

# PRIVACY & CONFIDENTIALITY POLICY - MENTORING

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## PURPOSE

This policy will provide guidelines for the Sparkways mentoring program in relation to:

- the collection, storage, use, disclosure, and disposal of personal information, including photos, videos, and health information
  - ensuring compliance with privacy legislation and to protect the confidentiality of its participants and their families
  - responding to requests for information to promote child wellbeing or safety and/or assess and manage risk of family violence (mandatory)
  - sharing and requesting information to promote child wellbeing or safety and/or manage risk of family violence
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## POLICY STATEMENT

### GUIDING PRINCIPLES


Sparkways is committed to:

- responsible and secure collection and handling of personal and health information
- protecting the privacy of each individual's personal information
- ensuring individuals are fully informed regarding the collection, storage, use, disclosure, and disposal of their personal and health information, and their access to that information
- proactively sharing information to promote the wellbeing and/or safety of a child or a group of children, consistent with their best interests
- keeping archival records of past mentors and young people maintained, secure and kept confidential for a period of up to fifty years after the close of the match.

### SCOPE

This policy applies to Sparkways Staff, volunteer mentors, young people and their parents / guardians

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 <b>RESPONSIBILITIES</b>	Sparkways Mentoring Staff	Volunteer Mentors	Young People	Parents / Guardians
<p>Ensuring all records and documents are maintained and stored in accordance with the relevant privacy legislation. Records and documentation can include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Mentor applications and young person referrals</li> <li>• All screening notes and documents for both mentors and young people</li> <li>• Any medical or permission forms</li> <li>• Any details relating to accidents or injuries</li> <li>• Any records relating to complaints or grievances</li> <li>• The match record, documents and case-notes relevant to the match.</li> </ul>	X			
<p>Taking proactive steps to establish and maintain internal practices, procedures, and systems that ensure compliance with privacy legalisations including:</p> <ul style="list-style-type: none"> <li>• Identifying the kind of personal, sensitive, and health information that will be collected from an individual or a family</li> <li>• Communicating the reason why personal, sensitive, and health information is being collected, and how it will be stored, used, and disclosed, and managed and are provided with the privacy statement (<i>refer to Attachment 1 &amp; 3</i>) and all relevant forms</li> <li>• Communicating how an individual or family can access and/or update their personal, sensitive, and health information at any time, to make corrections or update information</li> </ul>	X			
<p>Protecting personal information from misuse, interference, loss and unauthorised access, modification or disclosure.</p>	X			
<p>Providing adequate and appropriate secure storage for personal, sensitive, and health information collected by the program, including electronic storage</p>	X			
<p>Developing procedures that will protect personal information from unauthorised access, such as limiting access to electronic databases to Mentoring staff only</p>	X			
<p>Ensuring that all mentors, young people and parent /guardians are provided with a Photo Consent form (<i>refer to Attachment 2</i>) as part of their screening (<i>refer Screening Policy</i>) and that the following measures will be implemented with regards to the use of participants images:</p>	X	X	X	X

<ul style="list-style-type: none"> <li>• Ensuring that images of participants are treated with the same respect as personal information, and as such are protected by privacy laws in the same way</li> <li>• Ensuring the appropriate use of images of young people, including being aware of cultural sensitivities and the need for some images to be treated with special care</li> <li>• Being sensitive and respectful of the privacy of other mentors and young people and parent/guardians in photographs/videos when using and disposing of these photographs/videos</li> <li>• Being sensitive and respectful to mentors and parents/guardians who do not want themselves or their child to be photographed or videoed</li> <li>• Establishing procedures to be implemented if mentors or parents/guardians request that their/ their child's image is <i>not</i> be taken, published or recorded, or when a mentor or young person requests that their photo <i>not</i> be taken</li> </ul>				
Ensuring that an individual or family can have access to their personal, sensitive and health information at any time, to make corrections, update information or change the photo consent previously submitted.	X	X	X	X
Promoting awareness and compliance with the Child Safe Standards ( <i>refer to Definitions</i> ), and disclosing information to promote the wellbeing and safety of a young person or group of young people	X	X		
Only sharing confidential information to the extent necessary to promote the wellbeing or safety of a young person or group of young people, consistent with the best interests of that young person or those young people	X	X		
Developing procedures to monitor compliance with the requirements of this policy	X			
Ensuring all employees, volunteers, young people and parents /guardians have access to a copy of this policy	X	X	X	X
Ensuring all mentors, young people and parents /guardians are provided with the service's <i>Privacy Statement (refer Attachment 1 &amp; 3)</i> on all relevant forms	X	X	X	X
Ensuring that the records of mentors and young people who <i>DO NOT</i> proceed and <i>ARE NOT</i> matched, are securely stored and shredded, destroyed and/or deleted within 30 days, following approval from the Chief Executive Officer (or delegate), and destroyed only by approved individuals. ( <i>refer Screening Policy</i> )	X			
Ensuring that the records of mentors and young people who have been involved in an active match, are securely stored ( <i>refer Record Keeping and Archiving Policy</i> ) and shredded, destroyed and/or deleted within 50 years, ( <i>in accordance with the Public Records Act 1973</i> ) following approval from the Chief Executive Officer and destroyed only by approved individuals. ( <i>refer Screening Policy</i> )	X			



