

Document Name	Document Version Number	Review Date
Privacy and Confidentiality Policy	1.0.0	March 2021
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25 September 2019	5403	New Policy

## Purpose

Our education and care service recognises and respects the importance of privacy and confidentiality as an individual right and a basis for building partnerships. Our service requires personal information from families to provide appropriate and responsive care. This policy has been developed to comply with the Australian Privacy Principles (APPs) (2014) and pursues the highest standard in the protection and preservation of privacy and confidentiality.

## Scope

Approved Provider, Nominated supervisor, Early Childhood educators, casual staff and families

## RELATED GUIDELINES, STANDARDS, FRAMEWORKS

National Quality Standard, Quality Area 7: Governance and Leadership

## Definitions

We will maintain private and confidential files for educators and staff, children and their families. We will develop systems for the appropriate use, storage and disposal of records. ◁ ensure the information in these files is used only for the education and care of the child enrolled in the service, and only shared with relevant or authorised people as defined within authorisations of the Education and Care Services National Regulations.

## Policy Content

- Our education and care service aims to meet these goals through the adoption of this specific Privacy and Confidentiality policy and our Privacy Collection statement which will guide our practices in this area.
- Ensure each families' information is correct in enrolment records. This includes information on immunisation updates, income and financial details (credit card or bank information), contact details of family and emergency contact information, children's developmental records, Family Assistance information, and any medical or legal information – such as family court documentation – required by our education and care service. This would include any information required to be recorded under the National Law and Regulations, the Family Assistance Law other relevant information collected to support the enrolment of a child. Provide families with details on the collection of personal information collected: This information will include:
  - » The types of information collected by our education and care service;
  - » The purpose of collecting information;
  - » What types of information will be disclosed to the public or other agencies; and when and why disclosure may occur;
  - » How information is stored at the service;
  - » Approaches used to keep information secure;
  - » Who has access to the information;
  - » The right of the individual to view their personal information;
  - » The length of time information needs to be archived; and
  - » How information is disposed.
- Will ensure information provided by families and staff is only used for the purpose it was collected for.

- Ensure that education and care service records, personnel records, CCS information and children's and families information is stored securely reducing the chance of unauthorised access, use or disclosure and remains private and confidential within the education and care environment at all times. ◁ Will ensure that information kept is not divulged or communicated, directly or indirectly, to anyone other than:
  - » Medical and developmental information that is required to adequately provide education and care for the child;
  - » The Department of Education, or an authorised officer; or
  - » As permitted or required by any Act or Law.
- Individuals will be allowed access to their personal information as requested. Individuals must request this information in writing from the Nominated Supervisor. Authorised persons may request to view any information kept on their child.
- Information may be denied under the following conditions:
  - » Access to information could compromise the privacy of another individual;
  - » The request for information is frivolous or vexatious; and
  - » The information relates to legal issues, or there are legal reasons not to divulge the information such as in cases of custody and legal guardianship.

### Links to Policy

Privacy Collection Statement

### Links to Procedure

Privacy and Confidentiality Procedure

### Links to Forms

Nil

### References

Children (Education and Care Services National Law Application) Act 2010

Education and Care Services National Regulations

Children and Young Persons (Care and Protection) Act 1998

Australian Privacy Principles – [www.oaic.gov.au](http://www.oaic.gov.au) ◁ Office of the Australian Information Commissioner – [www.oaic.gov.au](http://www.oaic.gov.au)

Privacy Act 1988 (Privacy Act) – [www.oaic.gov.au/privacy-law/privacy-act](http://www.oaic.gov.au/privacy-law/privacy-act)

Early Childhood Australia – [www.earlychildhoodaustralia.org.au](http://www.earlychildhoodaustralia.org.au)

### Responsibility

Nominated Supervisor

### Document Author

Nominated Supervisor

### Relevant Legislation

Education and Care Services National Regulations: 181

### Associated Records

Nil