



Catholic College Sale Credit Reporting Policy

(Ratified February 2018)

Scope of Policy and Source of Obligation

The purpose of this policy is to ensure that in the course of Catholic College Sale's business, we manage and protect Credit Related Information in accordance with the Privacy Act 1988 (Cth) (Privacy Act) and the Privacy (Credit Reporting) Code 2014 (Version 1.2) (CR Code).

Catholic College Sale is a Credit Provider or a Credit Reporting Body as defined by the Privacy Act.

Scope of policy

This policy outlines the circumstances in which we obtain Credit Related Information, how we use that information and how we manage requests to access and/or change that information.

This policy applies to all Board members, staff, volunteers and contractors of the School and its related bodies.

Accessibility of policy

A PDF version of this policy is also published on the Catholic College Sale website.

Definitions

APPs	Australian Privacy Principles
Commercial Credit	Credit other than in the course of consumer credit
Consumer Credit	Credit provided through a Credit Provider for the purposes of family, personal or household uses, to acquire or maintain or improve a residential property for investment purposes, or to refinance consumer credit for these purposes
Credit	<p>A contract, arrangement or understanding under which:</p> <ul style="list-style-type: none"> ▪ payment of a debt owed by one person to another person is deferred; or ▪ one person incurs a debt to another person and defers the payment of the debt. <p>Credit includes:</p> <ul style="list-style-type: none"> • a hire-purchase agreement; and • a contract, arrangement or understanding that is for the hire, lease or rental of goods, or for the supply of services, other than a contract, arrangement or understanding. <p>Credit does not include any of the above arrangements under which full payment is made before, or at the same time as, the goods or services are provided; and in the</p>

	case of goods—an amount greater than, or equal to, the value of the goods is paid as a deposit for the return of the goods.
Credit Eligibility Information	Is credit reporting information obtained by CP or CRB and is generally held by CPs. Can be disclosed in limited circumstances.
Credit Information	Is personal information about a person and includes, but is not limited to: <ul style="list-style-type: none"> • identification information • details of outstanding credit, date of creation and expiry of any credit agreements, credit provider and the terms of credit • maximum credit available to the individual; • repayment history information (subject to restrictions) • details of any previous credit applications • details of any renegotiated credit agreements resulting from late payments • details of any court proceedings and judgments issued • personal solvency status • publicly available credit information • opinions by a credit provider on any serious credit infringements.
Credit Provider (CP)	Is a bank or other financial institution that carries on a business whereby a substantial element of their business relates to the provision of credit as defined by the Privacy Act.
Credit Related Information	Refers to the type of information which can be collected and for what purpose: <ul style="list-style-type: none"> ▪ Credit Information: Personal Information about a client which can be disclosed to a CRB in certain circumstances. ▪ CRB Derived Information: Personal Information obtained from a CRB, which is not sensitive and has a bearing on someone’s credit worthiness. ▪ Credit Reporting Information: Includes all types of credit information which is generally held by CRBs. Can be disclosed to CPs in certain situations. ▪ CP Derived Information: Personal information obtained from a CP, other than sensitive information, from credit reporting information that was disclosed to CP from CRB and that has a bearing on someone’s credit worthiness. Generally held by CPs. ▪ Credit Eligibility Information: credit reporting information obtained by CP or CRB and is generally held by CPs. Can be disclosed in limited circumstances.
Credit Reporting Body (CRB)	Is an entity that collects, holds, uses and discloses personal information about an individual for the purposes of providing other entities with that information for a permitted use under the Privacy Act.

Personal Information	Is defined in the Privacy Act as information or an opinion about an identifiable individual whether or not the information or opinion is correct and whether or not it is recorded in a material form.
Sensitive Information	Is information about an individual which includes: <ul style="list-style-type: none"> ▪ health; ▪ racial or ethnic origin; ▪ political opinions; ▪ religious beliefs or affiliations; ▪ sexual orientation; ▪ criminal record; and ▪ biometric templates.

Collection and Purpose of Credit Information

The School collects Credit Information for the purpose of assessing eligibility for our 'customers', including parents/carers, prospective parents/carers and students, requesting to use our services. In particular, we may use this Credit Information to:

- assess an application for credit for either consumer or commercial credit
- verify identity of a potential customer
- manage existing credit
- assist and avoid defaults on existing credit
- collect overdue payments in line with our credit agreement
- undertake enforcement activity in respect of serious credit infringements
- monitor usage of credit
- comply with our obligations under the credit reporting scheme
- manage relationships and expectations
- efficiently manage complaints
- manage our risk of credit related losses.