## BACKGROUND AND LEGISLATION

### LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- Privacy Act 1988(Cth)
- Information Privacy Act 2000(Vic)
- Public Records Act 1973 (Vic)
- Family Violence Protection Act 2008
- Victorian Child Safe Standards
- Social Services Regulatory Scheme and Standards
- Children, Youth and Families Act 2005
- Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-Determination and Other Matters) Act 2023

**The most current amendments to listed legislation can be found at:**

Victorian Legislation – Victorian Law Today: [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)  
Commonwealth Legislation – Federal Register of Legislation: [www.legislation.gov.au](http://www.legislation.gov.au)



### DEFINITIONS

**Child Safe Standards:** Promotes the safety of children, prevent child abuse, and ensure organisations have effective processes in place to respond to and report all allegations of child abuse



### SOURCES AND RELATED POLICIES

#### RELATED POLICIES

- Screening Policy
- Young Person Safety Policy (also known as Child Safe Policy)
- Record Keeping & Archiving Policy



## EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, Sparkways will:

- seek feedback from people affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required



## ATTACHMENTS

- Attachment 1: Authority & Consent Form
- Attachment 2: Photo Consent form for Mentees & Mentors
- Attachment 3: Privacy Statement



## AUTHORISATION

This policy was endorsed by Sparkways on 14/08/2024

**REVIEW DUE:** August 2025

# ATTACHMENT 1

## AUTHORITY & CONSENT FORM

(Image only; Access from program resources)

### AUTHORITY & CONSENT



This form provides Authority and Consent in relation to [redacted] (Mentee Name) participating in the Sparkways Mentoring Program. Please read the below statements and sign where indicated.

#### PRIVACY NOTICE

All personal information will be collected and handled by Sparkways Youth Services in accordance with our Privacy Policy. A copy is available upon request.

The personal information provided will be kept confidential, except under circumstances where consent has been given or where the law requires or authorises Sparkways Youth Services to disclose that information.

The personal information (including sensitive and health information) that is collected by Sparkways Youth Services is stored in our database, hosted in Sydney, Australia. Our database provider, Social Solutions Global has committed to comply with Australian federal privacy laws and Sparkways Youth Services is satisfied that personal information from participants is protected in accordance with these laws.

#### AUTHORISATION FOR RELEASE OF PERSONAL INFORMATION

I understand that information about the Mentee will be anonymously (without any name) shared with a prospective Mentor to aid in determining a suitable match. Once a mentor/mentee match is determined, the Mentee's identity and any other information known about them may be shared with the Mentor to ensure and aid in facilitating a safe and successful match relationship.

#### AUTHORISATION & CONSENT

I understand and agree to the following:

- To follow all mentoring program guidelines and understand that any violation will result in suspension and/or termination of the mentoring relationship.
- That if the Mentee is not suitable or unsuccessful in being matched with a Mentor, Sparkways Youth Services will securely dispose of all personal and sensitive information relating to the application within 30 days.
- That if the application is successful, Sparkways Youth Services will retain all personal information for the duration of the Mentee's engagement in the Sparkways Mentoring Program and for the life of the file, which may be up to 50 years.
- That Sparkways has a zero tolerance for child abuse and holds the care, safety and wellbeing of children and young people as a central and fundamental responsibility of the organisation.

By signing below I understand and agree to the above terms and conditions.

(tick) This form has been completed digitally and my name entered on this form acts as my signature.

Name: [redacted]  Parent/Guardian or  Mentee\*

\*Mentee can sign if aged 16 or over.

Signature: [redacted]

Date: [redacted]

ABN 90 151 552 331

## ATTACHMENT 2

### PHOTO CONSENT FORM

(Image only; Access from program resources)

## PHOTO CONSENT – FOR MENTEES



MENTEE NAME \_\_\_\_\_ DATE \_\_\_\_\_

Sparkways Mentoring often take digital images, photographs and digital film depicting activities and programs, involving our Mentors and Young People.

With your agreement Sparkways Mentoring proposes to use these images and/or digital film for internal and external marketing purposes, including recruitment advertising.

#### USE OF THE PHOTOGRAPHS

Sparkways Mentoring uses photographs and digital film of Mentors and Young People involved in activities for the purposes of building the Sparkways Mentoring profile and attracting other volunteers, fundraising and advertising. These photographs and digital film may be used in print or digital media, such as films, flyers, advertisements and Sparkways related websites and social media sites.

