

STUDENT SUPPORT SERVICES

Privacy Information and Consent Form

The purpose of this form is to provide you with information to make the decision on whether to consent to you or your child being provided with assistance from Student Support Services (SSS) or another allied health professional engaged by the region, Area or the School.

In this form the term 'Student Support Services' means Student Support Services (SSS) or another allied health professionals engaged by the region, Area or the School.

This form is made up of four parts:

1. Background Information
2. Privacy Protection
3. Your Consent
4. Frequently Asked Questions.

Please read each part of this form carefully. If you do not understand a part of this form, please speak with the Student Support Services Key Contact Officer for your school. You or your child cannot receive Student Support Services if the consent part of this form is not signed.

This form uses the phrase 'your child' however you may have received this form if you are able to consent to receiving Student Support Services (because you have been classified as a mature minor or are an adult student), or if you are a guardian or informal carer of a child. These are explained in greater detail in the frequently asked questions section of this form.

1. Background Information

The Department of Education and Training (DET) provides educational services for the Victorian Government. Student Support Services are a part of DET. The purpose of Student Support Services is to assist children and young people facing a range of barriers to learning to achieve their educational and developmental potential through the provision of a range of strategies and specialised support.

Student Support Services comprise services provided by:

- psychologists and guidance officers
- speech pathologists
- social workers
- visiting teachers
- board certified behaviour analysts
- other allied health professionals.

This form has been provided to you because your school or your child's school believes that you or your child will benefit from receiving support from Student Support Services.

2. Privacy Protection

DET values the privacy of every individual and is committed to protecting all personal and health information we collect. In Victoria, the laws that set privacy requirements are Health Records Act 2001 and the Information Privacy Act 2000. These laws set out what we must do when we collect, use, handle and destroy personal and health information when we provide a health service, such as Student Support Services.

The Health Records Act is most relevant to Student Support Services and it says:

- **Personal information** is "information or an opinion (including information or an opinion which is on a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained from the information or opinion".
- **Health information** is "information or an opinion about:
 - the physical, mental or psychological health of an individual
 - the disability of an individual
 - an individual's expressed wishes about the provision of services to him or her, which is also personal information".

Health information includes other personal information that is collected to provide, or in providing, a health service such as Student Support Services.

Collecting personal and health information

SSS staff collect personal and health information to assist you or your child by:

- providing direct support or intervention to individuals or groups of students to address barriers to learning and engagement
- undertaking various assessments (eg cognitive, speech and language, psychosocial) to identify additional learning needs
- planning for individual educational needs.

SSS staff will only collect personal and health information when it is necessary to provide services to you or your child.

On occasions you or your child may speak about other members of your family or other people. As a result, SSS staff might collect personal or health information about people other than you or your child while providing services.

There may also be occasions where we collect information about you or your child from other organisations such as other health professionals or other government agencies. We will seek your consent before doing so when we initiate the collection, however in some instances we may be directly provided with this information.

Examples of personal and health information that SSS staff may collect are:

- you or your child's name, address, contact details
- medical information
- other material required to conduct appropriate tests
- test results, school reports and other information generated by the school
- physical, mental psychological or other health information about you or your child
- details about you or your child's disability
- express wishes about the future provision of health services, from you or your child
- health services that have been or will be provided

- genetic information about you or your child which is or could be predictive of the health of you or your child
- any information necessary for the provision of services.

If you wish to provide information that you would like to be treated confidentially (i.e. not disclosed to your child) although it is directly related to providing Student Support Services to your child, you must tell SSS staff. They may only record that information, if it is necessary for the provision of Student Support Services. If the information is recorded, it will be identified as confidential with a notation that it is to remain confidential.

Accuracy of personal and health information

We endeavour to ensure that all information held about you or your child is up to date and accurate. However, if your circumstances change, you move home, change telephone numbers or other information you have provided to us becomes out of date, please tell us.

Using personal and health information

SSS staff may discuss personal or health information in relation to you or your child with other employees, contractors or agents of DET, and employees, contractors or agents of a Government school council (for instance, providers of out of school hours care) so as to provide Student Support Services to you or your child, and in order

for teaching staff and other employees, contractors or agents of DET or the school council to discharge their duty of care to you or your child.

This information may be used by staff at your or your child's school for the purposes of providing educational programs to, and making adjustments for, you or your child. The types of people who may be involved in discussions are other SSS staff, teachers, education support staff, other health professionals, or staff of an education and care service conducted by the school council and attended by your child.

