



## Confidentiality and Privacy Policy

Policy No:	1.7	Version:	3 (July 2023)
Responsibility:	School Chair	Scheduled Review Date:	June 2025

### 1.0 Purpose

This Policy documents how Tarremah Steiner School maintains, uses or discloses personal information in line with relevant confidentiality and privacy legislation 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 understand the need for and maintain the confidentiality and privacy of others. Staff understanding their of duty of care towards students and do all that is reasonable to ensure that their duty of care is met.

### 3.0 Elements

This Policy addresses the following elements:

- Collection of Information
- Management of Information
- Use of Information
- Sharing of Information
- Updating Information
- Access to information

### 4.0 Procedure

#### 4.1 Collection of Information

At Tarremah we collect information about students, staff, parents, visitors and contracts to ensure we can deliver the best learning environment for students and staff. We must also collect information that is required by State and Federal Governmental Departments.

We collect personal information of students, parents and staff, including but not limited to residential addresses, medical and professional details. We collect relevant personal information of visitors, student teachers and contractors such as Working with Vulnerable People documentation, university enrolment or employer details.

We collect educational information about our students, including that from previous educational institutions at the time of application for enrolment, whilst they are enrolled and after they have left the school.

We continually update educational records and request updates of medical and other personal information annually and as it changes.

This information is collected from documents supplied through written requests, documents shared with the School, surveys or from verbal and physical interactions.

## **4.2 Management of Information**

Information is documented on paper and electronically. Paper documents relating to students are placed within a formal student document file. Paper documents relating to staff are placed within a formal staff document file. Electronic files are stored on campus within the School's file management system.

The School's staff members understand that they 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 pass worded protection of electronic records.

Access to this information is limited to those who require access to it to fulfil their educational or administrative role within the school.

Student information is archived upon their departure, kept accessible until the student is 25 years of age as required by the Education Department.

Staff information is archived upon their departure, kept accessible for a further seven years.

## **4.3 Use of Information**

The School will use information collected for the primary purpose of collection as described at time of request 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.

### **4.3.1 Students and Parents**

School's primary purpose of collection of personal information of students and parents, is to ensure the School can provide appropriate education and care for the student. This includes satisfying both the needs of parents, staff and students whilst they are 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.

#### 4.3.2 Sensitive Information

When referring to '*sensitive information*', the school refers to information such as but not limited to health information, religious or philosophical beliefs, criminal record, racial or ethnic origin and gender preference.

Discussions with the School's Guidance Counsellor is also treated as sensitive information.

Sensitive information will only be collected with consent.

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.

#### 4.3.3 Job applicants, staff members and contractors

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

Secondary purposes 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.
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#### 4.3.4 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.

#### 4.3.5 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.

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

#### **4.4 Sharing of Information**

The School will not disclose personal information, particularly when of a sensitive nature, without the permission of that person, unless required to do so by relevant legislation. 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 specialists and visiting teachers
- Another school upon application.
- Another authorised party.

The School does not forward any personal information about an individual outside Australia without explicit permission.

#### **4.5 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.

##### **4.5.1 Verifying information held by the School**

An individual has the right to verify that the School is holding accurate personal information.

#### **4.6 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.

Students will usually have access to their personal information through their parents. 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, grant the student access to their personal information held by the School, 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.

### **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.

### **Enquiries and Complaints**

Where an individual makes a complaint regarding the way the School manages their personal information, the *Complaints Management Policy* should be referred to.

### **5.0 Responsibilities**

- All Staff

### **6.0 Related Documents**

- Staff Code of Conduct Policy
- Parent Community Code of Conduct Policy
- Child Protection and Mandatory Reporting Policy
- Enrolment Policy
- Complaints Management Policy

### **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
- Children, Young Persons and Their Families Act 1997

### **8.0 Contact Point**

- School Chair

### **9.0 Authorisation**

Approved by Executive:

Name:

Date

Approved by Council: