



# **POLICY**

## Personal Information Protection (Home Education)

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# 1 Introduction

The Office of Education Regulation (the OER) manages personal information in accordance with the requirements of the *Personal Information Protection Act 2004* (the PIP Act).

This Policy has been developed to clearly state why, how and when the OER collects personal information associated with the registration of a child for home education.

Schedule 1 of the PIP Act outlines the Personal Information Protection Principles that apply in Tasmania. These are the Standards by which the OER collects and handles personal information as the custodian of that information.

Personal information is defined under section 3 of the PIP Act as:

**personal information** means any information or opinion in any recorded format about an individual –

(a) whose identity is apparent or is reasonably ascertainable from the information or opinion; and

(b) who is alive or has not been dead for more than 25 years;

Personal information can be almost any information linked to an individual, including name, address, gender, birth date, age, or health information.

## 2 What personal information is collected?

The OER collects personal information including name, residential and mailing address, contact details such as phone numbers and email address, gender, date of birth, and country of birth. In addition, specific sensitive information may be collected as required for the purpose of registering a child for home education. This applies to both the child and the parent or home educator.

This information is collected to ensure the OER complies with our role as the Regulator for registering and monitoring home education in Tasmania.

The OER takes reasonable steps to ensure that the personal information we hold is accurate, complete and up to date. Where practicable, the OER will check the accuracy of your personal information before it is used.

## 3 Why this information is collected

The OER is responsible for the registration and monitoring of home education in Tasmania.

Personal information is collected, stored, and used as necessary to exercise the Registrar's powers and functions under the *Education Act 2016*, including the approval or refusal of home education registrations.

The collection of personal information enables the OER to register a parent as a registered home educator and to ensure that a child is engaged in a lawful education alternative other than enrolment at a school.

The collection of this information helps the Registrar to:

- Communicate effectively with families,
- Conduct inclusive and supportive registration visits,
- Manage and assess applications, and
- Provide appropriate guidance and support throughout the registration process.

## 4 Sensitive information and why the OER collects it

To fulfil its responsibilities under the *Education Act 2016*, the OER may collect, store, and use sensitive information. This includes details such as general health information, information about disabilities or diverse learning needs, racial or ethnic origin, and gender identification.

Sensitive information is collected to ensure the safety and wellbeing of individuals the OER interacts with, and to support an approach that is responsive, respectful, and inclusive.

This approach is reflected in all aspects of the OER's engagement, including registration visits, written and verbal communications, and ongoing support provided to families. By understanding individual circumstances, the OER can tailor its interactions to meet diverse needs and ensure a safe and supportive experience for all.

Generally, the OER will only collect sensitive information with your consent, unless its collection is required by law or is necessary to fulfil its responsibilities.

## 5 When personal information might be shared

When a home education registration (including provisional registration) is approved, refused, completed, revoked, or withdrawn, basic personal information will be shared with the Department for Education, Children, and Young People, or other educational entities such as non-government schools. This includes the child's name, residential address, postal address, date of birth, gender, and school history.

Basic personal information about the home educator (the applicant) will also be shared, including name, residential address, postal address, contact numbers, and email address.

We will not use or share your personal information with other state institutions or authorities unless required or permitted by law.

## 6 Can your information be identified?

The OER does not assign 'unique identifiers' to people unless it is necessary for us to carry out our functions efficiently or it is required by law. Unique identifiers are data about you which are specific to you and differentiate you from others within the system.

Even if another organisation has provided the OER with your personal information, we do not use any 'unique identifiers' of another organisation (for example Services Australia). In certain circumstances, we may collect unique identifiers assigned to you by another organisation, but we will not disclose these without lawful authority.

## 7 How to access or correct your personal information

You can access your personal information that is held by the OER.

- Requests for personal information should be completed by filling out the on-line form.
- In seeking access to your own personal information, you must provide proof of identity in the form of a photo driver's licence, passport, or birth certificate.
- If the OER refuses your request to obtain your personal information, you may make an Application for Assessed Disclosure under the *Right to Information Act 2009*. Information is available at <https://www.education.tas.gov.au/about-us/legislation/rti>


If you consider your personal information to be incorrect, incomplete, out of date or misleading, you can request that the information be corrected.

- Requests to correct or update personal information should be completed by filling out the on-line form.
- In seeking access to correct or update your own personal information, you must provide proof of identity in the form of a photo driver's licence, passport, or birth certificate.

If you remain dissatisfied with the OER's handling of your matter or the outcome of your request, you can contact the Ombudsman Tasmania.

 Email: [ombudsman@ombudsman.tas.gov.au](mailto:ombudsman@ombudsman.tas.gov.au)

 Phone: 1800 001 170

 Post: Ombudsman Tasmania, GPO Box 960, Hobart TAS 7001.

## 8 How the OER may use or disclose your personal information

All staff of the OER are bound by the confidentiality requirements specified in the *State Service Act 2000*. Staff are restricted in their access to information to that which is required to carry out their functions within the Department.

Personal information will be used only for the purpose described in section 3 of this policy 'why this information is collected'. Otherwise, your personal information will only be disclosed with your consent, or if it is required or authorised by law.

For example, there may be a need or requirement to disclose some or all information we collect to contractors and agents of the Department, law enforcement agencies, courts, other public sector bodies, or other authorised organisations under legislation administered by the Department for Education, Children and Young People, and other relevant State and Commonwealth Acts including but not limited to the *Social Security Act 1991* and the *Education Services for Overseas Students Act 2000*.

## 9 How the OER keeps your personal information safe

The OER uses a number of procedural, physical, and technical safeguards including access controls, secure methods of communication and back-up and recovery systems to protect information from misuse and loss, unauthorised access, modification and disclosure.

Generally, there is an intention that information is destroyed or permanently de-identified when it is no longer required, but this can only be done in accordance with processes approved by the State Archivist under the *Archives Act 1983*.

## 10 Definitions

**Child** means a person who has not attained the age of 18 years.

**Home education** means the education of a school-aged child or youth by a home educator in accordance with an approved home education program

**Home educator** means a parent named in an approved home education program as a parent who provides home education to his or her child under that program.

**The Office of Education Regulation (OER) includes staff, facilities, resources and technology**

Under section 245 of the *Education Act 2016*, The Secretary of the Department for Education, Children and Young People can arrange for staff, resources, and support to help the Registrar responsible for home education to carry out their roles under the Education Act. This includes:

- **Staff** from the Tasmanian State Service (people employed by the government),
- **Facilities and resources** (like office space, equipment, IT services), and
- **Other types of help** (such as administrative, technology or specialist support).

## 11 Related policies

- Nil

## 12 Related procedures

- Nil

## 13 Supporting information/tools

- Nil

## 14 Legislation

[Education Act 2016](#)

[Personal Information Protection Act 2004](#)

[Archives Act 1983](#)

## 15 Authorisation

**Authorised by:** Jo Spencer, Manager Home Education

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