

PRIVACY POLICY

Purpose

21st Century Teachers Pty Ltd ATF The 21st Century Empire Trust (**21st Century** or **our, us** or **we**) recognises the importance of privacy and understands your concerns about the security of the personal information you provide to us.

We comply with the Australian Privacy Principles (**APPs**) as set out in the *Privacy Act 1988* (Cth), the Health Privacy Principles (**HPPs**) as set out in the *Health Records Act 2001* (Vic) and other relevant legislation from time to time (eg, the *Privacy and Data Protection Act 2014* (Vic)). In this Privacy Policy, we collectively refer to the relevant privacy and data protection legislation as the **Privacy Legislation**. The Privacy Legislation details how personal information may be collected, used, disclosed, stored and destroyed, and how an individual may gain access to or make complaints about the personal information held about them.

Scope

This Privacy Policy describes how 21st Century collects and processes your personal information. By submitting your personal information to 21st Century, you acknowledge that you have read and understood, and agree to the use of your personal information in accordance with this Policy.

We reserve the right to revise this Policy or any part of it from time to time. Please review the Policy periodically for changes.

Definitions

In general:

- **Personal information** - means information and/or an opinion (including information or opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual who is identifiable, whose identity is apparent, or whose identity can reasonably be ascertained, from the information or opinion.
- **Sensitive information** – a sub-set of personal information, includes information or an opinion about (for example) an individual's racial or ethnic origin, political opinions, political association membership, religious beliefs or affiliations, philosophical beliefs, professional or trade association membership, trade union membership, sexual orientation or practices or criminal record, and includes health information and genetic information.
- **Health information** is information or opinion about an identifiable person's physical, mental or psychological health or disability. Health information is a type of personal information which, because of its sensitivity, also has different and stronger legal protections.

Each of the Acts that comprise the Privacy Legislation contain their own specific definition.

What personal information we collect and hold

21st Century will only collect personal information by lawful and fair means, in accordance with the Privacy Legislation.

21st Century only collects personal information for purposes which are reasonably necessary for, or directly related to our business functions, the provision of our services, and other activities as permitted under the Privacy Legislation. This includes:

- For schools and other educational institutions (**Educational Facilities**): When you contact us asking for information on our services; and
- For **Educators** (eg, teachers, educational support officers, specialists, consultants and other educators): When you enquire about or apply for a position with 21st Century.

The kinds of personal information that we commonly collect and hold from you or about you depend on who you are, your relationship with us, and the type of transaction or engagement you have with us. For example:

- If you contact us from an Educational Facility, we commonly collect and hold the personal information of the facility staff with whom we interact (eg, Principal, senior leadership, reception, accounts, etc).
- If you are an Educator enquiring about or applying for a position at 21st Century, we commonly collect and hold the following types of personal and sensitive information: name, address, contact phone numbers, email address, resume / CV, referee details, background checks, Working With Children checks, teacher / educational registration status, visa status fitness-for-work details, vaccination status, ability and disability status for workplace adjustments, allergen and dietary requirements, and banking details etc.
- If you are an attendee at one of our events or seminars, we commonly collect and hold the following types of personal and sensitive information: name, address, contact phone numbers, email address and dietary requirements.
- Information about students and their families provided by students, their families and others – for example, contact and enrolment details, health information, and parenting and access arrangements.
- Information about the activities of Educators, students, and families if they are on Educational Facility grounds (for example captured through CCTV) or using Educational Facility or government departmental systems (such as school networks or school-acquired software).

We also operate CCTV at our premises. Signage is in place at our premises. Footage from the CCTV surveillance is reviewed to assist with the investigation of on-site incidents.

You have the option of not identifying yourself or of using a pseudonym when dealing with us, unless the use of your true identity is a legal requirement or necessary to complete the enquiry or transaction. For example, you may be able to enquire about our services without giving your name, but an application for an Educator position with 21st Century does require verification of your identity and your qualifications.

