
Privacy Policy

Objective

This policy will outline how Cire Community School will keep the information it collects confidential, according to all relevant legal requirements.

Scope

Cire Community School is committed to upholding every person's right to privacy, as outlined in the *Charter of Human Rights and Responsibilities Act 2006* (Vic), s. 13:

"A person has the right –

- a) Not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and
- b) Not to have his or her reputation unlawfully attacked."

Policy

Cire Community School is an Independent School which means we will collect information about students and employees to ensure that we comply with relevant government regulations.

This information will be used to report to government and other authorities when required by legislation and compliance reporting. Information collection that is required by government legislation will be compulsory.

Such information includes, but is not limited to:

- Student and employee names.
- Student dates of birth.
- Student medical information.
- Student academic performance.
- Student attendance.
- Student school reports.
- Student behaviour management information.
- Employee qualifications.
- Employee Victorian Institute of Teaching (VIT) registration information.
- Employee Working With Children Check status.

Cire Community School will ensure that the confidential information it collects is stored securely, and only accessible to people who need to access it for reporting purposes.

If in electronic form, the information will be stored in a password protected environment that is only accessible to authorised people.

If in hardcopy form, the information will be stored in locked filing cabinets that are only accessible to authorised people.

If a person wishes to contact the school regarding the information it has collected, they can contact Cire Community School Leadership team via the contact details on our website.

When responding to requests for information, Cire Community School will always consider its responsibilities under State and Commonwealth privacy legislation first.

Before providing information to anyone, the school must be satisfied:

- Of the identity of the person seeking the information
- That the person seeking the information is entitled to seek the information.
- Where there is any uncertainty, Cire Community School will seek expert legal advice.

The following table provides general guidance as to how Cire Community School can respond to common information requests:

Information Requested by	Action
Authorised Officers - Public Transport	The <i>Transport (Compliance and Miscellaneous) Act 1983</i> (Vic) permits the disclosure of information to an “authorised officer” for the purpose of enforcing transport infringements. Schools should comply with these requests.
Centrelink	Centrelink Officers have broad powers under the <i>Social Security Administration Act 1999</i> (Cth) to obtain information to determine whether a person qualifies for income support benefits. This may include information or documentation relating to a child’s enrolment and attendance at school.
Courts or Tribunals	If a Subpoena, Witness Summons or Court Order requires the production of documents or that staff attend court to give evidence or act as a witness, staff should comply. If a Location Order or Recovery Order issued by the Family Court or the Federal Magistrates’ Court is received by a school, staff should contact Legal Services Unit of DET immediately.
Department of Health (Victoria)	The <i>Health (Infectious Diseases) Regulations 2009</i> (Vic) require schools to provide information to the Department of Health in relation to children suffering from infectious diseases.
Department of Families, Fairness & Housing (DFFH) Child Protection	An employee of Cire Community School may disclose any information to DFFH that is relevant to the protection or development of a child who has been the subject of a protective intervention report.
Employers	Schools are often asked to provide references to employers and should comply if the student provides consent. The Campus Principal: <ul style="list-style-type: none"> • May write an official reference when the student leaves school addressed “To whom it may concern” to be handed to the student on departure. • May, with the student’s consent, provide a confidential reference.
Lawyers	Where a request is made: <ul style="list-style-type: none"> • In writing by a lawyer acting on behalf of a student or former student, and a written consent is provided, the information should generally be provided. • For school staff to provide a statement or information by a lawyer acting on behalf of one parent in a family law dispute or child protection case, the school should decline to provide any information (other than information normally provided to parents) unless subpoenaed.

<p>Officers of the Family Court (Independent Children’s Lawyer or Family Consultant)</p>	<p>These Officers are appointed by the Family Court to assist in family law proceedings. Schools should generally assist such officers and comply with the request for information if:</p> <ul style="list-style-type: none"> • Authorised by Court Order/Subpoena; or • The parents’ consent to the provision of the information.
<p>Parents</p>	<p>Request for details of school where a child is enrolled Subject to any Family Court Order, parents have equal ‘parental responsibility’ in respect of the child, including an entitlement to know where their child is enrolled. Parents who have parental responsibility for “long-term care, welfare and responsibility” have the same entitlement.</p> <p>If the school is satisfied that:</p> <ul style="list-style-type: none"> • Either there are no Court Orders in place or there is a court order conferring long-term care, welfare and responsibility for the child on the parent; • And there are no immediate welfare concerns; • And the school is satisfied of the identity of the parent and his/her relationship to the child then the school may confirm that a child is enrolled at the school. Personal information such as the child’s address should not be released. <p>Requests for school reports and ordinary school communications Parents, guardians and informal carers are generally entitled to information ordinarily provided to parents unless there is a Court Order restricting their right to access this information.</p> <p>Requests for other documents Requests from parents for other documents (for example, incident reports, staff diary notes, minutes of meetings etc) should be referred to the Leadership Team, who will determine whether the person is entitled to the information.</p>
<p>Private agents/investigators</p>	<p>Schools should not provide private agents with any information except with the written consent of the parent/guardian.</p>
<p>Schools</p>	<p>In the context of student transfers between schools, Cire Community School will:</p> <ul style="list-style-type: none"> • Provide transfer notes for all students transferring out. • Receive transfer documentation for all students transferring in.
<p>Students/Former Students</p>	<p>If a student or former student requests information and documentation, it may be released if:</p> <ul style="list-style-type: none"> • The document/information was given to the school by the student. • The document/information was previously given to the student. • The document is publicly available. <p>For other documents, the student should be invited to make a formal request.</p>
<p>Victoria Police</p>	<p>Victoria Police have broad powers to investigate and obtain evidence.</p>

	<p>Where personal information is requested by police it may be disclosed when:</p> <ul style="list-style-type: none">• The student or parent/guardian consents;• The disclosure is necessary to lessen or prevent:<ul style="list-style-type: none">○ A serious and imminent threat to an individual's life, health, safety or welfare;○ A serious threat to public health, public safety or public welfare;○ The disclosure is necessary to assist with the prevention, detection, investigation, prosecution or punishment of criminal offences or breaches of a law;○ The disclosure is necessary to assist with the prevention, detection, investigation or remedying or seriously improper conduct.
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Related Legislation

- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Australian Education Act 2013 (Cth)
- Crimes Act 1958 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Privacy Act 1988 (Cth)
- Health Records Act 2001 (Vic)
- School Policy & Advisory Guide – Requests for Information About Students (Vic DET)

Organisational Area

Cire Community School

Approved by

The Board

Signature:



Date: October 2022

Operative Date

August 2021

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Review Date

October 2023