

Confidentiality and Privacy Policy

Policy No:	13 (1.7)	Version:	2 (August 2017)
Responsibility:	School Chair	Scheduled Review Date:	June 2021

1.0 Purpose

To ensure the confidentiality and privacy of all persons associated with Tarremah Steiner School and any affiliated programs or services will be maintained in line with relevant legislative requirements

To ensure that Tarremah Steiner School and any affiliated programs or services maintains, stores, uses or discloses personal information in line with relevant legislative requirements and best practice.

2.0 Policy Statement

All personal information will be maintained in a confidential and private manner, in line with relevant legislation.

All persons involved in the provision of education and care at Tarremah Steiner School and any affiliated programs or services are to:

- Understand the need for, and maintain the confidentiality and privacy of others;
- Demonstrate an understanding of duty of care towards students and undertake to ensure that their duty of care is met;
- Adhere to relevant legislative requirements;
- Ensure that information is shared and accessed only by those who require the information to fulfil their responsibilities or who have the legal right to do so;
- Maintain the principles of privacy and confidentiality (Australian Privacy Principles) as contained in the *Commonwealth Privacy Act 1988*, including:
 - Operating in an open and transparent manner;
 - Ensuring the collection of information is professional and in line with legislative requirements;
 - Maintaining ongoing confidentiality and privacy.

3.0 Policy Elements.

4.0 Procedure

Confidentiality and privacy must be maintained at all times in an ongoing manner. Confidentiality and privacy refers to direct and inferred verbal and written discussions.

In accordance with relevant legislative requirements, staff (past and present) must maintain confidentiality and the privacy of those associated with the School, including associated records. As applicable, records will be maintained and stored in a confidential and secure manner.

Personal information collected by the School will only be discussed, accessed and utilised in line with this policy and procedure.

Additional Information

What kind of personal information does the School collect and how does the School collect it?

The type of information the School may collect includes, but is not limited to personal information, including sensitive information, regarding:

- Students and parents and/or guardians ('parents') before, during and after the course of a student's enrolment at the School;
- Job applicants, staff members, volunteers, students on practicum placement and contractors; and
- Other people who may have contact with the School.

Personal information may include, but is not limited to, educational and academic records, student behaviour and disciplinary records, addresses, dates of birth, phone numbers, health information, physical characteristics, sports information and information regarding co-curricular activities.

Personal Information you provide

Information may be collected via enrolment records and other relevant documentation, through face-to-face meetings and interviews, emails, surveys and telephone calls.

Personal Information provided by other people

On occasion, an individual or an organisation other than the student or the student's parents may provide personal or relevant information; for example, a report provided by a medical professional or a reference from another school.

Exception in relation to employee records

Under the *Commonwealth Privacy Act 1988*, the Australian Privacy Principles do not apply to an employee record. As a result, this Confidentiality and Privacy Policy does not apply to the School's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the School and employee.

How will the School use the personal information you provide?

The School will use information collected for the primary purpose of collection (see below), and for secondary purposes related to the primary purpose of collection and that may be reasonably expected, or to which a person has previously consented.

Students and Parents

In relation to personal information of students and parents, the School's primary purpose of collection is to enable the School to provide appropriate education and care for the student. This includes satisfying both the needs of parents and the needs of the student throughout the whole period the student is enrolled at the School.

The purposes for which the School uses personal information of students and parents may include:

- To ensure parents are informed about matters related to their child's schooling, through correspondence, newsletters and magazines;
- Day-to-day administration;
- Students' educational, social and medical wellbeing;
- Seeking funding, donations and marketing for the School;
- Satisfying the School's legal obligations and allow the School to discharge its duty of care.

In some cases, where the School requests personal information about a student or parent, if the information requested is not obtained, the School may not be able to enrol or continue the enrolment of the student, or permit the pupil to take part in a particular activity.

Job applicants, staff members and contractors

In relation to information of job applicants, staff members and contractors, the School's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor.

The purposes for which the School uses personal information of job applicants, staff members and contractors may include:

- Administering the individual's employment or contract;
- Insurance purposes;
- Seeking funding and marketing for the School;
- To satisfy the School's legal obligations, for example, in relation to child protection legislation.

