



Student Duty of Care

Student Medical Records

This policy follows the authority provided in the jurisdictional health records and national privacy legislation and has been developed with review by an external medical authority.

Student Medical Records	<p>St Mary's Echuca relies on parents/carers to provide the St Mary's Echuca with up-to-date medical information about students.</p> <p>Without current medical information, the best possible care cannot be provided to each student on an ongoing basis.</p> <p>Without accurate medical information there is a higher risk of:</p> <ul style="list-style-type: none">• medication being wrongly administered• student allergies being triggered as a result of incorrect medical treatment or the intake of food to which a student has an allergy• effectiveness of medical treatment being decreased in medical emergencies. <p>All staff with access to medical records should be aware of student confidentiality for health records.</p>
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<p>St Mary's Echuca Policy</p>	<p>St Mary's Echuca is committed to the safety and wellbeing of all our students and to providing proper care notwithstanding existing medical conditions.</p> <p>It is our policy that:</p> <ul style="list-style-type: none"> • student medical information must be provided by parents/carers on enrolment • student medical records are updated regularly as advised by parents/carers for incorrect, out-of-date, incomplete or misleading information • student medical records are stored securely to protect against misuse, loss, unauthorised access, modification or disclosure • information regarding students' medical conditions is used by the St Mary's Echuca on an as needed basis to assist in the management of students ongoing health needs • access to medical records may be provided to the parents/carers upon request under certain conditions, depending on the age of the student.
<p>Collecting Medical Information</p>	<p>At enrolment, parents/carers are required to complete a student medical record form. These forms contain a privacy statement advising parents/carers and students of the purpose of collection and situations where information will be disclosed.</p> <p>Medical information collected includes details of a student's:</p> <ul style="list-style-type: none"> • immunisation history • past medical/surgical history • mental health • asthma status • allergies • prescription medication • dietary requirements • specific medical conditions.

<p>Confidentiality and Use of Medical Information</p>	<p>The confidentiality of medical records must be respected at all times.</p> <p>Information which is considered necessary for the wellbeing and safety of students will only be disclosed to relevant staff as needed.</p> <p>Information will only be shared according to the privacy statement on the student medical record form. These circumstances include where:</p> <ul style="list-style-type: none"> • parents/carers provide consent to share the information • students who are independent minors provide consent • there is an imminent threat to the safety or welfare of a student (e.g. potential suicide) • there is a legislative requirement to share the information (e.g. mandatory reporting of child sexual abuse).
<p>Ongoing Management of Medical Records</p>	<p>On an ongoing basis, the St Mary's Echuca manages student medical records in the following ways:</p> <ul style="list-style-type: none"> • regular reminders are forwarded to parents/carers requesting that they review and update their child's medical information as needed • parents/carers are required to review and update their child's medical information annually • parents/carers are required to communicate all updates to their child's medical information as they become aware of the changes • individual health care plans are developed as required and retained in the student's St Mary's Echuca file with their medical records • a record is maintained of all medication administered at the St Mary's Echuca to students • in a medical emergency, after organising medical attention for the student, a record of all actions taken are recorded on the student's file

	<ul style="list-style-type: none"> • medical records are safeguarded via locked storage and password access to computerised records • records are kept by the St Mary's Echuca until the student is 25 years of age.
Transcription of Student Medical Records	Under no circumstances will staff transcribe any part of a student's medical record to another location.
Access to Records - Students and Parents/Carers	<p>Students and parents/carers wishing to access student medical records should make a request in writing.</p> <p>Each request for access to medical records will be considered having regard to individual circumstances. For example, access may be denied if the request is from a parent/carer who is subject to a court order.</p> <p>Students Under the Age of 18</p> <p>Where parents/carers request access to their child's medical records the St Mary's Echuca's response will be guided by their duty of care towards the student and the Privacy Act 1988 (Cth) (Privacy Act).</p> <p>Parents/carers may be denied access if their child denies them access and the child has the capacity to consent.</p> <p>The child's capacity to consent is determined on a case-by-case basis by the St Mary's Echuca based on an assessment of the student's maturity and intelligence to understand what is being proposed. If the St Mary's Echuca is unsure or it is not practical to make an individual assessment of the student's capacity to understand, then as a general rule, the St Mary's Echuca may assume that a student over the age of 15 has the capacity to deny consent for their parent/carers to access the student's medical records held by the St Mary's Echuca.</p> <p>Where a student denies access to specific elements of the medical records consideration may be given to providing a redacted version of those records.</p>

	<p>The St Mary's Echuca will maintain all original documents and will provide copies if authorisation to access medical records is granted.</p>
<p>Access to Records - External Agencies</p>	<p>If the St Mary's Echuca receives a request from an external agency for access to a student's medical records, access will only be provided where:</p> <ul style="list-style-type: none"> the student is under 16 years and the student has consented (with sufficient understanding and intelligence to fully understand what is proposed) and/or the student's parents/guardians have consented; the student is over 16 and the student has consented; or the St Mary's Echuca is required to do so by law.
<p>Staff Responsibilities</p>	<p>Staff are required to:</p> <ul style="list-style-type: none"> be familiar with the medical conditions of students in their care apply appropriate security to confidential and sensitive records created or received ensure records are stored securely and physical access is restricted.
<p>Implementation</p>	<p>This Policy is implemented through a combination of:</p> <ul style="list-style-type: none"> staff training student and parent/carer education and information effective maintenance of student medical records effective incident notification procedures initiation of corrective actions where necessary.
<p>Discipline for Breach of Policy</p>	<p>Where a staff member breaches this policy, particularly the provisions about confidentiality and transcription of medical records, St Mary's Echuca may take disciplinary action.</p>

Further Information

[OAIC Guide on Privacy Obligations and Children and Young People](#)