How we collect personal information

We aim to collect personal information only directly from you unless it is unreasonable or impracticable for us to do so. For example, we collect personal information from you or about you:

- in person and over the phone: from Educational Facilities, students and their families, staff, volunteers, visitors, job applicants and others
- from electronic and paper documentation: such as job applications, account applications, emails, invoices, letters, and forms (such as enrolment, excursion, medical, specialist or consent forms)
- through the websites of Educational Facilities and their controlled social media
- through online tools: such as apps and other software used by Educational Facilities
- through any CCTV cameras located at Educational Facilities;
- through photographs, film and other recordings
- through polls, surveys and questionnaires
- through registering on our website to be part of 21st Century online;
- through attendance at our seminars and other events
- and, in some cases, through authorised information sharing arrangements with Educational Facilities, governmental departments and other services.

We may receive personal information about you from third parties, particularly from the Department of Education (**Department**). For example, for Educators, this includes verification of your qualifications

and teacher registration status. Where we obtain personal information about you from third parties, we will inform you.

21st Century will ensure that all unsolicited personal information will be afforded the same privacy protection as solicited personal information. Where unsolicited personal information is received:

- we will assess whether we could have collected the information directly from you, and
- If not, then we will destroy or remove identifying components in the information as soon as practicable, but only if lawful and reasonable to do so.

Why we collect, hold, use and disclose personal information

We collect, hold, use and disclose personal information from you or about you where it is reasonably necessary for us to carry out our business functions and activities. For example, we collect, hold, use and disclose your personal information as necessary to:

- Assess and fulfil your request for services
- Assess and manage your request to join 21st Century and manage your employment or contractor relationship
- educate students
- support students' social and emotional wellbeing, and health
- fulfil legal requirements, including to:
 - take reasonable steps to reduce the risk of reasonably foreseeable harm to students, staff and visitors (duty of care)
 - make reasonable adjustments for Educators and students with disabilities (anti-discrimination law)
 - ensure, as far as is reasonably practicable, the health and safety of people in our workplace and the workplaces of the Educational Facilities with which we interact (occupational health and safety law)
- enable Educational Facilities to:
 - communicate with parents about students' schooling matters and celebrate the efforts and achievements of students
 - communicate with the Educator;
 - facilitate safety and occupational health and safety standards, complaints, etc;
 - maintain the good order and management of 21st Century and its relationships with Educators and Educational Facilities
- enable the Department to:
 - ensure the effective management, resourcing and administration of its Educational Facilities
 - fulfil statutory functions and duties
 - plan, fund, monitor, regulate and evaluate the Department's policies, services and functions
 - comply with reporting requirements
 - investigate incidents in its Educational Facilities and/or respond to any legal claims against the Department, including any of its Educational Facilities.

- enable Educational Facilities to:
 - ensure the effective management, resourcing and administration of its programs and activities
 - fulfil statutory functions and duties
 - plan, fund, monitor, regulate and evaluate its policies, services and functions
 - comply with reporting requirements
 - investigate incidents relating to its programs and activities and/or respond to any legal claims.

If we do not collect, hold, use or disclose your personal information, or if you choose not to provide certain personal information to us or do not consent to our collection, holding, use or disclosure of your personal information, we may not be able to provide you with all or the full extent of the services you have requested us to provide.

We also collect, hold, use and disclose your personal information for related purposes that you would reasonably expect, such as our administrative and accounting functions, fraud checks, payment gateways, providing you with information about other services offered by us, marketing and promotions, market research, statistical collation, and website traffic analysis.

Where we wish to use or disclose your personal information for other purposes, we will obtain your consent.

We may also collect, hold, use and disclose your personal information in circumstances that are required or permitted by law, where that is necessary for us to comply with our legal obligations.

How we hold and store personal information

To protect your personal information, we take reasonable precautions and follow industry best practices to make sure it is not inappropriately lost, misused, accessed, disclosed, altered, or destroyed. The measures we take include storing all information in a secure online location;

How we use personal information

We generally use your personal information for the purposes described in this Policy, and for related purposes.

21st Century may disclose and transfer your personal information to IT providers, Educational Facilities, subcontractors, insurers, regulatory bodies and boards and other third-party service providers that assist with the operation of our website, the delivery of our services, and the performance of associated activities.

We will disclose and transfer your personal information to the Department for purposes associated with the education of students, and the operation of the educational environment.

We may disclose your personal information to the police, the Department, the Victorian Institute of Teaching Registration, Working with Children Check operators, and other agencies for background checks, Visa checks, and identification checks, etc.

In addition to the above, we may also disclose your personal information to law enforcement authorities or other government officials, only when permitted or required by law or by legal process (eg. when necessary to prevent physical harm or financial loss, or in connection with an investigation of suspected or actual fraud or illegal activity).

Destruction and De – identification

21st Century takes steps to protect the personal information we hold against loss, unauthorised access, use, modification or disclosure and against other misuse. The measures taken to protect personal information include password protection for accessing our electronic information, paper files being in locked cabinets, access restrictions and conducting staff training on how to protect personal information we hold.

We will retain your personal information while it is required for any of our business functions or for any other lawful purpose. When the personal information that we collect is no longer required, we use secure methods to destroy or permanently de-identify your personal information.

Overseas disclosure

We do not disclose your personal information to overseas recipients.

The use of cookies

When you browse our website, contact us electronically, or engage with us on social media, we may also record geographical tagging, cookies, your IP address and statistical data from your activity. We may use your personal information to customise and improve your user experience on our website and other social media platforms. By using our website, you agree that we can record this information from your device and access them when you visit the website in the future.

If you want to delete any cookies that are already on your computer, please refer to the help and support area on your internet browser for instructions on how to locate the file or directory that stores cookies. Please note that by deleting cookies or disabling future cookies you may not be able to access certain areas or features of our website or experience the full functionality of our website.

Our website may also contain links to other websites of interest. However, once you have used these links to leave our website, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any personal information which you provide whilst visiting such sites and such sites are not governed by this Privacy Policy. You should exercise caution and look at the privacy statement applicable to the website in question.

Here is a list of cookies that we use. We have listed them here so you that you can choose if you want to opt-out of cookies or not.

- `_session_id`, unique token, sessional, allows us to store information about your session (referrer, landing page, etc).
- `_visit`, no data held, Persistent for 30 minutes from the last visit, used by our website provider's internal stats tracker to record the number of visits.
- `_uniq`, no data held, expires midnight (relative to the visitor) of the next day, Counts the number of visits to a store by a single customer.
- `cart`, unique token, persistent for 2 weeks, Stores information about the contents of your cart.
- `_secure_session_id`, unique token, sessional.
- `wholesale_digest`, unique token, indefinite If the shop has a password, this is used to determine if the current visitor has access.

Employee and Contractor records

In relation to Educators, the purpose of employee and contractor records is to have applicant and personnel records and to maintain current and past employee and contractor information for business and employment related purposes, or where authorised or required by law.

The purpose of keeping records on candidates for employment or engagement is to allow 21st Century to assess the suitability of its Educator candidates.

The information in these files may include:

- Application(s) for employment or engagement, including the applicant's name, resume, statement addressing the criteria and referee reports
- Any tasks undertaken by the candidate during the selection process
- Notes from the interviewer/s during the selection process
- Contact details for the applicant and their referees.

