

# Online Services – Participation and Privacy Consent

Our school uses a range of online services to deliver its educational programs and to perform its administrative functions. The purpose of this form is to provide you as the parent, carer or guardian (**parent**) of the student (named below) with information to decide whether to consent to:

- the student's participation in activities that use the online services;
- the collection of yours and the student's health information; and
- the use and disclosure of yours and the student's personal and health information; and
- transfer and storage of personal and health information outside of Victoria.

Where the online services relate to digital learning, this form is also provided for you to authorise the use of any of the student's owned or derived content that is uploaded into, published on the online services.

Should you wish to know more about the online services and service providers, and how yours and the student's personal and health information will be handled, you can access our **online services assessment** (which includes links to the terms and conditions of the service providers) from the following location:

## Privacy Impact Assessment - Compass

<https://sssc.vic.edu.au/wp-content/uploads/2019/09/PIA-Attachment-A-Compass.pdf>

## Privacy Impact Assessment – Google G-Suite

<https://sssc.vic.edu.au/wp-content/uploads/2019/09/PIA-Attachment-A-Google-G-Suite.pdf>

If you do not provide your consent to the use and disclosure of the personal and health information you and/or the student may not be able to access and benefit from the online services.

## Alternative arrangements

We recognise that there may be a range of reasons why parents do not wish to, or are unable to use or access, any or all of the online services. These reasons may include that parents do not want theirs or their children's personal or health information:

- being used through the online services; and/or
- to be transferred outside Australia (where relevant).

If you do not wish to, or are unable to use or access, any or all of the online services, please contact the school to make alternative arrangements.

## Privacy Protection

Our school values the privacy of every individual and is committed to protecting all personal information we collect. In Victoria, the primary law that outlines privacy requirements is the *Privacy and Data Protection Act 2014 (Vic)* and *Health Records Act 2001 (Vic)*. This law sets out what the school must do when it collects, uses, handles and destroys personal information.

## Use, disclosure and storage of personal and health information

The School collects the personal and health information of students for the purposes of the enrolment, administrative and educational functions of the School every year. The School wishes to use the Student's personal and health information for the purposes of

accessing and using the online services and in accordance with the School's privacy policy located at:

<http://sssc.vic.edu.au/wp-content/uploads/2017/09/Swinburne-Senior-SC-Privacy-Policy.pdf>

## Accuracy, access and deletion

You can request access to, and correct any of your or the student's personal or health information held by the school by written request. There may however be limitations to your rights of access, and costs associated with access, amendment and deletion to the personal and health information where it is held by a service provider.

## Withdrawing consent to participate

Your consent may be withdrawn by giving written notice to the school contact. If you withdraw consent to participate in activities that use the online services information you and/or the student may not be able to access and benefit from the online services. It also means that the personal and health information will not be further disclosed by the school to the service provider.

## Your Consent

By signing below you:

- confirm that you:
  - have received and read this Online Services Participation and Privacy and Consent Form, including Attachment A;
  - have read and understand the online services assessment;
  - understand how and for what purpose the personal and health information will be collected, used, stored and disclosed by the school and the service providers;
  - understand that consent authorising the collection, use, storage and disclosure of the personal and health information may be withdrawn at any time, but that the withdrawal of this consent may mean that you and the student may not benefit from all of the online services;
- consent to:
  - the student participating in activities that use the online services described in our online services assessment;
  - the collection of yours and the student's health information set out in the online services assessment;
  - the use and disclosure yours and the student's personal and health information for the purposes set out in our online services assessment;
  - the transfer and storage of personal and health information outside of Victoria.
- authorise, where the online services are used for the purposes of digital learning, the use of the content owned or derived by the student where it is uploaded into or published on the online services.

# Online Services – Participation and Consent Form

## Attachment A – Frequently Asked Questions

Some general questions are outlined in this part. If you would like more general information you may wish to read the school's privacy policy.

The school's privacy policy contains information on how we:

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

Alternatively, you may wish to contact the privacy officer for your school to discuss how we handle personal and health information.

### Who can sign this form?

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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.ccyp.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?

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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?

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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?

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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?

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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?

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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 this form will be provided to Pearson.

A copy of the consent form and documentary evidence must also be provided to the SSS Psychologist.

The consent form may be uploaded into the Student Online Case System (SOCS) as part of the case preparation process.

### What is personal information?

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**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".

### What is health information?

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**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