

GUIDE DOGS VICTORIA CONSENT FORM

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 your child being provided with assistance from Guide Dogs Victoria (GDV). In this form the term 'Guide Dogs Victoria Services' means nominated GDV staff working with your child.

This form is made up of four 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 your Visiting Teacher (VT), Educational Vision Assessment Clinic (EVAC) Senior Education Officer or Statewide Vision Resource Centre (SVRC) staff. Your child cannot receive GDV Services 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 GDV 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 greater detail in the frequently asked questions section of this form.

1. Background Information

The Department of Education and Training (DET) provides educational services for the Victorian Government. GDV Services are paid for under a DET-GDV Common Funding Agreement (CFA). The purpose of GDV Services is to assist children and young people who are blind or have low vision with Orientation and Mobility (O&M) skill development through the provision of a range of strategies and specialised support.

GDV Support Services comprise:

- Orientation and Mobility skill development
- Professional learning for school staff, VTs and regional staff
- GDV staff support at the SVRC Support Skills Program including excursions
- SVRC Professional learning days for school staff

This form has been provided because your child's school believes that your child will benefit from receiving support from GDV Support Services.

2. Privacy Protection

DET 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 the *Health Records Act 2001* and the *Privacy and Data Protection Act 2014*. These laws set out what we must do when we collect, use, handle and destroy personal and health information when we provide a health service, such as EVAC assessment reports.

The Health Records Act is most relevant to GDV Services and it says:

- **Personal information** means "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** means "information or an opinion about:
 - the physical, mental or psychological health (at any time) of an individual; or
 - a disability (at any time) of an individual; or
 - an individual's expressed wishes about the future provision of health services to him or her; or
 - a health service provided, or to be provided, to an individual".

Health information includes other personal information that is collected to provide, or in providing, a health service such as GDV Services.

Collecting personal and health information

EVAC staff collect personal and health information to assist you or your child by:

- measuring acuity on an eye chart by reading or matching letters or pictures
- reading near print sizes
- looking at eye movements
- checking spectacle prescriptions
- examining eye health.

GDV staff will only collect personal and health information when it is necessary to provide services to your child.

On occasions you or your child may speak about other members of your family or other people. As a result, GDV staff 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 other 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 GDV staff may collect are:

- you or your child's name, address, contact details
- medical information
- physical, mental psychological or other health information about your child
- details about your child's disability
- express wishes about the future provision of health services, from you or your child
- health services that have been or will be provided
- genetic information about your child which is or could be predictive of the health of 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 GDV Services to your child, you must tell GDV staff. They may only record that information, if it is necessary for the provision of GDV 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 your child is up to date and accurate. However, if your circumstances change, you move house, change telephone numbers or other information you have provided to us becomes out of date, please tell us.

Using personal and health information

GDV staff may discuss personal or health information in relation to your child with other employees, contractors or agents of DET, and employees, contractors or agents of a Government school council (for instance, providers of out of school hours care) so as to provide GDV Services to your child, and in order for teaching staff and other employees, contractors or agents of DET or the school council to discharge their duty of care to your child.

This information may be used by staff at your child's school for the purposes of providing educational programs to, and making adjustments for, your child. The types of people who may be involved in discussions are other SSS staff, 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 DET employees, contractors or agents, or school council employees, contractors or agents, these people are required to comply with the *Health Records Act 2001* and the *Privacy and Data Protection Act 2014* (or the *Privacy Act 1988 (Cth)* where relevant).

Disclosure or use will otherwise only occur if permitted by law. In some instances, DET may be compelled by other laws to disclose information held about 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 DET about your child under the *Health Records Act 2001*. Please contact the School Principal of your school, identified below, to discuss this.

3. Your Consent

I authorise Guide Dogs Victoria Services to provide the following services to support my child if required:

- Environmental assessment report
- Mobility training in school
- Professional learning activity in school
- ENQ Report to support Program for Students with Disability (PSD) funding

I confirm the following:

- I have received and read this Guide Dogs Victoria Services Privacy Information and Consent Form.
- I understand how 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 my child is, enrolled in a Victorian Government school and Guide Dogs Victoria Services continue to be provided.
- I understand that consent to provide Guide Dogs Victoria Services to my child may be withdrawn at any time.
- I understand that if it is determined by Guide Dogs Victoria that the identified services are no longer required, Guide Dog Victoria Services to my child will cease. If after twelve (12) months Guide Dog Victoria Services are again required, a new consent form will need to be completed and signed.

Name Person 1: _____

Relationship to Child: _____

Signature: _____

Date: _____

Name Person 2 (optional): _____

Relationship to Child: _____

Signature: _____

Date: _____

Student Name: _____

Date of Birth: _____

Student Signature: _____

Date: _____

School Name: _____

School Principal Name: _____

School Principal Signature: _____

School Telephone: _____

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 DET policy. See the Frequently Asked Questions for more information. You or your child cannot receive Student Support Services if the consent part of this form is not signed.

GUIDE DOGS VICTORIA SERVICES FAQs

Privacy Information and Consent Form

Some general questions are outlined in this part. If you would like more general information you may wish to read the DET privacy policy which can be located at <http://www.education.vic.gov.au/Pages/privacypolicy.aspx>.

The DET 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 Principal for your school.

Who are Guide Dogs Victoria Services?

GDV Services include:

- Occupational Therapists support people to achieve individual goals in everyday life, including personal care, domestic tasks, and recreational activities.
- Orientation & Mobility Specialists work with people to identify personal mobility goals to be safe and independent accessing their community, using public transport, crossing roads and more.
- Acquired Brain Injury Mobility Specialists work with people who have experienced vision loss after a brain injury. There is a focus on maximising the use of residual vision for safe and independent mobility, whilst also developing strategies to manage cognitive changes that may affect mobility.
- Orthoptists specialise in low vision and can assist people to understand their visual condition and identify appropriate equipment or strategies for using their functional vision.
- Assistive Technology Specialists understand the best equipment to support independence with a range of activities.

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 your child has 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 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 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?

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, defacto 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 GDV Services;
- VT staff
- School Principal

The consent form will be uploaded into the SVRC Tracking System as part of the referral process. For other information about retention of personal and health information see our Privacy Policy.

How is information stored?

Relevant information may be recorded and stored in a hard copy Department Confidential Student File. This file will be kept in a secured area in accordance with protocols for file storage and DET records management policies.

Information will also be recorded and stored in an electronic tracking system format which provides an electronic mechanism for case management.

Only those VT and SVRC staff working with 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 and VT.

All files are required to be stored securely in accordance with protocols for file storage and DET records management policies. For a copy of these policies please email privacy.enquiries@education.vic.gov.au

Can I withdraw consent?

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 GDV Services or because you or your child no longer wish to receive GDV Services. Before withdrawing consent for GDV Services, we recommend discussing it first with school staff and/or regional VT staff.

Withdrawing consent means formal GDV Services to your child will cease.

What if services are required again?

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