



## 2.11 PRIVACY POLICY

Responsible Officer	Privacy Compliance Officer
Review Date	2024

### 1. Purpose

New College respects and protects individuals' rights to privacy. This policy sets out how the College will safeguard the fair collection and handling of an individual's personal information within the college communities in compliance with the law.

### 2. Overview

Personal information collected at the College through its websites, electronic devices or in various written forms, is handled in accordance with The Privacy Amendment (Enhancing Privacy Protection) Act 2012, which amends the Privacy Act 1988. This act contains the Australian Privacy Principles (APPs) which specify how and when personal information may be collected, handled, stored, accessed, amended, managed, transferred, used, and disclosed.

### 3. Scope

This policy applies to all the ways New College collects and handles personal information, regardless of when it came into existence.

The policy applies to all employees of the College, residents, and members of the public.

### 4. Definitions

College or New College Communities	General terms for New College and New College Postgraduate Village as separate but related companies limited by guarantee under the control of the Board and Master
College Community	College Board, staff, residents, families of residents and alumni of New College and New College Postgraduate Village
Personal Information	Information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from that information or opinion
Privacy Compliance Officer (PCO)	This role helps an organisation establish processes that enable staff to handle and process requests to access and correct information in a timely, legal, ethical, and efficient way, and to monitor these processes to ensure they are



	working well. The PCO is also responsible for developing compliance programs, reviewing company policies, and advising management on possible risks.
Sensitive Information	Is any personal data that includes information on an individual's health, race/ethnic origin, sexual orientation, religious or philosophical beliefs or affiliations, political beliefs or trade union membership, or criminal history. This type of information is subject to a higher degree of protection.

## 5. Policy statement

This policy outlines the ways in which the College maintains open and transparent management of personal information and other collected data as part of its operations, in compliance with the Australian Privacy Principles.

The policy covers:

- Collection of solicited personal information
- Use and disclosure of personal information
- Use of Commonwealth Government Identifiers
- Sharing of personal information
- Access to and correction of personal information
- Reasons for denying access to personal information
- Handling breaches of privacy
- Privacy Handling guidance

### 5.1. Collection of Solicited Personal Information.

Information is usually collected each time an individual is in contact with New College by way of website visits, telephone calls, texts, online forms, hard copy forms, emails, interviews, social media platforms and face-to-face meetings. Information the College collects, and its use of that information, will depend on the purpose for which it was collected, but may relate to:

- Employees, job applicants, volunteers, and contractors
- Customers who purchase products through our webstore
- Students and residents
- Guests and conference attendees
- People who donate to New College
- Others who come into contact with New College



### 5.1.1. Types of Personal Information collected

Examples of personal information necessary to college operations which may be collected includes, but is not limited to:

- Personal details such as title, name, next of kin, date of birth
- Contact details such as postal address, postcode, email, mobile and telephone numbers
- When relevant to our mission, demographic information such as marital status, nationality, and family details.
- Financial information such as donation history, purchase history and bank details
- Employee and volunteer data such as qualifications, employment history and experience, Working With Children Check, and Driver's License
- Records of an individual's contact with New College, including alumni involvement and history of attendance at events
- Citizenship, passport and/or visa permit
- Photographs, images, or audio recordings provided directly or taken at New College events
- Resident student information such as academic progress and history.

### 5.1.2. Types of Sensitive Information collected

As part of administering its services, the college may collect sensitive personal data such as health and medical history information for duty of care purposes, or religious information (current and previous church attendance, religious affiliation or associations, personal faith decisions). The college will limit the collection of sensitive information to the minimum amount required to perform its services.

### 5.1.3. Standards of Collection

The College will only collect solicited personal information required to provide and market their services in the context of its day-to-day business. At all times, the standards of collection will be to:

- Collect personal information in a fair, open, transparent, and lawful way
- Endeavour to collect personal information directly from individuals
- Ensure that the College gains consent to collect sensitive information (unless listed as an Exemption)
- Not make unreasonable intrusive enquiries when collecting information
- Take reasonable steps to ensure that the individual understands the purpose of collecting their information, whom it will be given to and how it will be used or disclosed
- Take reasonable steps to ensure that personal information collected is accurate, complete, and up to date.
- Take reasonable steps to keep that personal information protected from misuse, loss, or unauthorised access



- Where relevant, inform the individual of the consequences of not providing their information

#### 5.1.4. **Third Parties**

Where personal information is obtained from third parties and it is unclear that an individual has consented to the disclosure of this personal information, the College will take reasonable steps to contact and make the individual aware of the circumstances surrounding the collection and purposes for which the collection was made.

