

# Privacy Policy

## 1. Statement of Context and Purpose

Pursuant to Commonwealth privacy laws, AGSV and AGSV Member Schools are required to have a privacy policy which is available to all people associated with AGSV and AGSV Member Schools for whom records are maintained.

Privacy laws regulate how AGSV and AGSV Member Schools can collect, use, hold and disclose personal information. AGSV and AGSV Member Schools are bound by the Australian Privacy Principles contained in the *Privacy Act 1988 (Cth)*.

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## 2. Application

This policy applies to AGSV and all AGSV Member Schools.

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## 3. Reference Points / Background Papers

- *Privacy Act 1988 (Cth)*;
  - *Health Records Act 2001 (Vic)*;
  - *Surveillance Devices Act 1999 (Vic)*;
  - *Children's Services Act 1996 (Vic)*;
  - *Children's Services Regulations 2009 (Vic)*;
  - Recruitment Policy;
  - Position statement regarding taking/using images of children; and
  - Misconduct and Disciplinary Action Policy.
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## 4. Definitions

### 4.1 Personal Information

Personal Information means information or an opinion about an identified individual, or an individual who is reasonably identifiable;

- a. whether the information or opinion is true or not; and
- b. whether the information or opinion is recorded in a material form or not.

Examples include an individual's name, address, contact number and email address.

## 4.2 Sensitive Information

Sensitive Information is a special category of personal information and means:

- a. information or an opinion about an individual's:
  - (i) racial or ethnic origin; or
  - (ii) political opinions; or
  - (iii) membership of a political association; or
  - (iv) religious beliefs or affiliations; or
  - (v) philosophical beliefs; or
  - (vi) membership of a professional or trade association; or
  - (vii) membership of a trade union; or
  - (viii) sexual preferences or practices; or
  - (ix) criminal record;that is also personal information; or
- b. health information about an individual; or
- c. genetic information about an individual that is not otherwise health information; or
- d. biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- e. biometric templates.

AGSV will only collect sensitive information that is provided by an AGSV school that has gained consent from the family to whom the information relates to or as otherwise permitted by the Privacy Act or other applicable law.

If a third party provides personal information (which is also sensitive information) to AGSV without asking, AGSV will take steps to verify the individual's consent to collect that information.

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## 5. Types of Personal Information Collected

AGSV may collect personal information, including sensitive information, about:

- students;
- parents or guardians;
- employees and prospective employees;
- contractors and prospective contractors;
- volunteers;
- visitors; and
- any other person who comes into contact with AGSV.

The types of personal information that AGSV collects and holds depends on the circumstances of collection. For students, AGSV collects information such as name, age, contact details, selection history, and sensitive information (such as information about a student's health). For persons who deal with AGSV in some other capacity (for example, as a staff member, parent or guardian, volunteer, contractor or visitor), AGSV may collect the relevant individual's name, contact details, and any other information requested by AGSV.

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## **6. Collection and storage of personal information**

The information collected by AGSV about students, parents and guardians, may be collected before, during or after the student is enrolled at an AGSV Member School. Information about students and parents may be collected in a number of ways including:

- directly from students and parents by telephone, in excursion or medical forms or in person;
- from other parties (such as medical practitioners or from an AGSV Member School, such as from the School/Colleges Sports Coordinator); and
- from publicly available sources.

The primary purpose of collecting the information is to enable AGSV to contact and support the student.

- The information AGSV collects about job applicants and employees may be collected in a number of ways including:
- directly from job applicants and employees during the recruitment phase and during the course of employment;
- from other parties (such as job applicants representatives or referees, or social media sites);
- from publicly available sources; and
- from medical forms, incident reports, occupational health and safety requirements (including capacity to work certificates), and Victorian Institute of Teaching requirements,

provided by the applicant, the employee, or any other third party authorised by the applicant or employee.

AGSV may store information either electronically or physically in the following ways:

- on electronic databases with password protection; or
  - in a secure location, including lockable cabinets with access only to authorised personnel.
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## 7. Use and Disclosure of Information

AGSV collects personal information for a range of purposes to enable it to fulfil the primary purpose of providing sports competitions for its Member Schools, including to:

- manage relationships, safety and welfare with students and parents;
- consider job applicants for current and future employment;
- to promote AGSV through marketing and publications.

AGSV only uses personal information for the purposes of which the information was collected. AGSV may use or disclose personal information for a secondary purpose for which the information was collected if the secondary purpose is related to the primary purpose and where the individual to whom the information relates could reasonably expect AGSV to use the information for that purpose.

AGSV may also use or disclose personal information for any other purposes for which AGSV has received consent from the person to whom the personal information relates or otherwise as permitted by legislation.

In relation to personal information which is "sensitive information", AGSV will not use or disclose that information for a purpose other than a primary purpose for which it has been collected unless:

- AGSV has the consent of the individual to whom the information relates to disclose or use the information for some other purpose;
- the secondary purpose is directly related to the primary purpose of collection and the individual would reasonably expect AGSV to use or disclose that information for the secondary purpose; or
- otherwise as permitted by legislation.