If health information is disclosed to other DET employees, contractors or agents, or school council employees, contractors or agents, these people are required to comply with the Health Records Act and the Information Privacy Act (or the Privacy Act 1988 (Cth) where relevant).

Disclosure or use will otherwise only occur if permitted by law. In some instances DET may be compelled by other laws to disclose information held about you or your child to other bodies such as a regulatory agency, court or tribunal.

Accessing personal and health information

You can access and correct personal and health information held by DET about you and your child under the Freedom of Information Act 1982. Please contact the SSS Key Contact Officer for your school identified below to discuss this.

3. Your Consent

I authorise the following Student Support Services to provide services to my child (please tick):

- | | |
|--|---|
| <input type="checkbox"/> All Student Support Services | <input type="checkbox"/> Board Certified Behaviour Analysts |
| <input type="checkbox"/> Psychologists and guidance officers | <input type="checkbox"/> Speech pathologists |
| <input type="checkbox"/> Social workers | <input type="checkbox"/> Visiting teachers |
| <input type="checkbox"/> Other allied health officers | <input type="checkbox"/> Other: _____ |

I confirm the following:

- I have received and read this Student Support Services Privacy Information and Consent Form.
- I understand how my or my child's personal and health information will be collected, received, used, disclosed and managed in hard copy and electronic formats.
- I understand and acknowledge that the consent provided will continue whilst I am, or my child is, enrolled in a Victorian Government school and Student Support Services continue to be provided.
- I understand that consent to provide Student Support Services to me or my child may be withdrawn at any time.
- I understand that if it is determined by Student Support Services that the identified services are no longer required, Student Support Services to me or my child will cease. If, at a future date, Student Support Services are again required, a new consent form will need to be completed and signed.

Name Person 1		Name Person 2 (optional)	
Relationship to Child		Relationship to Child	
Signature		Signature	
Date	___ / ___ / _____	Date	___ / ___ / _____

Student Name		School Name	
Date of Birth	___ / ___ / _____	The SSS Key Contact Officer for the school is: Name: Telephone:	
Student Signature (optional)			
Date	___ / ___ / _____		

If the student is signing this form without consent from another person please ensure they are over eighteen years of age or are classified as a mature minor in accordance with DET policy. See the Frequently Asked Questions for more information. You or your child cannot receive Student Support Services if the consent part of this form is not signed.

STUDENT SUPPORT SERVICES

Privacy Information and Consent Form

FREQUENTLY ASKED QUESTIONS

Some general questions are outlined in this part. If you would like more general information you may wish to read the DET privacy policy which can be located at <http://www.education.vic.gov.au/Pages/privacypolicy.aspx>.

The DET privacy policy contains information on how we:

- manage personal and health information
- protect data quality and security
- retain personal and health information
- transfer personal and health information.

Alternatively, you may wish to contact the SSS Key Contact Officer for your school.

Who are Student Support Services?

Student Support Services include:

- **Psychologists and guidance officers** – provide a comprehensive psychology service to students, their families and schools, working with individuals, groups and families; providing psychological assessments, learning and teaching advice to schools; supporting the Program for Students with Disabilities; and attending critical incidents in schools where appropriate.
- **Speech pathologists** – provide speech pathology services, conduct speech and language assessments and provide support to principals, school staff and parents about the requirements of the Program for Students with Disabilities and the implementation of the Language Support Program.
- **Social workers** – provide support to students, their families and schools through involvement in individual, group and family work and attending critical incidents in schools where appropriate.
- **Board Certified Behaviour Analyst** – provide direct behavioural assessments which may include a Functional Behaviour Assessment and intervention to individual students. Provide coaching to schools staff and develop processes for efficiently and effectively responding to behaviours of concern.
- **Visiting teachers** – provide direct teaching and assessment of students including monitoring, evaluating and reporting progress and advice to teachers. Visiting teachers conduct hearing, vision, health, physical and other educational needs assessments and work closely with teachers, integration aides and parents to support students.
- **Other allied health officers** (such as occupational therapists or youth workers) employed by the school, Area or region to provide allied health services.

Who can sign this form?

If you or your child are under 18 years of age and not considered a mature minor – one of the following people can sign this form (whichever is applicable in the individual circumstances):

- a person who has parental responsibility for “major long term issues” as defined in the Family Law Act 1975 (Cth)
- a person appointed as “guardian” pursuant to the Children Youth and Families Act 2005 (Vic)

Where neither of the above people are available or cannot be contacted, consent may be obtained in the following ways.