#### 5.1.5. **Unsolicited Information**

Where the College receives personal information about an individual that has not been requested (unsolicited personal information), the college will assess whether it is information that is reasonably necessary for the administration of services, and which could have been collected if solicited from the individual. If not, the college will delete or destroy the information as soon as practical after receiving it, unless required to retain it by law.

#### 5.1.6. **Anonymity**

An individual has the option of not identifying themselves, or of using a pseudonym, when dealing with the college. In some circumstances it will be impractical to deal with someone anonymously or through use of a pseudonym, and the college may decline to provide services to an individual who is unwilling to supply their identity and other personal details or allow for the disclosure of their identity or personal details in the course of providing services.

## 5.2. [Use and Disclosure of Personal Information](#)

The College will only use or disclose personal information for the primary purpose for which it was collected, or for a secondary purpose to which the individual would reasonably expect or consent for the college to use the information for that purpose.

Personal information is generally used to provide and market the College services and to enhance and develop an individual's relationship with the College communities. It is never sold or given away and is only shared with third parties, in accordance with the person's consents, to assist college in providing the services requested.

### 5.2.1. **New College may use the information given to it for the purposes of:**

- Managing student, employee, volunteer, or contractor information
- Meeting its obligations to State and Federal entities
- Communicating about recruitment, events, alumni activities, campaigns, donations, and services



- Processing information and providing services for residents, guest and conference bookings, donations, fees, subscriptions, and event participation
- Evaluating college's programs and services
- Maintaining contact with alumni and supporters and/or reporting about the work of New College
- Answering enquiries, requests for further information, or a complaint about New College
- Carrying out analysis and market research to improve the website and communications.

**5.2.2. New College will only process an individual's personal information where it has a legal basis to collect and use it.**

The legal basis will be:

- Because the individual consented to New College's use of the information for a particular (primary) purpose
- Because it is in the college's legitimate interest as a not-for-profit, Christian, religious and education entity to use individuals' personal information to operate and improve its services
- To fulfil any contractual relationships in relation to the provision of products or services
- Because the college needs to use personal information to comply with a legal obligation, such as needed for attendees at events, or for the protection and welfare of individuals—for example, in providing relevant information to medical practitioners and emergency personnel as required
- To protect the vital interests of any persons
- To process sensitive personal data that is relevant to the college as a not-for-profit religious and residential organisation
- Where an individual has given consent for the college to contact by email, mail, phone, or text, and has been provided with a simple means to opt out of receiving direct marketing communications and has not made such a request.

**5.2.3. Commonwealth Government Identifiers**

A Commonwealth Government identifier is a word or number, or a combination of numbers and letters assigned by an agency to identify an individual uniquely for the agency's purposes—for example, Medicare and pension numbers.

If the College is required to collect a government identifier in providing its services to individuals, we will not use this number to identify the individual.

As a general rule, the College will not disclose a government identifier to any other person, except as required by law or if the disclosure is requested in writing by the individual to whom the identifier pertains.



#### 5.2.4. **Sharing Personal Information**

The College may share personal information with other individuals and entities within Australia. The Privacy Act allows information (other than sensitive information, which must not be shared without consent) to be shared between related companies provided we have taken reasonable steps to tell the individual that we may do this.

#### 5.2.5. **Cross-Border Use and Disclosure of Personal Information**

The College will not transfer personal information to a third-party entity or individual outside of Australia unless one of the following circumstances apply:

- The individual has consented to the transfer of information
- The transfer is necessary to perform a contract between the individual and the College
- The transfer is for the individual's benefit, it is impractical to get consent and it is likely consent would be given
- The College has taken reasonable steps to ensure those to whom the College transfers the personal information will not hold, use or disclose it inconsistently with this Policy.

### 5.3. [Access to and Correction of Personal Information](#)

To ensure that the personal information used and disclosed by the College is accurate, complete and up to date, the College will have adequate systems in place so that any changes to that personal information will be updated in those systems.

Members of the College Communities have the right, under certain circumstances, to request in writing and securely obtain copies of their personal information held by the College about them, and to correct or update this personal information. The college will take reasonable steps to verify an individual's identity before granting access or making any corrections to or deletion of their information

To exercise these rights, please contact the Privacy Officer at **[compliance@newcollege.unsw.edu.au](mailto:compliance@newcollege.unsw.edu.au)**

Please notify New College as soon as contact details change so that records can be kept up to date. The College will take reasonable steps to correct personal information which is inaccurate, incomplete, or out-of-date.

