

CONFIDENTIALITY POLICY

Scope

This policy guides Confidentiality expectations by Tasmanian Assessment, Standards and Certification (TASC) as legislated within the State Service Code of Conduct outlined in section 9 of the *State Service Act 2000* and in accordance with other legislation. This policy applies to all persons who are engaged to undertake duties for or on behalf of TASC.

Purpose

The purpose of this policy is to ensure that engaged persons undertaking duties for or on behalf of TASC are informed of their responsibility in maintaining confidentiality of information obtained in the performance of assigned duties.

TASC is committed to ensuring the protection of confidential information to the highest level practicable and acknowledges that upholding this commitment is fundamental to ensuring public trust in TASC and the public sector.

This document aims to ensure that all engaged persons are aware:

- of their requirements and obligations in relation to maintaining confidentiality
- that they must undertake assigned duties with integrity and ensure that they comply with the State Service Code of Conduct.

Policy statement

This policy aligns with [Goal 2 in the TASC Strategic Plan 2022-2023](#) to establish trusted governance and regulatory practices.

All persons who are engaged to undertake duties for or on behalf of TASC are bound by the provisions set out in the *State Service Act 2000* and the State Service Code of Conduct.

Under section 9 (7) of the *State Service Act 2000*, the State Service Code of Conduct states:

(7) An employee must maintain appropriate confidentiality about dealings of, and information acquired by, the employee in the course of that employee's State Service employment.

This policy applies to:

- TASC staff
- TASC sessional staff and casual employees
- DECYP staff who have access to TASC data
- Contractors employed by TASC or DECYP who have access to TASC data
- Unpaid persons and/or volunteers.

Protection of Confidential Information

TASC stores and collects confidential information. This information must not be provided to unauthorised persons. Access to information is limited to those who need to know to conduct their duties and functions when required. This information must be kept secure.

Engaged persons are required to comply with:

- TASC's Personal Information and Protection Policy
- TASC's Conflict of Interest Policy and Procedure
- *State Service Act 2000* and State Service Code of Conduct
- Any confidentiality obligations in other relevant legislation.

Breaches of the State Service Code of Conduct

All alleged breaches of the State Service Code of Conduct will be dealt with in accordance with the procedures set out in *Employment Direction No.5 – Procedures for Investigation and Determination of whether an employee has breached the Code of Conduct*.

Related policies

1. Conflict of Interest Policy and Procedure
2. Personal Information Protection Policy
3. Right to Information Policy and Procedure

Related procedures

State Service Code of Conduct – Employment Direction No.5 – Procedures for Investigation and Determination of whether an employee has breached the Code of Conduct.

Definitions

Casual employees:	Includes Clerical Assistants and Administrative Assistants.
DECYP	Department for Education, Children and Young People.
DECYP staff:	Includes Department for Education, Children and Young People officer and employees, other persons working for any organisations tasked with the responsibility for managing TASC data consistent with section 17 of the <i>Tasmanian Assessment, Standards and Certification Act 2003 (the Act)</i> .
Engaged persons:	Includes all persons to whom this policy applies.
Employee:	Includes all persons who are employed as a public officer in the public sector.

TASC data:	Means any material, documents, equipment, and information that is stored and managed by DECYP on behalf of TASC, whether data is stored by TASC or by DECYP, including but not limited to, the identified student record data.
TASC sessional staff:	Includes Setting Examiners, Examination Critics, Marking Coordinators, Markers, Supervisor Coordinators and Supervisors.

Legislation

Under Section [10\(1\)](#) of [the Act](#), TASC collects and records individual student information relating to senior secondary education, vocational education, higher education and other education, including data relating to the educational outcomes, attainment, retention and assessment of students.

The Tasmanian Government is committed to the principle of open access to public sector information under the [Right to Information Act 2009 \(No. 70 of 2009\)](#) and to protecting individual privacy under the [Personal Information Protection Act 2004](#).

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