



# GEELONG GRAMMAR SCHOOL | RECORDS MANAGEMENT

## Records Access Procedure

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### 1. Purpose and Scope

- 1.1 This Procedure provides School Employees and School Community Members with guidance regarding access to records held by the School.
- 1.2 Access to records created or received by the School is determined based on School policies, legislative requirements and professional effective leading practices, including but not limited to the following:
  - 1.2.1 The Child Safe Standards;
  - 1.2.2 Public Record Office Victoria Recordkeeping Standards;
  - 1.2.3 School Privacy Policy;
  - 1.2.4 *Privacy and Data Protection Act 2014* (Vic);
  - 1.2.5 *Privacy Act 1988* (Cth);
  - 1.2.6 Australian Privacy Principles;
  - 1.2.7 *Fair Work Regulations 2009* (Cth);
  - 1.2.8 *Health Records Act 2001* (Vic);
  - 1.2.9 Health Privacy Principles;
  - 1.2.10 Australian Medical Association Code of Ethics;
  - 1.2.11 Ethical Guidelines for Doctors on Disclosing Medical Records to Third Parties 2010; and
  - 1.2.12 Australian Psychological Society Code of Ethics.

### 2. Information Requests

- 2.1 The School is not subject to the *Freedom of Information Act 1982* (Cth) and may withhold or provide partial access to records based on exemptions provided in the above legislation.
- 2.2 Records may be redacted or de-identified to protect the privacy of other individuals named or shown in the records or provided in the form of a summary. If full access to records cannot be provided, an explanation will be provided in writing as to the basis of this decision.
- 2.3 The School may charge fees associated with the retrieval, scanning or delivery of records.
- 2.4 Access will usually be provided in the form of digital copies. Access to original records will be provided at the discretion of the School.
- 2.5 All requests for information or records should be made in written format.
- 2.6 Approval of all requests will be made by the Executive Director |Safeguarding and Legal Services, with advice from the relevant area manager as outlined below.
- 2.7 Requests will be responded to in a reasonable time following receipt of a written request, based on request type, staff availability and workloads. Retrieval timeframes will be given on acknowledgment of written request.

### 3. Scope of Requests

- 3.1 This Procedure covers the following record requests:
  - 3.1.1 Student files (including, but not limited to, application forms, fee information, Admission Book entries, learning assessments, correspondence with parents, disciplinary matters, reports, attendance and individual results);
  - 3.1.2 School Employee files (including, but not limited to, application forms, resumes, professional development, timetables and rostering, professional appraisals, leave and pay information, payslips, contracts, letters of offer and details regarding termination of employment);
  - 3.1.3 Student and School Employee medical files (including, but not limited to, session notes, referrals, assessments, treatment plans, vaccination records, medical certificates and other supporting documentation); or
  - 3.1.4 Photographs, or any kind of audio-visual recording of Students and School Employee (current and past).
- 3.2 This procedure does not cover records already published or publicly disseminated by the School, including but not limited to publications, official school photographs and prospectuses.
- 3.3 Requests for other records or data not covered by this Procedure (other than those mentioned above) will be assessed on a case-by-case basis by the Executive Director | Safeguarding and Legal Services, based on School policies, legislative requirements and professional leading effective practices.

### 4. Requests by individuals named in the records (student, past student, past staff)

- 4.1 Requests for access should be made in writing and include the following information:
  - 4.1.1 full name (including any relevant previous names such as 'maiden name') of the person making the request;
  - 4.1.2 description of relationship with the School and dates of association;
  - 4.1.3 a copy of photo identification (driver's licence, passport, birth certificate);
  - 4.1.4 description of the type of information sought;
  - 4.1.5 type of access required (scanned copies, in person viewing); and
  - 4.1.6 date by which information is required.



- 5. Requests by individuals other than those named in the records (parents, legal guardians) not seeking to publish or publicly disseminate**
- 5.1 Requests for access should be made in writing and include the following information:
- 5.1.1 full name of the person making the request;
  - 5.1.2 full name (including any relevant previous names such as 'maiden name') and description of relationship with the School of the person named in the records;
  - 5.1.3 Signed consent to access from the individual named in the records, including a copy of their photo identification;
  - 5.1.4 description of the type of information sought;
  - 5.1.5 type of access required (scanned copies, in person viewing); and
  - 5.1.6 date by which information is required.
- 6. Requests by individuals other than those named in the records (authors, academic researchers, journalists, documentary filmmakers and other media professionals) seeking to publish or publicly disseminate**
- 6.1 Requests for access should be made in writing and include the following information:
- 6.1.1 full name of the person making the request;
  - 6.1.2 position title and name of employer (if relevant) and description of project or publication;
  - 6.1.3 copies of photo identification (driver's licence, passport or birth certificate);
  - 6.1.4 description of the type of information sought;
  - 6.1.5 description of how the information will be used, where it will be published and how it will be attributed;
  - 6.1.6 format and quality requirements;
  - 6.1.7 type of access required (scanned copies, in person viewing); and
  - 6.1.8 date by which information is required.
- 6.2 The release of records in these circumstances will be subject to the consent in writing of the persons so named in the records and in their absence, by a Legal Personal Representative or guardian.
- 7. Requests by Legal or Medical Practitioners**
- 7.1 Requests for access should be made in writing (signed and dated on official letterhead) and include the following information:
- 7.1.1 full name and date of birth of client/patient;
  - 7.1.2 signed consent to access from individual named in the records;
  - 7.1.3 description of relationship with client/patient; and
  - 7.1.4 date by which information is required.
- 8. Requests from Government bodies (including WorkSafe, Centrelink, Fair Work Commission, Police and Courts)**
- 8.1 Requests for access should be made in writing (signed and dated on official letterhead) and include the following information:
- 8.1.1 full name and date of birth of the person named in the records
  - 8.1.2 description of the type of information sought;
  - 8.1.3 type of access required (scanned copies, in person viewing); and
  - 8.1.4 date by which information is required.
- 8.2 Any request for access to records by Government bodies (Work Cover, Centrelink, Police, Fair Work Commission) should be forwarded to the Executive Director | Safeguarding and Legal Services;
- 8.3 Subpoenas must be complied with provided they have been issued properly (for example they have the Court seal) and are properly served on the School, and do not contain requests for any material for which the School maintains an objection. A ny subpoena must immediately be provided to the Executive Director | Safeguarding and Legal Services for review and action.
- 9. Current Student Records**
- 9.1 Requests for current student records should be made in writing addressed to the Executive Director | Safeguarding and Legal Services ([safeguarding@ggs.vic.edu.au](mailto:safeguarding@ggs.vic.edu.au)) or to the Head of Campus, Vice Principal or Principal (who must refer the request to the Executive Director | Safeguarding and Legal Services) with required information according to request type (above).
- 9.2 The following conditions apply for access to current student records:
- 9.2.1 If a student is under 16 years of age and is not considered to be *Gillick* competent, they can seek access to their current record through their parents/guardians; or
  - 9.2.2 If a student is aged 16 years or older and/or is considered *Gillick* competent, they may be able request access to their record without parent consent, if it is determined that they have sufficient capacity to consent. This will be determined by the Executive Director | Safeguarding and Legal Services in consultation with relevant School Employees and approved by the Vice Principal or Principal.
- 10. Current School Employee Personnel Records**
- 10.1 Requests for current School Employee personnel records should be made in writing with information according to request type (above) to the Director of Employee Engagement ([employeeengagement@ggs.vic.edu.au](mailto:employeeengagement@ggs.vic.edu.au)).
- 10.2 The School must make a copy of an School Employee record for inspection and copying on request by a current or former School Employee to whom the records relate (Reg 3.42 *Fair Work Regulations 2009*).
- 10.3 If the record is kept at the School, it must be:



- 10.3.1 made available at the School within three (3) business days after receiving the request; or  
10.3.2 posted to the School Employee or former School Employee within fourteen (14) days after receiving the request.  
10.4 If the record is not kept at the School, the School must make a copy available or post a copy of the record to the School Employee or former School Employee as soon as practicable after receiving the request.