### 5.4. [Denying Access to Personal Information](#)

A request to access, amend or delete personal information may be refused in certain circumstances. (A full explanation of circumstances is provided in the Privacy Procedure.)

Some instances may include:



- It would pose a serious and/or imminent threat to the life or health of any person
- The privacy of others would be unreasonably affected
- The request is frivolous or vexatious
- Providing access would be likely to prejudice an investigation of possible unlawful activity
- Providing access would be unlawful or denying access is required or authorised by law

If the college refuses to give access, a reason will be provided for the decision.

### 5.5. Data Storage

Reasonable steps will be taken to keep secure any personal information which is held and protect against access by unauthorised persons and against unlawful processing, accidental loss, destruction and damage. Information provided electronically may be held on computers in New College's locations and on servers in Australia. Information provided in paper form, such as letters, applications or recorded in face-to-face meetings, may be transferred to secure virtual systems or stored in secure physical filing systems.

New College will only keep your personal information for as long as it is required and in accordance with the law and other legal requirements. Once solicited personal information is no longer required by the College for any purpose, that information will be destroyed or permanently removed.

### 5.6. Breaches of Privacy

Where a person believes that the College has not dealt with their personal information in accordance with The Privacy Amendment (Enhancing Privacy Protection) Act 2012 or wishes to raise an objection or concern about the college's approach to privacy, they may make a complaint in writing or by email to the PCO.

Use and disclosure of personal information is not a breach of privacy where the College is compelled to disclose such information by law.

An individual also has the right to lodge a complaint with the Office of the Australian Information Commissioner (<https://www.oaic.gov.au/>) about how their data is managed.

### 5.7. Privacy Handling

Should someone in the College communities request more information about the way the College manages personal information, the College will be open in how it manages personal information and provide more information about its approach to privacy.



## 6. Legal and Policy Framework

The College has obligations as part of its duty of care towards staff and residents of the college. These are set within a broad framework of government legislation and common law that covers individual rights to protection of the information they share with the College community. Much of the legal framework for this policy is related to:

- Privacy Act 1988, (Cth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)
- 13 Australian Privacy Principles (APPs)
- Privacy and Personal Information Protection Act 1998 (NSW).

## 7. Implementation and Responsibilities

### 7.1 The Board

Ensures that the Master implements or delegates implementation of appropriate privacy management and data protection procedures. The Board is responsible for policy approvals.

### 7.2 The Master

Ensures that information management strategies and procedures are observed by College so that the personal information of employees, residents, volunteers, and contractors is maintained in accordance with this policy.

### 7.3 Privacy Compliance Officer

Access and amendment requests, complaints and other privacy enquiries are directed to The Privacy Compliance Officer (PCO), responsible for acting in accordance with this policy and for communicating privacy procedures to college staff and residents.

The PCO is the College Public Officer and can be contacted in the following ways:

New College Privacy Compliance Officer

By Mail: 330 Anzac Pde, Kensington NSW 2033

By Email: [Compliance@newcollege.unsw.edu.au](mailto:Compliance@newcollege.unsw.edu.au)

By Telephone: (02) 9381 1999

### 7.4 Employees

Employees are responsible for ensuring that they handle personal information in accordance with this policy and applicable supporting procedures.





## 7.5 Residents and Others

By providing personal data, including by use of its website, users agree to allow New College to contact them, including by mail, email, telephone, or text message in connection with our purposes and this Policy,

- a) for the College's legitimate interests, in accordance with current data protection regulations; or
- b) on the basis of the consents given.

## 8. Review and History

The policy and related procedures will be revised every five years, or as key legislation or University policies require its revision.

Superseded Documents		2.11 Privacy Policy (2009)		
Associated Documents		2.13 Data Retention Policy		
Version	Authorised By	Sections Modified	Approval Date	Effective Date
1	The Board		7 July 2004	
2	The Board		2009	
3	The Board	All sections updated to conform with reforms under the Privacy Act.	9 November 2022	9 November 2022

## 9. Acknowledgements

- a. 'Australian Privacy Principles Guidelines', Office of the Australian Information Commissioner (OAIC), pub. July 2019. <https://www.oaic.gov.au/privacy/australian-privacy-principles>
- b. UNSW Privacy Policy, 2019. <https://www.unsw.edu.au/content/dam/pdfs/governance/policy/2022-01-policies/privacypolicy.pdf>
- c. 'Privacy Compliance Manual for Charitable Institutions', Fundraising Institute of Australia (FIA), Pub. May 2019.
- d. 'Managing People's Information and Data', ACNC. 2022. Available at: <https://www.acnc.gov.au/tools/guides/managing-peoples-information-and-data>