The personal information in these files relates to the employee or contractor and may include:

- Application(s) for employment, including the employee's or contractor's resume, statement addressing the criteria and referee reports
- Any tasks undertaken by the employee or contractor during the selection process
- Notes from the interviewer/s during the selection process
- The employee's employment contract or contractor agreement and other records relating to their terms and conditions of employment
- Proof of citizenship or passport details to verify proof of ability to work in Australia
- Copies of academic qualifications and/or confirmation of these qualifications from the issuing body
- Copies of professional registrations and/or confirmation of professional registration status from the relevant issuing body, regulator and/or board
- Records of banking, tax and superannuation accounts and identification numbers
- Records relating to the employee's or contractor's salary, benefits and leave
- Medical certificates or health related information supplied by an employee or contractor, or their medical practitioner, including pre-employment / engagement medicals
- Contact details for employee or contractor and next of kin
- Superannuation contributions
- Information relating to the employee's or contractor's training and development
- Checklists to ensure all applicable information has been received and complied as required

21st Century generally collects personal information directly from employees, contractors and applicants but may also collect personal information from other sources such as recruitment agents and personnel providers, as well as the service providers, registration boards and government departments listed above.

Subject to the Privacy Legislation, employee and contractor records may be stored and processed by us for the following reasons:

- **Recruitment and selection information**: we collect this to evaluate applications for employment and/or engagement and to make decision in relation to selection employees and contractors, we conduct identity checks, right to work checks. This assists us to make job offers, prepare contracts, and prepare you for your upcoming employment or engagement if you accept an offer from us. We also require personal details at this stage to help with identification.
- **Ongoing management of your employment or engagement including remuneration and benefits information, leave and absence information, performance management and other such information**: we collect this to manage and maintain HR and employment / engagement records, to provide remuneration, benefits, pensions, to make appropriate tax and national insurance deductions and contributions, to identify and communicate with you, to manage performance and progress as well as training, development, promotions and manage grievances, allegations (e.g. whistleblowing, harassment), complaints, disciplinary

processes. We may also use this information to process and manage absences and manage payments in relation to those absences.

- **Responding to legal and regulatory requests:** we will at all times comply with lawful requests by public authorities or otherwise required or authorised by applicable laws, court orders, government regulation or other regulatory authorities such as tax and employment authorities.

21st Century does not give personal information held in these files to other agencies, organisations or anyone else without the consent of the individual, unless the individual would reasonably expect or has been told, that information of that kind is usually passed to those agencies, organisations or individuals, or the disclosure is otherwise required or authorised by law.

Data quality, Requests for access and correction

We have procedures in place for dealing with and responding to requests for access to, and correction of, the personal information held about you.

When you request access to the personal information we hold about you, or request that we change that personal information, we will allow access or make the changes unless we consider that there is a sound reason under the Privacy Legislation or other relevant law to withhold the information and/or not make the changes.

In most cases, we expect that we will be able to comply with your request. However, if we do not agree to provide you access or to correct the information as requested, we will give you written reasons why. For further information, please contact us.

21st Century will provide you with written notice if we refuse to correct the personal information as requested by you. The written notice will set out:

- the reason for refusal (unless this would be unreasonable);
- the mechanisms available to complain about the refusal; and
- any other matter prescribed by the Privacy Legislation.

21st Century will respond to a correction request within a reasonable period. We will not charge for making the request, for correcting the information, or for associating any statement with the personal information.

To assist us to keep our records up-to-date, please notify us of any changes to your personal information.

Current and past employees' personnel files are exempt from some aspects of the Privacy Legislation and therefore are not accessible to the individual, however, should correction of the information contained in the personnel files be required the new information needs to be supplied to the Privacy Officer in the required format.

Data breaches

If we suspect that a data breach has occurred, we will undertake an assessment into the circumstances of the suspected breach. We will then complete a risk evaluation and notify the relevant parties. For further information, please contact us.

Complaints and concerns

We have procedures in place for dealing with complaints and concerns about our practices in relation to the Privacy Legislation and the APPs. We will respond to your complaint in accordance with the relevant provisions of the APPs. For further information, please contact us.

Contact

If you would like to access, correct, amend or delete any personal information we have about you, register a complaint, or simply want more information about our Privacy Policy contact us at:

21st Century Teachers Pty Ltd ATF The 21st Century Empire Trust

Privacy Officer: Lu Ahmet

Address: 25 Jimmy Place, Laverton North, Victoria, 3026

Telephone: (03) 8745 0994

E-mail: accounts@21stcenturyteachers.com.au

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