

INFORMATION SHARING POLICY

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CATHOLIC EDUCATION, DIOCESE OF PARRAMATTA

INFORMATION SHARING POLICY

1. INTRODUCTION AND PURPOSE

The Information Policy sets out how Catholic Education Diocese of Parramatta (CEDP), its schools, Catholic Early Learning Centres (CELCs), Catholic Out of School Hours Care services (COSHCs) and other services obtain and release personal information from and to third parties.

2. SCOPE

This Information Sharing Policy applies to CEDP, its schools, CELCs and COSHCs and other services. This policy is related to and has implications for other CEDP policies and procedures, including:

- Privacy Policy;
- Responsible Use of ICT and Social Media Policy;
- CCTV Surveillance Policy;
- Records Management Policy.

and should therefore be read in conjunction with these documents.

We are bound by certain laws in relation to information sharing, including but not limited to:

- *Privacy Act 1988* (Cth) (which regulates how we handle, use and manage personal information)
- *Children and Young Persons (Care and Protection) Act 1998* (NSW) (which regulates information sharing in relation to the welfare of a child or young person)
- *Education Act 1990* (NSW) (which regulates information sharing for students with a history of violent behaviour)
- *Criminal Procedures Act 1986* (NSW) (which regulates communications between counsellors and sexual assault victims)
- *Family Law Act 1975* (Cth) (which regulates communications in family counselling matters)
- *State Records Act 1998* (NSW) (which prescribes guidelines for management and protection of personal information)
- *Workplace Injury Management and Workers Compensation Act 1998* (NSW) (which establishes a workplace injury management and workers compensation system).
- *Work Health and Safety Act 2011* (NSW)
- *Child Protection (Working with Children) Act 2012* (NSW)
- *Child Protection (Working with Children) Regulation 2013* (NSW)
- *Crimes Act 1900* (NSW)
- *Children's Guardian Act 2019* (NSW)

3. DEFINITIONS

Information is chiefly the personal information or an opinion about an identified individual, or an individual who is reasonably identifiable, though it also refers to corporate information and items of information typically collected together for reference, analysis, or calculation.

Parent means parent and/or guardian.

Student means a child or young person who is being taught (or was educated), especially a schoolchild, but includes children in our CELCs and COSHCs, or other services.

Sensitive information is personal information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, health, sexual orientation or practices or criminal record.

Employee, for the purposes of this policy, is a CEDP staff member who receives remuneration.

4. DETAILED INFORMATION

Process

While there are a number of potential recipients of information requests across CEDP, these requests are coordinated by the CEDP Information Officer, actioned by the relevant service area leader(s) and processed using the Enterprise Content Management (ECM) system. By following this process and allowing information requests to be centrally coordinated, CEDP can respond efficiently and effectively to requests, with due regard to the relevant legislation and other legal processes. This also allows all information requests to be logged and tracked in a systematic way.

Public Statement

All public CEDP websites should contain a comprehensive public statement regarding information sharing. The statement should direct information requests to the CEDP Information Officer (privacy@parra.catholic.edu.au), matters related to Redress to Safeguarding (safeguarding@parra.catholic.edu.au) and require any subpoenas concerning a CEDP entity to be served on the Proper Officer, Catholic Education Diocese of Parramatta, Locked Bag 4, North Parramatta NSW 1750.

Subpoenas

Catholic schools, CELCs and COSHCs in the Diocese of Parramatta do not have the legal authority to receive a subpoena that is served on the school, CELC or COSHC. Any subpoenas received by schools should be immediately forwarded to the Proper Officer at CEDP for a coordinated response. If the subpoena seeks production of documents from a school, CELC or COSHC, it should be served on the Proper Officer, Catholic Education Diocese of Parramatta via mail, and/or emailed to privacy@parra.catholic.edu.au.

If the subpoena requires a CEDP employee to give evidence before a court, the employee may request support through the Enterprise Service Desk.

Safeguarding, Work Health & Safety and Wellbeing

A number of information sharing requests will relate to Safeguarding, Work Health & Safety and wellbeing. These may include but not be limited to:

- a request under chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998* (NSW);
- a request for Information under the National Redress Scheme;
- information that needs to be provided to the Office of the Children's Guardian;
- a request for information in the context of a worker's compensation matter;
- a request related to SafeWork NSW.

If the information request is made in the context of the national redress scheme, this may require the involvement of the Diocese of Parramatta.

Other Requests for Information from CEDP

Other requests for information could include but are not limited to:

- a letter from a lawyer with an authority from their client;
- a request to view a file in relation to a safeguarding matter and as provided in the Enterprise Agreement;
- information sought in the context of a deceased estate;
- other government agencies, for example, NSW Education Standards Authority (NESA);
- an ex-student who seeks any records CEDP holds with their personal information;
- the Victims Services (NSW) requirement to produce documents;
- a request for information about a child from a parent who is no longer living with the child and who may not have custody of the child.

CEDP Requesting and Obtaining Information

CEDP requires information to accomplish its mission of providing quality Catholic education. This information is needed in a number of contexts, including enrolment, employment and compliance. In collecting and holding this information for the purposes of enrolling students, employing staff and complying with legislation (and other regulatory requirements), CEDP is bound by the Australian Privacy Principles and other relevant laws.

In meeting these obligations and exercising our duty of care, CEDP, its schools, CELCs, COSHCs and other services may, from time to time, request information from other schools, parents or other entities. Information exchange in such circumstances is an important part of fulfilling our obligations to support the safety, welfare or wellbeing of the child or young person, and manage any risks that might arise.

5. FURTHER INFORMATION

If you would like further information about the way we share information, please contact the Catholic Education Diocese of Parramatta on (02) 9840 5600, via mail (Locked Bag 4, North Parramatta NSW 1750) or at communityliaison@parra.catholic.edu.au.