

SLEC Operations and Quality Management System		No.	QM 2 3-5
Subject	Student Confidentiality/Privacy of Information		
		Issue No	1
Enquiries to	Human Resources	Date Issued	12/02/17
		Review Date	12/02/18

Purpose

To ensure confidentiality/privacy of information for all students enrolled at SLEC.

Background

The Institution has an obligation to maintain confidentiality and ensure the privacy of student data. Information can only be released to other parties with the approval of the individual concerned, except in exceptional circumstances, as outlined below.

Statutory Obligations

Privacy Act 1993

Policy

- 1 In most circumstances, an SLEC staff member shall not disclose student information to any other party, without the consent of the student concerned.
- 2 A general declaration regarding the handling of personal details under the Privacy Act 1993, is to be completed by students as part of their enrolment process. This will enable information to be provided to a range of Government agencies or departments, including for example, MOE, NZQA.
- 3 Specific information required by other stakeholders (eg, an ITO, or an employer), shall be identified in a Faculty Consent Form, that is signed by students in affected programmes or courses, and the completed forms shall be retained for reference by Faculty staff.
- 4 In a situation where the Police are making enquiries and require student details, or in the event of an emergency, details shall be referred promptly to a member of SLEC's Management Team.

Procedures

- 1 SLEC staff shall not, as a general rule, disclose student details to any other party without first having obtained the written consent of that person. (Exceptional circumstances are summarised in Section 5 below)
- 2 Requests for confidential information shall be politely declined.
- 3 Staff may advise a parent, relative, or friend, who has asked for student details, that they must provide signed authority from the individual concerned; or may offer to deliver a message to that student, requesting that the enquirer be contacted by the student.
- 4 In the event of an emergency, urgent contact with a student(s) should be arranged quickly and calmly, and preferably through a senior member of staff.
- 5 Requests for information from the Police, Department of Work and Income, or other government agency should be accepted, and the details of the request including the reason for the request, are to be recorded.

Such requests must NOT be answered on the same call.

SLEC will first need to verify that the caller is genuine. In some circumstances this may be done by checking the phone number, name, designation, and extension number of the caller, and these details should be recorded at the time of the initial enquiry. Alternatively SLEC may request a formal authorisation from the agency, by fax or regular mail, detailing the data that is required, why it is needed, and under which clause of the Privacy Act 1993, or other relevant legislation, that the request is justified.

Once SLEC is satisfied that the request for information is from a legitimate representative of an agency, it may then be confirmed that release of the information is appropriate.

Circumstances defined within the Privacy Act 1993 where information about an individual may be released without their direct authority include;

- where action is required to maintain the law, including prevention, detection, investigation, prosecution, and punishment, of an offence.
- where information is required for the conduct of the proceedings of any Court.
- for the purpose of reducing a serious threat to public safety, or in order to protect the life or health of the individual, or another individual.
- where information collected is used for research and/or statistical purposes, and will not be published in a form that may identify an individual.

When it has been confirmed that it is appropriate to release the information, the required details may then be researched.

Final approval for release of personal information must be given by a manager, and in any circumstance of doubt about the appropriateness of releasing the information, the matter should be referred to Human Resources for advice, further consultation, or a legal opinion.

- 6 In the event of a police enquiry, no student is to be interviewed by a police officer in a class / tutorial situation, and in the case of an enquiry necessitating a police interview on-campus:
 - the prior approval of a senior manager is required
 - the student shall have the opportunity to be accompanied by another person if s/he requests this.
- 7 Where staff are unclear as to their responsibilities, or an appropriate course of action, they should refer to the SLEC Privacy Officer for assistance. (Human Resources Section).

QM 2 3-5 should be read in conjunction with QM 6 4-2 'Privacy Act 1993 Guidelines'