Volunteers and students on practicum placement

The School may also obtain information about volunteers who assist the School in its functions or conduct associated activities, or students on practicum placement, to enable the School and all stakeholders to work together.

Marketing and fundraising

Marketing and fundraising support the School for future growth and development. This is an important aspect of ensuring that the School continues to offer a quality learning environment in which both students and staff thrive.

Parents, staff, contractors and other members of the wider School community may from time to time receive fundraising information, marketing or school publications such as newsletters and magazines.

Information held by the School may be disclosed to an organisation that assists in the School's fundraising, for example, the School's Foundation or alumni organisation.

A person may opt out of receiving marketing and fundraising material at any time by contacting the School Chair or Business Manager.

Who might the School disclose personal information to?

The School may disclose personal information, including sensitive information, held about an individual to:

- Government departments or relevant agencies;
- Medical practitioners or emergency services;
- People providing services to the School, including specialist visiting teachers and sports coaches;
- Another school upon application;
- Recipients of School publications, such as newsletters and magazines;
- Parents; and
- Any other authorised party.

Sending information overseas

The School does not forward any personal information about an individual outside Australia.

How does the School treat sensitive information?

When referring to '*sensitive information*', the School refers to information relating to:

- A person's racial or ethnic origin;
- Political opinions;
- Religion;
- Health information;
- Sexual preferences;

- Criminal record; or
- Trade union, other professional or trade association membership.

Sensitive information will only be used and disclosed for the purpose for which it was provided or a directly related secondary purpose, unless agreed otherwise, or required by law.

Management and security of personal information

The School's staff members are required to respect the confidentiality and privacy of others.

The School has in place steps to protect the personal information it holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and passworded access rights to computerised records.

Updating personal information

The School endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by the School by contacting the School Office at any time.

The School does not store personal information any longer than is necessary for its primary purpose.

Verifying information held by the School

An individual has the right to obtain access to any personal information held by the School about them and to advise the School of any perceived inaccuracy.

Students will predominately have access to their personal information through their parents (unless prohibited by a Court Order). The School 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.

In some cases, students may seek to access information themselves. The School may, at its discretion, on the request of a student, grant the student access to information held by the School regarding them, or allow the student to give or withhold consent to the use of their personal information, independently of their parents. This would normally only be applicable where the maturity of the student and/or the student's personal circumstances warrant this.

To make a request to access information held by the School, the relevant teacher, Business Manager or School Chair may be contacted. When requesting information, the School may require you to verify your identity and specify what information has been requested. The School may charge a fee to cover the cost of verifying, locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the School will advise the likely cost in advance. Where the School cannot provide the requested information, a written explanation will be given.

Consent and rights of access to the personal information of students

Unless prohibited by a Court Order, the School respects every parent's right to make decisions concerning their child's education and care (including the right to access relevant information).

Parents may seek to access relevant information held by the School about them or their child by contacting the relevant teacher, Business Manager or School Chair. There may be occasions when access is denied. Such occasions may include where release of the information would have an unreasonable impact on the privacy of others, may result in a breach of the School's duty of care to the student, pose a serious threat, is unlawful, would prejudice negotiations with the individual, contravene a court order, relate to law enforcement or is commercially sensitive. If a request to access personal information is denied, a written explanation will normally be given.

Enquiries and Complaints

Where an individual makes a complaint in regard to the manner in which the School manages their personal information, the *Grievance and Complaints Policy* must be referred to.

5.0 Responsibilities

- School Executive
- School Council

6.0 Related Documents

- Code of Conduct
- Child Protection and Mandatory Reporting
- Enrolment

7.0 Reference/Legislation

- Commonwealth Privacy Act 1988
- Freedom of Information Act 1991
- Telecommunication (Interception) Tasmania Act 1999
- Personal Information Protection Act 2004
- Right to Information Act 2009
- Education Act 1994
- Child Care Act 2001
- Tasmanian Licensing Standards for Centre Based Child Care, Class 5

8.0 Contact Point

- School Chair
- School Executive

9.0 Authorization

Approved by Executive:

Approved by Council:

Name:

Date: