



Disclosing student personal information to operators of school bus services procedure

Version: 4.1 | Version effective: 24/08/2021

Audience

All state schools

Purpose

This procedure outlines the process for disclosing student personal information to school bus operators for the purpose of investigating breaches of the [Code of conduct for school students travelling on buses \(the Code\)](#).

Overview

Section 426 of the [Education \(General Provisions\) Act 2006 \(Qld\)](#) (EGPA) provides that departmental employees who gain or have access to personal information about a student, must not make a record of, use or disclose the information unless one of the exceptions set out in s.426(4) of the EGPA applies.

Under s.426(4)(e)(ii) of the EGPA, the Director-General (or delegate of the Director-General) may disclose student personal information to a school bus operator if reasonably satisfied –

1. the disclosure is in the public interest; **and**
2. the school bus operator needs the student personal information for the purpose of investigating a breach of the [Code](#).

Delegates of the Director-General may only exercise the power where the disclosure concerns personal information about a student, prospective student or former student of a school within the delegate's area of administrative responsibility.

The disclosure of student personal information enables school bus operators to handle student misconduct on school bus services in a consistent, effective and timely manner within the guidelines of the Code.

Responsibilities

Bus operators

Bus operators are responsible for:

- complying with the [Code](#)
- instructing bus drivers to report any breach of the Code to the bus operator in the first instance
- submitting requests for student personal information to the Director-General (or delegate) using the [SBO-1 form](#) if it is determined the Code has been breached.

Director-General (or delegate)

The Director-General (or delegate) is responsible for:

- considering requests from school bus operators and disclosing student personal information to a school bus operator if reasonably satisfied that:
 - it is in the public interest to disclose the information to the school bus operator; **and**
 - the school bus operator needs the information for the purpose of investigating a breach of the [Code](#).

Process

Bus operators

If student personal information is needed for the purpose of investigating a breach of the [Code](#), the bus operator submits a written request to the Director-General (or delegate) using the [SBO-1 form](#).

- Section A of SBO-1 form must be completed outlining all relevant information for the Director-General (or delegate) to make a decision. Include the circumstances of the incident (specific detail of dates, times, place and persons involved), why the information is required and why disclosure of the information is in the public interest.

Director-General (or delegate)

The Director-General (or delegate) must ensure requests received from a school bus operator for student personal information are made using the [SBO-1 form](#).

- Ensure the school bus operator has completed section A of the SBO-1 form and has outlined all relevant information, including the circumstances of the incident (specific detail of dates, times, place and persons involved), why the information is required and why disclosure of the information is in the public interest.
- For delegates of the Director-General, ensure the request concerns a student within the delegate's area of administrative responsibility. i.e. the principal's delegation to release student personal information to school bus operators in the public interest may be exercised only within the principal's area of administrative responsibility (i.e. in relation to enrolled students, formerly enrolled students or prospective students of his/her school or in relation to his/her school premises).

Disclose the information to the school bus operator in a timely manner if reasonably satisfied that disclosure of the information is necessary for the investigation of a breach of the [Code](#) and is in the public interest (guidance for assessing the 'public interest' is provided in the SBO-1 form).

- Complete section B of the [SBO-1 form](#) documenting the decision making process, reasons for the decision and information disclosed.
- File the form and a copy of any information provided in a secure location.

Note: If during an investigation of a possible breach of the Code the principal is considering applying a disciplinary consequence to the involved state school student/s, they should:

- act in accordance with the [Student discipline](#) procedure and the school's [Student Code of Conduct](#); and
- take into account any actions or planned actions proposed by a bus operator.

Definitions

Term	Definition
Personal information	<p>Information or an opinion, whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.</p> <p>This definition is broad and could include, for example, the following:</p> <ul style="list-style-type: none"> • the phone number and address of the student; or • a photograph or image of a student. <p>The information does not have to clearly identify a student; it only needs to provide sufficient information to lead to the identification of a student.</p>
Delegated officer of the Director-General	<p>Only nominated DET staff are delegates of the Director-General. The disclosure must be within the delegate's area of administrative responsibility. i.e. the principal's delegation to release student personal information to school bus operators in the public interest may be exercised only within the principal's area of administrative responsibility (i.e. in relation to enrolled students, formerly enrolled students or prospective students of his/her school or in relation to his/her school premises).</p>
Code of conduct for school students travelling on buses	<p>The Code of conduct for school students travelling on buses (the Code) sets out the expected behaviour of students while travelling on buses, the consequences for breaching the Code, and provides a state-wide framework to manage student misconduct in a consistent and timely manner.</p> <p>Supporting the Code of conduct is the Safe travel of school students – Guiding principles and stakeholder actions to keep other passengers and bus drivers safe and comfortable.</p>
Student	<p>In this procedure, 'student' refers to any person, regardless of age, who is enrolled at, has been enrolled at, or has applied to be enrolled at a state educational institution established under ss.13, 14 or 15 of the Education (General Provisions) Act 2006 (Qld)</p>

Legislation

- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
Section 426(4)(e)(ii) – Decision to release student information in the public interest

Delegations/Authorisations

- [Director-General's delegations under the *Education \(General Provisions\) Act 2006 \(Qld\)*](#)

Policies and procedures in this group

- Nil

Supporting information for this procedure

- [SBO-1: Request from a school bus operator \(SBO\) to the Director-General \(or delegate\) to release student personal information where the disclosure is in the public interest](#)

Other resources

- [Code of conduct for school students travelling on buses](#)
- [Disclosing personal information to law enforcement agencies procedure](#)
- [Safe travel of school students – Guiding principles and stakeholder actions](#)
- [Student Code of Conduct](#)
- [Student discipline procedure](#)

Contact

For further information, please contact:

Executive Director, Student Protection
State Schools - Operations
Phone: (07) 3513 5947

Review date

7/02/2019

Superseded versions

Previous seven years shown. Minor version updates not included.

4.0 Disclosing student personal information to operators of school bus services

Creative Commons licence

Attribution CC BY

Refer to the [Creative Commons Australia](#) site for further information

Uncontrolled copy. Refer to the Department of Education Policy and Procedure Register at <https://ppr.qed.qld.gov.au/pp/disclosing-student-personal-information-to-operators-of-school-bus-services-procedure> to ensure you have the most current version of this document.