



MANAGEMENT OF CONFIDENTIAL INFORMATION 2-D8

RATIONALE The Catholic Education Commission of Western Australia (CECWA) acknowledges that all children are unique, and that Catholic schools have a responsibility in the development of the whole child in a way that respects and protects that uniqueness.

The CECWA also acknowledges that parents and/or guardians are partners with schools in the education of children, and that trust and respect for the dignity of the child and family require that standards are observed in the management of any information revealed about the child or family.

Schools are required under Privacy Act legislation to ensure, where confidential information is collected, that it is managed in such a way as to preserve the dignity of those involved and to maintain confidentiality.

PROCEDURES Information, data or experience, whether it be received or stored in hard copy, electronic or any other form, is classified as:

- Confidential - information given in trust whereby a relationship not to betray is established.
- Personal - information which can identify an individual.
- Sensitive - information about a person's religious and political beliefs, racial or ethnic origin, membership of political associations, philosophical beliefs, sexual preference or practices, criminal record or health information.

There are two main categories of student information:

General Access Records

These include objective and verifiable data which are necessary for the ongoing administrative functioning of the school. Examples of such records include student identification, enrolment details, attendance records, results from standardised aptitude or achievement tests, reports of disciplinary action and achievement records.

This data should be accessible to teachers, administrative support staff and others only with the specific authority of the Principal.

Closed Access Records

These include records which are essentially confidential, personal or sensitive in nature. Examples of such records include information pertaining to children with special needs, sensitive family data and the personal files held by the Principal, social worker, psychologist or Special Education Consultant to which they alone would usually have access.

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- PRINCIPLES**
1. All school employees must respect information given confidentially from students, parents and/or guardians and professional colleagues in the course of their work and guard against open discussion of confidential or sensitive information. In addition they must be mindful of information gained through hearsay.
 2. All confidential and sensitive information sought from students shall be with the consent of the parents and/or guardians. Principals shall ensure that parents and/or guardians with English language difficulties receive appropriate support to allow them to give informed consent.
 3. All confidential or sensitive information disclosed about students shall only be with the consent of the student or parents and/or guardians. The exception is generally where:
 - There is risk such that protective action is necessary, e.g. risk to self, risk to others, abuse or neglect.
 - It is required at law.
 4. Professionals such as social workers, psychologists and nurses employed in schools are required to adhere to their respective professional codes of ethics/conduct.
 5. All records are the property of the employer. These include psychologists, social workers and other allied health professionals' records. Records received from a third party may be given to custody within the school but remain the property of the third party.
 6. In schools, there are legal requirements and obligations that limit the extent to which a minor may be regarded as mature or autonomous, These include the Principal's and other staff members' duty of care, parental payment of fees and the staff members' responsibility to the school, parent and student.

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- PROCEDURES**
1. Written parental/guardian consent shall be required when confidential and/or sensitive information is to be obtained (whether sought or not) by school personnel including psychologists and social workers.
 2. Where it becomes apparent during an informal meeting that sensitive or confidential information is being obtained, then the meeting shall be suspended and written consent be required prior to any further meeting.
 3. Closed Access Records shall be kept separate to General Access Records with indication in the General Access Records that a Closed Access Record exists.
 4. All confidential, personal and sensitive information shall be securely stored in a locked facility with appropriate access determined by the Principal.
 5. Where an employee works as a member of a team it may become necessary for that employee to share information with other team members in the course of planning for a student's needs. This shared information will remain confidential to the team.
 6. When a student moves from one school to another, the content of existing records pertaining to that student should be reviewed. Where confidential/sensitive information is included, this should not be transferred without the written consent of the source or the information. All forms containing collection notices (identifying possible third parties) and signed by parents and/or guardians satisfy written consent. Only copies of appropriate records shall be forwarded (refer Handbook for Catholic Schools, Section 3, Administration page 3-E3).
 7. When records are requested by an outside agency/consultant, before copies are forwarded to this outside agency or consultant, written consent of the author, parent and/or guardian shall also be obtained.
 8. Where schools are unsure of the appropriate action to be taken regarding the management of confidential, personal or sensitive information the Catholic Education Office Employee and Community Relations Team or School Psychology Team should be contacted for advice.