### 7.1 Use

#### Students and Parents

AGSV may use personal information collected about students and parents for the following purposes:

- to make contact with parents in relation to their child's sporting welfare;
- day-to-day administration;
- looking after the social, medical well-being and safety of students;
- to satisfy legal obligations; and
- for any other purposes that would be reasonably expected.

## **Prospective Employees, Employees and Contractors**

AGSV may use personal information collected about prospective employees, employees and contractors in accordance with the Australian Privacy Principles including for the following purposes:

- to assess whether an individual is suitable for employment or work, including child-connected work;
- administering the individual's employment or contract;
- to ensure that information AGSV has collected is accurate and up-to-date;
- internal accounting and administration;
- insurance;
- for reporting to educational and Government authorities;
- to satisfy legal obligations including with respect to child safety and child abuse; and
- for any other purposes that would be reasonably expected.

### **7.2 Disclosure**

AGSV may disclose personal information, including sensitive information (such as health information) for administrative and educational purposes and to ensure child safety. This may include disclosing information to:

- other schools;
- government departments or authorities;
- medical practitioners;
- people providing services to AGSV;
- recipients of AGSV publications;
- parents; and
- anyone else that AGSV is authorised to disclose information to.

By way of example, information obtained by a host school regarding an injury suffered during competition by a student from another school may be disclosed to that student's school for the purpose of ensuring that the student is provided with appropriate ongoing care to manage the injury.

Personal information may be disclosed to organisations that assist in the AGSV's fundraising. Parents, staff members, contractors and other members of the wider AGSV community may from time to time receive fundraising information. Further, AGSV publications, which include personal information, may be used for marketing purposes.

### **Disclosure to Overseas Recipients**

AGSV is not likely to disclose personal information to overseas recipients.

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## **8. Information Quality**

AGSV will take reasonable steps to ensure that the personal information that is collected, used and disclosed is accurate and up-to-date. AGSV will immediately update its records when an individual provides any new information or information that has changed.

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## **9. Integrity of Information**

AGSV will take such steps that are reasonable to protect personal information from:

- misuse, interference and loss; and
- unauthorised access, modification or disclosure.

This includes taking appropriate security measures to protect electronic materials and material stored and generated in hard copy.

AGSV will take reasonable steps to ensure that information is destroyed or de-identified when it is no longer required by law.

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## **10. Access to Information**

AGSV will, on request by an individual, give that individual access to any personal information held by AGSV about that individual.

In particular:

- a) Parents may seek access to personal information collected about their child. It is the responsibility of AGSV to ensure that they do not disclose information which would have an unreasonable impact on the privacy of others, where access may result in a breach of AGSV's duty of care to the student and legal obligations.
  - b) AGSV may, at its discretion, on the request of a student, grant that student access to information held by AGSV 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 student involved had reached 18 years of age, but AGSV could do so in other circumstances when the maturity of the student and/or the student's personal circumstances so warranted.
  - c) Any request for access should be made to the AGSV Executive Officer. AGSV will provide them with access to their personal information, but may charge an access fee to cover the cost of retrieving and supplying the information.
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## 11. Position statement regarding taking/using images of children

All AGSV employees, volunteers, contractors and other authorised personnel, as well as all persons attending any AGSV event, are required to comply with the **attached** AGSV "Position Statement regarding taking/using images of children".

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## 12. Consent

AGSV will treat consent given by parents as consent given on behalf of the student, and notice given to parents will act as notice given to the student.

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## 13. Enquiries and Complaints

Any person may request further information about the way AGSV manages the personal information it holds by submitting a request to:

The AGSV Executive Officer  
Contact number: (03) 9001 6309

A person who wishes to make a complaint about AGSV's compliance with the Australian Privacy Principles, can submit the complaint to:

The AGSV Executive Officer  
Contact number: 03 9001 6309

AGSV will investigate any complaint and will notify the person who made the complaint of its decision as soon as practicable after it has been made.

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## 14. Consequences of a Breach of this Policy

AGSV emphasises the need to comply with the requirements of this policy. Any Board Director, employee or other authorised AGSV personnel found to be in breach of the requirements of this policy may be subject to disciplinary action.

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## 15. Implications for practice

### 15.1 At Board Level

To properly implement this policy, the AGSV Board must ensure:

- that this policy is endorsed on an annual basis;
- that copies of this Policy are made available to parents, students, prospective employees, contractors, volunteers or any other individual AGSV holds information about, for example on the AGSV internet site.
- that copies of this policy are made available to employees, for example on the AGSV internet site and intranet, in physical form in the staff room and on employee bulletin notice boards;

- that this policy is incorporated into the Board's record of current policies;
- that this policy is incorporated into AGSV's induction program, to ensure that all employees are aware of the policy, have read and understood the policy, and acknowledge their commitment to comply with the policy;
- that periodic training and refresher sessions are administered to all employees in relation to this policy.

## **15.2 At Other Levels**

All AGSV Member Schools are required to develop and maintain a privacy policy compliant with the relevant privacy legislation.