The School uses a variety of methods to collect Credit Related Information (including personal and credit), such as:

- applications for credit including joint applications
- CRBs
- Other CPs
- Employers, accountants or other referees
- Agents and representatives such as brokers, solicitors, conveyancers and valuers
- Service providers such as mortgage providers, debt collectors and legal advisors
- Public resources such as the National Personal Insolvency Index.

Types of Information Handled:

- Credit Information
- Credit Related Information
- Credit Eligibility Information.

Collection of Credit Related Information from CRBs

When the School receives a request for consumer or commercial credit, or where an individual already holds consumer or commercial credit, we may request Credit Related Information from a CRB in respect of the new application in accordance with the Privacy Act.

The Credit Related Information that the School receives from the CRB will only be used for permissible purposes in accordance with the Privacy Act, including, but not limited to,

assessing credit eligibility and collecting overdue payments. This information is called Credit Eligibility Information.

If we need to request Credit Eligibility Information regarding a commercial credit application, we must obtain the individuals consent before obtaining such information.

Collection of Personal Information

If the School collects Personal Information and it is likely that such information will be disclosed to a CRB, notification must be sent to the individual setting out the name and contact details of the CRB and any other material information as required under the CR Code.

The provisions contained in the APP are in addition to this policy and require notification to be sent to the individual setting out:

- The disclosure may contain Credit Related Information and Personal Information
- How the Credit Related Information can be accessed and corrected through the CRB
- How the individual can complain to or about the CRB
- Whether the disclosure will be to an entity that does not have an Australian link
- The countries likely to receive the disclosure.

Application of the APPs

The School must comply with the credit information provisions of the Privacy Act in addition to the APPs in relation to the disclosure, use and handling of the following information:

- Credit Information
- Credit Eligibility Information
- CRB Derived Information
- Personal Information
- Sensitive information.

Disclosure and Use of Credit Related Information

The Privacy Act permits the disclosure of certain Credit Related Information to certain entities for permitted purposes.

Disclosure of Credit Related Information to CRBs

The School may disclose Credit Related Information if:

- the individual is 18 years of age or more; and
- Catholic College Sale is a member of a recognised external dispute resolution scheme; and
- the CRB is an agency, or an organisation that has an Australian link.

The types of Credit Related Information which can be disclosed are:

- Consumer Credit or Commercial Credit which has been provided or applied for in Australia;
or
- Repayment History Information if it relates to Consumer Credit.

If the School discloses Credit Related Information, a written note of that disclosure is to be made and kept by the School for a maximum period of 7 years.

If the Credit Related Information which is being disclosed includes current and/or outstanding repayment history payments, and the payments are subsequently made, the School must disclose information about the payments including the amounts paid, to the CRB that received the disclosure.

If the individual or the School suspects fraud has been or is being committed against the individual, their Credit Related Information will be frozen pending an investigation and it will be subject to a ban period. During this ban period, the School must not disclose any Credit Related Information. This does not apply if the School holds Consumer Credit Information relevant to the fraud and all reasonable steps have been taken to verify the identity of the individual.

Restrictions on Disclosure of Credit Related Information to Overseas Entities

The School may disclose Credit Related Information to third parties which are located outside of Australia. Any third party engaged in receiving Credit Related Information will be required to maintain data and security measures to protect such information, and ensure that disclosure is in accordance with the Privacy Act and will be treated in accordance with the Privacy Act.

Disclosure of Credit Eligibility Information

The School may disclose Credit Eligibility Information about the individual if it is a permitted disclosure in accordance with the Privacy Act and CR Code. Credit Eligibility Information can be disclosed to:

- Another CP for a particular purpose if the individual has expressly consented in writing unless otherwise specified in the Privacy Act or CR Code
- Another CP in respect of securitisation, if such disclosure is reasonably necessary for the purchasing, funding, managing, or processing of an application for the credit by means of securitisation
- Another CP in respect of a mortgage credit secured on real property if both CP have provided credit on the same real property and the individual is at least 60 days overdue in making a payment to one of the CP and the information is necessary to decide what action to take in respect of the overdue payment
- Guarantors for the purpose of deciding whether to accept an application for credit and the individual has expressly consented to the disclosure in writing unless otherwise provided in the Privacy Act or CR Code
- Mortgage Insurers for any purpose arising under a contract for mortgage insurance that has been entered into
- Debt Collectors if the primary purpose of disclosure is to recover overdue payments owed to the School in respect of Commercial Credit or Consumer Credit, or for the purpose of court proceedings
- Other recipients such as mortgage credit assistance schemes and assignment of debts in accordance with the Privacy Act and CR Code.

Using Eligibility Related Information

The School may use Credit Related Information if it is a permitted use in accordance with the Privacy Act and CR Code. Credit Eligibility Information can be used if:

- The use is for a consumer credit related purpose in relation to the individual such as to manage credit accounts of an individual, assist and prevent defaulting on repayments, the internal management of the credit and securitisation related purposes
- The School believes on reasonable grounds that the individual has committed serious credit fraud or infringement
- The use is required by law or a law enforcement agency.

Refusal of Consumer Credit Application

If a Credit application is refused based wholly or partly on the Credit Eligibility Information of one or more of the individual or the guarantor, the School will provide written notice within a reasonable period of time after refusing the application setting out the following:

- The application has been refused
- Refusal is based wholly or partly on the Credit Eligibility Information of either the individual or guarantor
- The name and contact details of the CRB that disclosed the Credit Related Information, in the event the refused application is an individual
- Any other matter required to be disclosed under the CR Code.

Integrity and Security of Credit Related Information

Catholic College Sale has taken all reasonable and necessary steps to ensure that all Credit Related Information that it handles, collects and discloses is accurate, up-to-date and complete. Credit Related Information which is suspected of being false or misleading will not be used or disclosed.

The School has taken all reasonable steps in the circumstances to protect Credit Eligibility Information from misuse, interference, loss, unauthorised access, modification and disclosure. Credit Eligibility Information which is no longer relevant, necessary, complete or up-to-date shall take all reasonable steps in the circumstances to destroy the Credit Eligibility Information and ensure that the information is de-identified.

These practices, procedures and systems include:

- Conducting regular audits to identify what types of Credited Related Information we receive, where we store this information (e.g. databases, filing cabinets, computer hard drives) and how we secure it (**Personal Information Audit**).
- Ensuring information is collected and recorded in a consistent format, where possible, through the use of standardised forms and privacy collection notices.
- Providing training to our staff outlining our expectations with respect to the management of Credited Related Information.
- Providing individuals with a simple means to review and update their Credited Related Information.
- The implementation of policies that are designed to ensure that any staff who are required to take Credited Related Information outside school grounds, or have information accessible through a laptop computer or mobile device, are required to ensure the maintenance of confidentiality (especially with respect to sensitive information).
- Ensuring that third parties collecting Credited Related Information have appropriate data quality collection/recording practices, procedures and systems.
- Regularly reviewing our information management practices, procedures and systems.

Access and Correction of Credit Information

Under the Privacy Act, and the amended CR Code, all individuals are entitled to access their Credit Related Information which we hold, and to have such information amended if necessary and appropriate.

Access and Fees

An individual may contact the School and submit a request in writing for access to their Credit Related Information. Such access shall not be denied subject to limited situations. The individual may be asked to prove their identity by the production of a passport, driving licence, or other form of photo identification as deemed necessary.

Upon receipt of a request for access, we will endeavour to respond to the request within a reasonable period. Access will be denied if it unlawful or likely to prejudice enforcement investigations.

The School may be entitled to charge a fee for this service in accordance with the Privacy Act and the CR Code.

The School may charge a fee for access requests. This fee shall not be disproportionate to the service.

Correction and Fees

An individual may contact the School and submit a request in writing to correct Credit Related Information which we hold. Upon receipt of such a request, we will deal with the corrections and inform the individual of the outcome within thirty (30) days.

If we become aware of incorrect Credit Related Personal Information which we hold without any request being received, we shall take reasonable steps to correct the information insofar as is necessary and appropriate. A written notice of correction will be supplied to the individual within a reasonable period of time.

If we are unable to grant access and/or correction, we will provide the individual with written notice of our decision including the reasons for denying the requests and substantive evidence.

The School does not charge a fee for correction requests.

Complaints

An individual can make a complaint about how the School manages their Credit Related Information by notifying us in writing as soon as possible. We will acknowledge receipt of the complaint within seven (7) days of its receipt. We will provide a response to the complaint in writing within thirty (30) days of receiving the initial complaint.

The School does not charge a fee for complaints handling.

If the individual is not satisfied with the outcome of the complaint, the individual can complain to our External Dispute Resolution scheme provider.

If the individual is not satisfied with this outcome, the complaint can be made to the Commissioner. This is only available if the individual has followed protocol and exhausted all other avenues of resolution above.

Breach of this policy

Any breach of this policy may result in a direct breach of the Privacy Act and/or the CR Code. Such breaches are penalised by civil penalties.

A Director could be subject to a civil penalty for a breach of the Privacy Act if they engage in, aid, abet, are knowingly concerned in or are a party to, serious or repeated interferences with an individual's privacy.

Any staff found to be in breach of this policy may face disciplinary proceedings.

Monitoring and Review

This policy will be reviewed on an annual basis by The Principal. The review will be conducted to determine the policy's effectiveness. Results of our monitoring and reviews remain the property of the School.