The photographs and digital film will be retained by Sparkways Mentoring in our media directory and may be disclosed to third parties such as; designers, printers and advertisers in connection with these marketing purposes. No other agencies can access your photographs or digital film for their own promotional purposes without obtaining additional consent from you. You also may access the photographs and digital film if you desire by contacting Sparkways Mentoring.

#### STOPPING USE OF THE PHOTOGRAPHS

You are entitled to ask Sparkways Mentoring to stop using one or more of the photographs for these purposes. You can also remove any prior consent that may have been given. To make such a request, you must give two months written notice that specifies the photos that you wish us to remove, or that you no longer agree to the use, of your /your child's images. We require this notice period due to the costs and time frames associated with producing marketing materials.

#### PROVIDING CONSENT

There is no consequence to your relationship with Sparkways if you decide you do not wish to allow your /your child's photograph to be taken and used as described. This is purely a voluntary activity. If you do not wish for you / your child to be photographed or digitally filmed, please circle the appropriate response on the below consent.

#### AUTHORISATIONS

By selecting I DO and signing this form, you:

- consent to Sparkways Mentoring to use and reproduce photographs and digital film for the purposes specified
- acknowledge that Sparkways Mentoring may use photographs and digital film without any payment to you or to any third party
- agree that you will provide two months written notice to Sparkways Mentoring to remove consent or cease using one or more of the photographs or digital film and to them removed from the Sparkways Mentoring media directory.
- authorise Sparkways Mentoring to adapt and modify photographs or digital film for use in connection with internal and external marketing purposes, including recruitment advertising.

#### CONSENT OF MENTEE AND PARENT/GUARDIAN (where applicable)

I DO  DO NOT  (please tick appropriate response) agree to the use of my / my child's photographs and digital films described for the specified purposes as set out above.

Mentee Signature \_\_\_\_\_

Parent /Guardian Name Signature (if applicable) \_\_\_\_\_

ABN 90 151 552 331

# PHOTO CONSENT – FOR MENTORS



Sparkways Mentoring often take digital images, photographs and digital film depicting activities and programs, involving our Mentors and Young People.

With your agreement Sparkways Mentoring proposes to use these images and/or digital film for internal and external marketing purposes, including recruitment advertising.

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The photographs and digital film will be retained by Sparkways Mentoring in our media directory and may be disclosed to third parties such as; designers, printers and advertisers in connection with these marketing purposes. No other agencies can access your photographs or digital film for their own promotional purposes without obtaining additional consent from you. You also may access the photographs and digital film if you desire by contacting Sparkways Mentoring.

## STOPPING USE OF THE PHOTOGRAPHS

You are entitled to ask Sparkways Mentoring to stop using one or more of the photographs for these purposes. You can also remove any prior consent that may have been given. To make such a request, you must give two months written notice that specifies the photos that you wish us to remove, or that you no longer agree to the use, of your images. We require this notice period due to the costs and time frames associated with producing marketing materials.

## PROVIDING CONSENT

If you do not wish to be photographed or digitally filmed, please circle the appropriate response on the below consent.

## AUTHORISATIONS

By selecting I DO and signing this form:

- I consent to Sparkways Mentoring reproducing photographs and digital film for the purposes specified
- Acknowledge that Sparkways Mentoring may use photographs and digital film without any payment to myself or to any third party
- Agree that I will provide two months written notice to Sparkways Mentoring to remove consent or cease using one or more of the photographs or digital film and to them removed from the Sparkways Mentoring media directory.
- Authorise Sparkways Mentoring to adapt and modify photographs or digital film for use in connection with internal and external marketing purposes, including recruitment advertising.

## CONSENT OF MENTOR

I DO  DO NOT  (please tick appropriate response) agree to the use of my photographs and digital films described for the specified purposes as set out above.

Mentor Name

Date

Signature

ABN 90 151 552 331



## ATTACHMENT 3

### PRIVACY STATEMENT

The below statement is incorporated in both the Volunteer Mentor Application and Young Person Referral that is completed by Mentors and Referral Agencies. The Authority & Consent Form (*Attachment 1*) contains this statement for young people and parents/guardians to acknowledge and agree.

*(extract from Volunteer Mentor Application and Young Person Referral)*

#### PRIVACY NOTICE

All personal information will be collected and handled by Sparkways Youth Services in accordance with our Privacy Policy. A copy is available upon request.

The personal information provided will be kept confidential, except under circumstances where consent has been given from the young person or parent/guardian (where applicable) or where the law requires or authorises Sparkways Youth Services to disclose that information.

The personal information (including sensitive and health information) that is collected by Sparkways Youth Services is stored in our database, hosted in Sydney, Australia. Our database provider, Social Solutions Global has committed to comply with Australian federal privacy laws and Sparkways Youth Services is satisfied that personal information from participants is protected in accordance with these laws.