We generally store personal information we collect from or about individuals on a secure server. We encrypt such information and all internet links we maintain have firewalls to ensure a reasonable level of security.

We will only retain personal information for the period necessary for the use for which such information is submitted to us.

### **Accessing and correcting personal information we hold**

Where we hold personal information about an individual, that individual is entitled at any time (upon request) to access the personal information we hold about that individual.

Where we receive a request to access the personal information we hold about an individual, we will respond within a reasonable period of time. Unless it is impracticable for us to do so, we will generally provide access to the requested information in the manner requested.

Please note that we are entitled to charge a reasonable administrative fee to cover our costs incurred in providing access to the personal information we hold about an individual.

Please also note that we reserve the right to verify the identity of the person making an access request, to ensure that we are not inadvertently disclosing personal information to an individual not entitled to access such information.

We may from time to time refuse to provide access to the information we hold about an individual, in accordance with the provisions of the *Act*. Where we refuse access, we will explain the reasons for refusal in writing and provide details in relation to the relevant complaint procedure.

As noted above, we take reasonable steps to ensure that the information we collect, hold, use and disclose about an individual is complete, up-to-date and accurate. However, if at any time an individual believes that personal information we hold is incorrect, incomplete, outdated or inaccurate, the individual has the right to request that we amend such personal information. If we refuse the correction request, then we will provide written reasons and information about the complaints-handling process should the individual not be satisfied with those reasons.

Where information about an individual is corrected and such information has been disclosed by us to a third party, we will take reasonable steps to notify the third parties of the correction.

## **Lodging a complaint**

If you wish to complain about an alleged breach of the privacy of your personal information, the complaint should be made in writing and addressed to the attention of our privacy officer. The details of our privacy officer are set out below.

We will acknowledge receipt of your complaint and we will endeavour to deal with your complaint and provide you with a response within a reasonable period of time following receipt of your complaint (generally within 30 days of receipt).

Where a complaint requires a more detailed investigation, it may take longer to resolve. If this is the case, then we will provide you with progress reports.

We will verify your identity and seek, where appropriate, information from you in connection with your complaint.

Where required by law, we will acknowledge your complaint in writing and we will provide written information on how we will deal with your complaint. Further, if required to do so by law, we will provide our determination on your complaint to you in writing.

Please note that we may refuse to investigate or otherwise deal with a complaint if we consider it to be vexatious or frivolous.

If you are dissatisfied with the outcome of your complaint, you may write to us seeking an internal review of our decision. Such internal review will be completed by an officer not previously involved in your complaint.

If you still remain dissatisfied following the review, you may escalate your complaint to the Office of the Australian Information Commissioner.

## **Contact Details**

In relation to any query, concern or complaint about how we comply with our privacy obligations, please direct such communications to the following:

The Privacy Officer  
St Mary's College  
871 Swanston Street, Parkville, VIC 3052

Email: [principal@stmarys.unimelb.edu.au](mailto:principal@stmarys.unimelb.edu.au)