



Child Safe Confidentiality and Privacy Policy

Everyone at the Golden Grove Lutheran Primary School, including students, is made aware that all child safety incidents and concerns will be reported internally and/or to the relevant external bodies, and that confidentiality cannot be maintained in these instances. You must not provide undertakings that are inconsistent with your reporting obligations in the Golden Grove Lutheran Primary School's Child Safe Program. In particular, you must not promise a student that you will not tell anyone about the student's disclosure.

However, in all other respects, confidentiality and privacy must be maintained and information regarding a child safety incident or concern should only be shared on a 'need to know' basis. Additional information about when and how to share information, is outlined in the *Sharing Information Relating to Students' Wellbeing Policy*.

Anyone who has access to information regarding a case of suspected harm to a child or young person must keep that information confidential and secure and must only disclose or discuss the information internally with those involved in managing the situation.

Students and any other parties who become involved in the investigation of a child safety incident or concern (this may include other students) should be informed of the reporting process and be required to maintain confidentiality.

Inappropriate disclosure will be subject to disciplinary action.

Protection of Reporters' Identity

Reports made to DCP are confidential and the reporter's identity is generally protected by law.

Your identity as a Mandated Notifier, or a Voluntary Reporter, will not be disclosed except:

- where an official, such as a South Australia Police Officer, is acting in the course of their official duties
- where a court deems it necessary, and gives permission for your identity to be disclosed as evidence in legal proceedings
- where you consent.

Reporter Liability

If a person makes a notification to DCP of a child at risk in good faith (honestly and reasonably) they cannot be held to have breached any code of professional etiquette or ethics, or to have departed from any form of professional conduct and therefore will not incur any civil or criminal liability in respect of the notification.

Protection of Staff's WWCC Information

It is an offence under the Child Safety (Prohibited Persons) Act 2016 (SA) (Prohibited Persons Act) for a person to, directly or indirectly, disclose information obtained in the course of the administration or operation of the Working with Children Check (WWCC)

Scheme (including, for example, unique identifiers and whether or not a person is a prohibited person) except for:

- the purposes of the administration or enforcement of the Prohibited Persons Act; or
- for the purposes of referring the matter to a law enforcement agency, or a person or agency exercising official duties under an Act relating to the care or protection of children; or
- for the purposes of a criminal proceeding or a proceeding for the imposition of a penalty; or
- if the disclosure is reasonably necessary for the protection of the lawful interests of that person; or
- as is otherwise required or authorised by or under the Prohibited Persons Act or any other Act.

Golden Grove Lutheran Primary School will protect the privacy of persons whose WWCC information is received by the School in accordance with the *Prohibited Persons Act* and our *Privacy Program*.

Note however that parents or guardians can require a person who is performing child-related work with respect to their child to provide their full name and unique identifier, unless the person does not have to have a WWCC. Further, any person may access and inspect the DHS online records management system. For more information, refer to Working with Children Checks.

Protection of Personal Information

How Golden Grove Lutheran Primary School handles the information we collect about individuals (referred to in the *Privacy Act 1988 (Cth)* (Privacy Act) as personal information) is very important, as the people we deal with expect us to handle their personal information properly and we have a legal obligation to do so. Personal information is information, or an opinion, about an identified individual, or an individual who is reasonably identifiable:

- whether the information, or opinion, is true or not; and
- whether the information, or opinion, is recorded in a material form or not.

The Privacy Act only applies to personal information that is captured in a record. For more information about how the Golden Grove Lutheran Primary School handles and stores personal information in accordance with the Privacy Act, see our *Privacy Program*.

Requests for Information

If you receive a request from the Police or DCP for information relating to a student who has been impacted (or is suspected to have been impacted) by harm, you should:

- obtain the request for information in writing
- ensure that the written request includes:
 - the name of the Police officer or DCP worker, the organisation they work for and their contact details
 - a description of the information and/or documents being sought
 - the reasons why the information and/or documents are being sought
 - what authority the officer/worker or the organisation believes that they have to access the requested information and documents.

If the information is sought under the *Education and Children's Services Act 2019 (SA)*, the *Teachers Registration and Standards Act 2004 (SA)*, the *Children and Young People (Safety) Act 2017 (SA)* and the *Children and Young People (Oversight and Advocacy Bodies) Act 2016 (SA)*, then it must be referred to the Principal for response.

If the information is being sought more informally, for example as background information in relation to a Police or DCP investigation, you may share the information. However, you are not compelled to do so.

For more information, refer to *Sharing Information Relating to a Student's Safety, Welfare or Wellbeing Policy*.

Program Review

Golden Grove Lutheran Primary School is committed to the continuous improvement of our Child Safe Program. The Program as a whole is reviewed annually for overall effectiveness and to ensure compliance with all child protection related laws, regulations and standards.

When undertaking these reviews, the Golden Grove Lutheran Primary School to actively seeks, actions, and incorporates feedback from students, families, the wider Golden Grove Lutheran Primary School, Staff, Volunteers and Contractors, and will communicate any adjustments or amendments widely throughout the Golden Grove Lutheran Primary School.

This Child Safe Policy has been approved by the School Board in August 2022.

The Policy is reviewed annually, in light of experience, the effectiveness of procedures and the publication of relevant research.

Related Documents

- Valuing Safe Communities: Statement of values.
- Sharing Information Relating to a Student's Safety, Welfare or Wellbeing Policy
- Privacy Program

Policy Details and Version History

Version: 1	Approved: School Board, August 2022	Development / Review Team School Leadership Team
Administered by: Principal	Next Review: March, 2023	

Version History			
Version	Dated	Officer	Amendment details
V.1	August 2022	Principal	Original Policy reflecting Complispace guidelines and introduction of National Principles for Child Safe Organisations.