#### 11. Current Student and School Employee Medical Records

- 11.1 Requests for Student medical records should be in writing to the Executive Director | Safeguarding and Legal Services ([safeguarding@ggs.vic.edu.au](mailto:safeguarding@ggs.vic.edu.au)) with information according to request type (above).  
11.2 Individuals have the right to request health information collected on or after 1 July 2002. Information collected by the School before 1 July 2002 is released at the discretion of the School.  
11.3 No person other than the individual concerned (or their parent/guardian, authorised representative or other authorised person) can request access to medical records under the Act.  
11.4 A response must be made within 45 days of receiving the request.

#### 12. Past Student and School Employee records

- 12.1 Requests for past Student and School Employee records (including medical records) by an individual should be in writing to the Executive Director | Safeguarding and Legal Services ([safeguarding@ggs.vic.edu.au](mailto:safeguarding@ggs.vic.edu.au)). If the information is requested by a person who is not the person named in the records, and they are still living, the Archivist or the Executive Director | Safeguarding and Legal Services will make reasonable attempts to contact the person or their family. If contact cannot be made the records will not be released.  
12.2 If the person named in the records is deceased, then the records will be released at the discretion of the Executive Director | Safeguarding and Legal Services based on the content of the records and the intended use as described in the request or upon consultation with the Legal Personal Representative.  
12.3 If the request relates to a medical file, a response must be made within 45 days of receiving the request. If the request relates to a School Employee personnel file, then a response must be made in 3 days (if the file is onsite), or 15 days (if the file is offsite).

#### 13. Current Student and School Employee Photographs and Audio-Visual Recordings

- 13.1 Requests for current Student and School Employee photographs should be in writing and addressed to the Executive Director, Safeguarding and Legal Services, with information according to request type (above).  
13.2 Permission will be sought from the individual(s) shown in the photograph, unless the School has the right to use the photograph without permission.

#### 14. Past Student and School Employee photographs and audio-visual recordings

- 14.1 Requests for past Student and School Employee photographs should be in writing and addressed to the Archivist ([archivist@ggs.vic.edu.au](mailto:archivist@ggs.vic.edu.au)).  
14.2 If the person shown in the photograph is determined to be still living by the person requesting the photograph or by the Archivist, the Archivist will make reasonable attempts to contact the person or their family. If contact cannot be made the records will not be released.  
14.3 If the person shown in the photographs is deceased, then the records will be released at the discretion of the Archivist based on the intended use as described in the request or upon consultation with the Legal Personal Representative.

#### 15. Definitions

<b>Archivist</b>	means a professional staff member appointed by the School to lead the areas of Information and Records Management, including the School Archives
<b>De-identify</b>	means to remove personal names
<b>Record</b>	means documentation in any format (physical or digital), created or received by a School Employee, or any material transferred to and retained in the School Archives
<b>Redact</b>	means to obscure sensitive information for legal purposes
<b>the School</b>	means Geelong Grammar School including its registered boarding premises
<b>School Archives</b>	means repositories (physical and digital) of non-current records marked for long term retention for historical or legal purposes.
<b>School Employee</b>	for the purposes of this Procedure means an employee, third party contractor or volunteer

#### 16. Review and Circulation

<b>Responsible Department</b>	<input checked="" type="checkbox"/> Safeguarding and Legal Services
<b>Version</b>	2
<b>Approved by</b>	<input checked="" type="checkbox"/> Executive Director, Safeguarding and Legal Services
<b>Initial Effective Date</b>	2 December 2020
<b>Most Recent Review Date</b>	1 May 2024



<b>Next Review Date</b>	1 May 2027
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