



Confidentiality and Privacy (Child Safe) Policy and Procedures

Introduction

Golden Grove Lutheran Primary School is committed to the safety, wellbeing and protection of all children and young people in our care. We believe every student has the right to feel safe, respected and valued, free from all forms of harm, abuse, neglect and exploitation, regardless of their age, ability, gender, sexuality, culture, religion, or family background.

The safety and wellbeing of children is embedded in our culture, practices and everyday interactions, and is the shared responsibility of every member of our school community — staff, volunteers, contractors, clergy, board and committee members, parents and carers, and students themselves.

This policy reflects our commitment to upholding relevant child safety legislation, standards and codes of conduct, including the National Principles for Child Safe Organisations. We take a zero-tolerance approach to child abuse and are committed to acting promptly and appropriately on any concern, disclosure, or allegation relating to the safety or wellbeing of a child.

We are guided by the voices of children and young people, and are committed to providing a safe, supportive and empowering environment where students are encouraged to speak up, are listened to, and are taken seriously.

This policy should be read alongside our related procedures, which together form our commitment to keeping children safe.

Purpose

Various legislation in South Australia sets out confidentiality and privacy obligations relevant to child safety, as well as detailing when this information may and may not be shared.

This Policy and its Procedures set out the School's policies, procedures and guidelines for maintaining confidential information and managing privacy relevant to child safety pursuant to these legislative obligations.



Scope

If you are a staff member, Volunteer or Contractor, and you:

- have, or have access to, information that is relevant to students' safety, welfare or wellbeing (including but not limited to information about child safety incidents or concerns); or
- are responsible for managing information sharing, record keeping, human resources or complaints handling systems at the School

this Policy and its Procedures apply to you.

This Policy and its Procedures apply in all School environments, including physical and online environments, and on-site and off-site School grounds (e.g. camps and excursions, and interstate and overseas travel).

Roles and Responsibilities

Roles and responsibilities relevant to this Policy and its Procedures are set out in Child Safety Roles and Responsibilities Policy and Procedures.

Policy Statement

The School's Obligations

1. The School complies with all law-based and policy-based confidentiality and privacy requirements relevant to child safety, following the **Procedures** below.
2. The School tells everyone at the School, including students, about internal and external reporting requirements relevant to child safety incidents and concerns, and that it is therefore not possible to keep these matters completely confidential.
3. The School tells students and any other parties involved in the investigation of a child safety incident or concern (this may include other students) about any confidentiality and privacy requirements that apply to them.

Staff Members' Obligations

1. If you have, or have access to, information relevant to students' safety, welfare or wellbeing (including but not limited to information about child safety incidents or concerns), you:
 - **must**, when making any required internal or external reports about the matter, only disclose such information as is required by law or School policy
 - **must not** make any commitments or promises about confidentiality that are inconsistent with your legal and policy responding and reporting obligations relevant to child safety (for example, you cannot promise a student or a third party who discloses a child safety incident or concern to you that you will not tell anyone about their disclosure)
 - **must** only share information about the matter, internally at the School, with the following people:
 - those to whom you are required to report the matter



- those who are involved in investigating or otherwise managing the matter; or
- other people, on a 'need to know' basis only.

2. You **must** follow the Sharing Information About Students' Safety and Wellbeing Policies and Procedures when considering whether and how to share information about the matter with people or organisations external to the School.

Procedures

Protection of Reporters' Identity

Reports made to the Department for Child Protection (Department for Child Protection) are confidential. If you make a report, your 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; or
- where you consent.

Reporter Liability

If you, in good faith (honestly and reasonably), make a report to Department for Child Protection, you will not be held to have breached any code of professional etiquette or ethics, or to have departed from any form of professional conduct. Therefore, you will not incur any civil or criminal liability in respect of the notification.

Protection of Workers' Working with Children Check (WWCC) Information

You, or any other person, will commit an offence under the Child Safety (Prohibited Persons) Act 2016 (SA) (Prohibited Persons Act) if you directly or indirectly disclose information obtained in the course of the administration or operation of the WWCC Scheme (including, for example, unique identifiers and whether or not a person is a prohibited person) unless the disclosure is:

- for the purposes of the administration or enforcement of the Prohibited Persons Act
- 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
- for the purposes of a criminal proceeding or a proceeding for the imposition of a penalty; or
- reasonably necessary for the protection of the lawful interests of that person; or
- otherwise required or authorised by or under the Prohibited Persons Act or any other Act.



The School protects the privacy of people whose WWCC information it receives under the WWCC Scheme.

Note however that parents or guardians can require any 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, by law, have to have a WWCC.

In addition, any person can access and inspect the DHS online records management system.

For more information, refer to **Working with Children Checks Policy and Procedures**.

Protection of Personal Information

How the School handles the information that we collect about individuals (referred to in the Privacy Act 1988 (Cth) 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.

The School manages personal information in accordance with Privacy Policy.

[^] 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.

Requests for Information

If you receive a request from the Police or Department for Child Protection 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 Department for Child Protection worker, the organisation that 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 or the organisation believes that they have, to access the requested information and documents.

When information and/or documents are requested in this way, you **may** be permitted to share the information. For more information about when and how you may share this information, refer to **Sharing Information About Students' Safety and Wellbeing Policies and Procedures**.



Implementation

The School implements this Policy and its Procedures through:

- making them available to all Staff, via the School's Policy Connect site
- including information about them in induction training and in ongoing refresher training for Staff and relevant Volunteers and Contractors
- making them available to parents/carers, students and the wider School community in summary in the Child Safe Policy, which is available on our public website
- providing a hard copy by request.

Breach

If you breach this Policy and its Procedures, the School can investigate your conduct. You could face disciplinary action, such as (depending on the severity of the breach):

- attending remedial education
- attending counselling
- increased supervision
- restriction of duties
- suspension
- in the case of serious breaches, termination of employment, contract or engagement.

You could also face civil penalties.

Definitions

Definitions of particular terms used in this Policy and its Procedures can be found in the **Child Safe Program Definitions** and **Definitions and Key Indicators of Harm**.

Source of Obligation

- This Policy and its Procedures help the School and its Staff, Volunteers and Contractors to meet obligations in:
- Privacy Act 1988 (Cth)
- Children and Young People (Safety) Act 2017 (SA), sections 5, 31 and 114
- National Principles for Child Safe Organisations, Principles 1 and 5
- Education and Early Childhood Services (Registration and Standards) Act 2011 (SA)
- Education and Early Childhood Services (Registration and Standards) Regulation 2011 (SA), regulation 36A
- Standards for Registration and Review of Registration of Schools in South Australia

Related Policies

- Child Safe Policy
- Responding and Reporting Obligations (Child Safe) Policy and Procedures
- Sharing Information About Students' Safety and Wellbeing Policies and Procedures
- Record Keeping (Child Safe) Policy and Procedures
- Information Sharing Record Keeping Policy and Procedures.
- Privacy Policy.



Related Documents

This subsection does not apply.

References

This subsection does not apply to this Policy and its Procedures.

Policy Administration							
Status	Document Officer	Approval	Approval Date	Version Number	Last Reviewed	Review Frequency	Next Review Date
Current	Principal	School Board	March 2026	1	March 2025	Annually	March 2027

