

# NATIONAL STUDENT WELLBEING PROGRAM

## 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 receiving wellbeing services from a chaplain or student wellbeing officer through the National Student Wellbeing Program (NSWP).

This form includes 4 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 NSWP chaplain or student wellbeing officer at your school. You or your child cannot receive NSWP services from a chaplain or student wellbeing officer 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 NSWP 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 the frequently asked questions section.

### 1. Background Information

The NSWP is an Australian Government Program. The Victorian Government administers the program through the [Department of Education](#). The NSWP provides:

- pastoral care services
- strategies that support the wellbeing of the broader school community

The NSWP defines pastoral care as the practice of supporting the general wellbeing of students and the school community.

NSWP services are provided by chaplains and student wellbeing officers.

A chaplain is an individual who:

- has the skills and experience to deliver chaplaincy services to the school community
- has the endorsement of a religious institution
- meets the NSWP's minimum qualification requirements.

A student wellbeing officer is an individual who:

- has the skills and experience to deliver student wellbeing services to the school community
- meets the NSWP's minimum qualification requirements.

The NSWP is a complementary service to those provided by qualified specialists. The NSWP is not:

- a specialist service that provides counselling, mental health, psychological or allied health services
- a religious program. It does not provide religious instruction or religious counselling.

You can find out more about the NSWP at <https://www.vic.gov.au/national-student-wellbeing-program>.

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 NSWP services.

### 2. Privacy Protection

The Department of Education 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 service, such as NSWP services.

The Health Records Act is most relevant to NSWP 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 NSWP services.

#### *Collecting personal and health information*

NSWP chaplains and student wellbeing officers collect personal and health information to assist you or your child by:

- supporting student attendance, engagement and mental health
- supporting students in difficult or challenging situations such as during times of grief
- providing students with referrals to specialist services when required
- providing pastoral care and guidance to students about values and ethical matters
- supporting physical, emotional, social and intellectual development and wellbeing of students
- supporting an environment of cooperation and respecting a diversity of cultures and traditions.

NSWP chaplains and student wellbeing officers 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, NSWP chaplains and student wellbeing officers 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 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 NSW chaplains and student wellbeing officers may collect are:

- you or your child’s name, address, contact details
- medical information
- 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 or wellbeing services, from you or your child
- health or wellbeing services that have been or will be provided
- genetic information about you or your child (for example height, weight, genetic inheritance) which is or could be predictive of the health or wellbeing 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 NSW services to your child, you must tell NSW chaplains or student wellbeing officers. They may only record that information if it is necessary for the provision of NSW 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*

NSW chaplains and student wellbeing officers may discuss personal or health information in relation to you or

your child with other employees, contractors or agents of the Department of Education, and employees, contractors or agents of a Victorian Government school council (for instance, providers of out of school hours care) so as to provide NSW services to you or your child, and in order for teaching staff and other employees, contractors or agents of the Department of Education 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 NSW chaplains and student wellbeing officers, 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 Department of Education 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 (Commonwealth) where relevant).

Disclosure or use will otherwise only occur if permitted by law. In some instances, the Department of Education 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 the Department of Education about you and your child under the Freedom of Information Act 1982. Please contact a NSW Key Contact Officer for your school identified below to discuss this.

**3. Your Consent**

I authorise and consent to a chaplain or student wellbeing officer to provide NSW services to my child. I confirm that:

- I have received and read this NSW 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 NSW services continue to be provided.
- I understand that consent to provide NSW services to me or my child may be withdrawn at any time.
- I understand that if it is determined by NSW chaplains and student wellbeing officers that the identified services are no longer required, NSW services will cease. If, at a future date, NSW services are again required, a new consent form will need to be completed and signed.

*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 DE policy. See the Frequently Asked Questions for more information. You or your child cannot receive NSW services if the consent part of this form is not signed.*

**Korus Connect**  
**School Chaplain: Rose Cook**  
**Locked Bag 3, Surrey Hills Victoria, 3127**  
**9811 0999**  
**Dawn Penny**

Monday 8:30am to 4:30pm  
 Tuesday 8:30am to 4:30pm  
 School Location: Opposite administration office

# NATIONAL STUDENT WELLBEING PROGRAM

## 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 Department of Education (department) privacy policy which can be located at

<http://www.education.vic.gov.au/Pages/privacypolicy.aspx>.

The department's 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 NSWSP chaplain or student wellbeing officer at your school.

#### What are NSWSP services?

The National Student Wellbeing Program (NSWP) provides:

- pastoral care services
- strategies that support the wellbeing of the broader school community.

NSWP services are developed in consultation with school staff, the principal and school community.

NSWP chaplains and student wellbeing officers may:

- work as a member of the school's wellbeing team in the delivery of student wellbeing services
- contribute to improving student engagement and connectedness
- contribute to providing a safe, inclusive and supportive learning environment
- provide pastoral care and guidance to students

NSWP chaplains and student wellbeing officers do not:

- proselytise, evangelise or advocate for a particular religious view or belief
- enter compromising situations where confidentiality may be sought by the student
- behave in a way that impacts the delivery of their services under the program, even in a private capacity
- perform professional or other services for which they are not qualified
- visit students' homes to work with students and their families
- conduct religious services or ceremonies or lead in religious observances
- provide religious instruction or religious counselling to students
- promote external events run by religious organisations. For example, camps, excursions, youth conferences, guest speaker presentations etc.
- become involved in parenting disputes, family law matters or other legal proceedings.

#### 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.cyp.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, they can sign their own consent form. See [Decision Making Responsibilities for Students](#).

##### 4. Persons who are eighteen years of age or older

If you or your child is 18 years of age or older – they can sign their own consent form unless they are 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 NSW services; and
- NSW chaplain or student wellbeing officer.

This form should be stored by the chaplain or student wellbeing officer at the school. For information about retention of personal and health information see [Privacy and Information Sharing: Health care information](#)

### **How is information stored?**

Relevant information will be recorded and stored in a hard copy at the school. This file will be kept in a secured area in accordance with protocols for file storage and department records management policies. See [Records Management — School Records](#).

Only NSW chaplains or student wellbeing officers 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 once the new enrolment is completed.

All files are required to be stored securely in accordance with protocols for file storage and department records management policies. See [Records Management — School Records](#).

### **Can I withdraw consent?**

Yes. 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 NSW services or because you or your child no longer wish to receive NSW services. Before withdrawing consent for NSW services, we recommend discussing it first with school staff and/or NSW chaplains or student wellbeing officers.

Withdrawing consent means formal NSW services to you or your child will cease.

### **What if services are required again?**

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

## YOUR AUTHORITY AND CONSENT FOR THE NATIONAL STUDENT WELLBEING PROGRAM

<b>Name of Student</b>	
<b>Student signature (optional)</b>	
<b>Date</b>	___ / ___ / _____
<b>Name of Person 1</b>	
<b>Relationship to Student</b>	
<b>Signature of Person 1 providing consent</b>	
<b>Date</b>	___ / ___ / _____
<b>Name of Person 2 (Optional)</b>	
<b>Relationship to child</b>	
<b>Signature</b>	
<b>Date</b>	___ / ___ / _____