1. Court Appointed Guardian

If you or your child have a person appointed as a “guardian” pursuant to the Guardianship and Administration Act 1986 (Vic), the guardian should sign the consent form.

2. Informal Carer

An Informal Carer is a relative or other responsible adult with whom the child lives, and who has day to day care of the child. See the School Policy Advisory Guide for information on informal carers: <http://www.education.vic.gov.au/school/principals/spag/participation/Pages/admission.aspx>.

It is important to note the following:

- The informal carer should provide an Informal Relative Carer Statutory Declaration to confirm their status as an informal carer. A copy of this statutory declaration can be obtained from <http://www.ccp.vic.gov.au>.
- If a person with parental responsibility for major long term issues and/or a person granted guardianship can subsequently be contacted, their consent should be sought.
- If a person with parental responsibility for major long term issues and/or a person granted guardianship subsequently refuses or withdraws consent, their decision prevails, and the services will cease immediately.

3. Mature Minor Students

If you or your child is under 18 years of age but is considered a mature minor, he or she is able to sign their own consent form. See the School Policy Advisory Guide for information on mature minors at: <http://www.education.vic.gov.au>

4. Persons who are eighteen years of age or older

If you or your child is 18 years of age or older – he or she is able to sign their own consent form unless the child is subject to a court order.

What happens if the parents are divorced/separated?

The information provided in response to “Who can sign this form” will determine who can sign the consent form when parents are divorced or separated.

What happens if a new partner, a de-facto parent or a step parent wants to sign the form?

Only a person with parental responsibility, a legal guardian or informal carer can sign this form. A new partner, de-facto parent or step parent cannot sign this form.

What happens if the child is not living with a parent or a parent cannot be located?

The information provided in response to “Who can sign this form” will determine who can sign the consent form when the child is not living with a parent or a parent cannot be located.

What happens if the person(s) with parental responsibility for “major long term issues” or person(s) with guardianship disagree on the provision of the service?

Consent should be sought from all persons that have parental responsibility for “major long term issues” or who have “guardianship” of the child.

If consent is received from at least one person with parental responsibility for “major long term issues” or a person who has guardianship the services can be provided.

However if another person with parental responsibility for “major long term issues” or a person who has guardianship refuses consent for the services, the services should not proceed. If services have already commenced they must cease unless there is a serious or imminent threat to the life, health, safety or welfare of the child.

The school should meet with the person(s) with parental responsibility for major long term issues or the person(s) with guardianship to obtain appropriate consent from all relevant parties. If this cannot be achieved through a meeting, the parties may need to be referred to mediation, a tribunal or court as necessary.

What should schools do with this form?

The original form and documentary evidence relating to parental responsibility, guardianship or informal carer status must be retained by the school to demonstrate consent was appropriately given.

A copy of the consent form and documentary evidence must also be provided to:

- the person(s) who have provided consent to the referral to Student Support Services; and
- SSS staff.

The consent form may be uploaded into the Student Online Case System (SOCS) as part of the case preparation process. For other information about retention of personal and health information see our Privacy Policy.

How is information stored?

Relevant information will be recorded and stored in a hard copy Department Confidential Student File. This file will be kept in a secured area in accordance with protocols for Student Support Services file storage and DET records management policies.

Information may also be recorded and stored in an electronic format and/or the Student Online Case System which provides an electronic mechanism for case management.

Only those Student Support Services staff working with you or your child will be able to access hard copy or electronic files.

What happens if the child transfers to another Victorian Government school?

If the child transfers to another Victorian Government school while receiving services, the file and the electronic record will be transferred to the relevant school or SSS once the new enrolment is completed.

All files are required to be stored securely in accordance with protocols for Student Support Services file storage and DET records management policies. For a copy of these policies please email privacy.enquiries@edumail.vic.gov.au.

Can I withdraw consent?

Consent may be withdrawn at any time by writing to your child’s school. This may occur because you or your child no longer requires Student Support Services or because you or your child no longer wish to receive Student Support Services. Before withdrawing consent for Student Support Services, we recommend discussing it first with school staff and/or SSS staff.

Withdrawing consent means formal Student Support Services to you or your child will cease.

What if services are required again?

Once services have ceased, consent to receive Student Support Services cannot be reactivated automatically. If Student Support Services are required in the future, a new case will need to be prepared and a new consent form completed and signed.