



**POLICY STATEMENT:**

Ballarat Grammar as a supplier of goods and services on credit or payment terms, is a “credit provider” under section 6 of the *Privacy Act 1988* (Cth) (Privacy Act). As a credit provider, Ballarat Grammar acknowledges that they are required by Part IIIA of the Privacy Act to have a policy dealing with how the School manages personal credit information and credit eligibility information. Ballarat Grammar is also required to comply with the Privacy (Credit Reporting) Code 2014 (Version 1.2), registered under the Privacy Act.

This policy should be read in conjunction with Ballarat Grammar’s Privacy Policy.

**DETAIL:**

**Definitions**

**Credit- Related Information-** includes personal credit information and credit eligibility information.

**Credit Reporting Body** means an organisation or an agency prescribed by the regulations that carries on a credit reporting business.

**1. Credit- Related Information**

1.1. Credit- Related Information includes:

1.1.1. Identification information about an individual (e.g. consumer credit liability information, repayment history information); and

1.1.2. Credit reporting information from a Credit Reporting Body.

1.2. Ballarat Grammar collects Credit- Related Information by lawful and fair means where it is reasonable to do so. The types of Credit- Related Information Ballarat Grammar collects includes:

1.2.1. Identification information;

1.2.2. The type and amount of credit the individual has obtained and the terms upon which it was obtained;

1.2.3. Repayment history information and default information;

1.2.4. Whether, in the School’s name or another credit provider’s opinion the individual has committed a serious credit infringement;

1.2.5. Court proceedings information;

1.2.6. Administrative information relating to credit; and

1.2.7. Personal insolvency information.

1.3. The collection of information

1.3.1. Ballarat Grammar collects Credit- Related Information in order to access an individual’s eligibility to obtain goods and/or services from the School on credit terms.

1.3.2. Depending on the situation, the School may have already collected some Credit- Related Information about an individual in the form of personal information, such as their name, address and date of birth. This personal information becomes Credit- Related Information once the individual obtains credit from the School, but only for the purpose of completing that transaction.

1.3.3. Where possible, the School will use existing information already held regarding an individual before collecting further information.





- 1.3.4. If the School is required to collect Credit- Related Information in accordance with an Australian Law or Order of Court, the School will inform the individual that the collection is required.
- 1.3.5. Where the School requires additional Credit- Related Information, the information will be collected directly from the individual by providing them with the required form, via email, over the telephone or in person.
- 1.3.6. Ballarat Grammar collects Credit- Related Information from other people including representatives of an individual and Credit Reporting Bodies and other credit providers.
- 1.3.7. At times the School may also use publicly available information in relation to an individual's activities in Australia and their credit worthiness.

## 2. Use of Credit- Related Information

- 2.1. Ballarat Grammar may collect, hold, use and disclose Credit- Related Information in order to complete the following:
  - 2.1.1. An application for credit (i.e. flexible payment option);
  - 2.1.2. Assess credit worthiness;
  - 2.1.3. Determine payment terms for the goods and/or services provided;
  - 2.1.4. Day to day administration; and
  - 2.1.5. Comply with legal obligations.Ballarat Grammar may not be able to enroll or continue the enrolment of a student if the required Credit- Related Information about a student, parent or guardian is not provided.

## 3. Storage of Credit Related Information

- 3.1. Ballarat Grammar stores Credit- Related Information in a variety of ways, including but not limited to the following:
  - 3.1.1. Databases;
  - 3.1.2. Personal devices, including laptop computers and iPads;
  - 3.1.3. Third party storage facilities such as in the cloud; and
  - 3.1.4. Paper based files.
- 3.2. The security of client Credit- Related Information is a priority and the School will take all reasonable steps to protect Credit- Related Information from misuse, interference, loss, unauthorized access, modification or disclosure. In order to achieve this the following is completed:
  - 3.2.1. Staff access and user privilege of information is restricted depending on their role and responsibilities;
  - 3.2.2. Staff do not share personal passwords;
  - 3.2.3. Hard copy files are stored in lockable filing cabinets in lockable rooms;
  - 3.2.4. Access to the School premises are reasonably secured at all times;
  - 3.2.5. Reasonable security measures are taken around school buildings and grounds to prevent break-ins;
  - 3.2.6. The School's IT and cyber security systems, policies and procedures are implemented and up to date;
  - 3.2.7. Ensuring staff comply with internal policies and procedures when handling information;
  - 3.2.8. Undertaking due diligence regarding third party service providers whom may have access to personal information, including customer identification providers and cloud service providers, to ensure as far as practical they are compliant, with Part IIIA of the Privacy Act.





- 3.2.9. The destruction, deletion or de-identification of personal information the School holds that is no longer needed or required to be retained by any other laws.

#### **4. Disclosure of Credit Related Information**

- 4.1. Ballarat Grammar may disclosure Credit- Related Information about an individual to Credit Reporting Bodies and debt collection bodies where an individual is in payment default.
- 4.2. The type of Credit- Related Information Ballarat Grammar may disclosure to Credit Reporting Bodies include the following:
- 4.2.1. identification information; and
- 4.2.2. Information that an individual has defaulted on payment due to the School and the amount of the default.
- 4.3. Subject to clause 4.2, Ballarat Grammar will not disclosure Credit Related Information about an individual except in the following circumstances:
- 4.3.1. In accordance with the law;
- 4.3.2. As authorised by an individual in contract between the individual and Ballarat Grammar; or
- 4.3.3. In accordance with consent granted by the individual.

#### **5. Access and Correction of Credit- Related Information**

- 5.1. Under the Privacy Act, all individuals are entitled to access their Credit- Related Information which the School holds, and to have such information amended if deemed necessary and appropriate.
- 5.2. An individual may contact Ballarat Grammar and submit a request in writing for access to their Credit- Related Information. Access will be granted subject to limited situations. The individual may be asked to prove their identity by the production of photo identification.
- 5.3. Upon receipt of a request for access, we will endeavor to respond to the request within a reasonable period of time.
- 5.4. Access to Credit- Related Information will be denied if it is unlawful or likely to prejudice enforcement investigations.
- 5.5. Ballarat Grammar does not charge a fee for individuals to access their Credit- Related Information.

#### **6. Overseas Recipients**

- 6.1. Ballarat Grammar may disclose Credit- Related Information about a client to overseas recipients in certain circumstances, such as when the School is storing information with a 'cloud services provider' which stores data outside of Australia.
- 6.2. Ballarat Grammar will take all reasonable steps not to disclose a client's Credit- Related Information to overseas recipients unless they:
- 6.2.1. Have the individual's consent (which includes implied consent);
- 6.2.2. Have satisfied themselves that the overseas recipient is compliant with the Credit Reporting provisions of Part IIIA of the Privacy Act or similar;
- 6.2.3. Form the opinion that the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety; or
- 6.2.4. Are taking appropriate action in relation to suspected unlawful activity or serious misconduct.



## **7. Complaints**

- 7.1. Any complaints received will be dealt with in accordance with the School's Handling of Complaints Policy.
- 7.2. There is no charge associated with making a complaint.
- 7.3. If the complainant does not believe the complaint was adequately dealt with by the School, that person may make a further complaint to the Privacy Commissioner and seek advice regarding any such complaint from the Privacy Hotline on 1300 363 992. Once referred to the Privacy Commissioner the complaint will be dealt with by way of conciliation or by means as deemed appropriate by the Privacy Commissioner.

