

Centre Policy

Confidentiality of Centre Records Policy

*References: National Quality Standards 7.3.1, 7.3.5 National Regulations 177-184
Privacy Act 1988*

Policy statement

The education and care service protects the privacy and confidentiality of individuals by ensuring the safety and confidentiality of information pertaining to educators, staff, children and their families. It is essential that all records and files pertaining to educator, staff member, child or family within the centre are kept confidential and that limited access is granted to the records.

Definitions

1. "Personal information" means any information which identifies an individual or from which an individual's identity can be reasonably ascertained. Name, address and telephone numbers are examples of personal information.
2. "Sensitive information" means information or an opinion about an individual's racial or ethnic origin, political views, religious beliefs or affiliations, union memberships, criminal history, sexual preferences or health information.
3. An identifier is any information that distinguishes an individual person or company such as a photograph or business logo.

Policy Guidelines

The following guidelines will apply with respect to maintaining confidentiality with regard to children's personal documents kept at the service.

1. Educators, staff, children and their families have the right to the protection of personal information. As a result, laws relating to the protection of privacy and confidentiality must be strictly adhered to.
2. All personal information regarding educators, staff, parents and their children must be entered into G8 designed databases ie. Qikkids as soon as practicable. This information will be disclosed only to parties who need the information to fulfil their responsibilities at the service, or those with a legal right to obtain such information from us.
3. The reasons for collecting this information must be lawful and fair.
4. Based on the **Australian Privacy Principles (APPs)**:
 - Educators, staff and parents must be informed on what personal information is being collected and why.
 - Personal information disclosed must be relevant and not too intrusive.
 - Educators, staff and parents are allowed to update personal information if thought necessary.
 - Educators, staff and parents will be provided with clear information regarding:
 - Any legal authority that comes to the centre to collect personal information relating to their child
 - What information was divulged and why

Unless the centre is required or authorised by or under an Australian law or a court/tribunal order to not disclose the event.

5. Educators/staff must be provided with clear written guidelines detailing:
 - What information may be divulged and why?
 - Who has the legal right to access this information?

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- Where and how this information is stored at the centre?
6. Only the following categories of people have access to children's records:
- Parents or other persons responsible for the child in consultation with the nominated supervisor, or a team member delegated by the nominated supervisor and the child's teacher
 - Appropriate company management
 - Permanent contact educators/staff
 - The centre management
 - The relevant state regulatory authority. Such access must however not be provided unless the person produces his /her credentials to our team members
 - Other authorised officers e.g. from funding bodies (Government Agencies), etc.

Please note: Students, trainees and volunteers will not have access to any child's records without prior written consent from the parents involved.

7. Information about educators/staff will only be accessed by the nominated supervisor, operations manager, senior operations manager or the human resource coordinator and the educator/staff concerned.
8. All matters discussed at service meetings regarding parents and children will be treated as confidential.
9. Any personal issue relating to a child must be discussed only with the nominated supervisor or the operations manager, senior operations manager and or group operations manager.
10. Educators/staff will protect the privacy and confidentiality of other educators/staff by not relating personal information about each other to anyone either within or outside the centre.
11. Educators/staff can take home a child's development records and centre programmes only if considered absolutely necessary and if prior permission for this has been obtained from the Nominated Supervisor.
12. Any record kept by the service automatically becomes the property of the service.
13. Please refer to our 'privacy of information' policy for more details on this subject.

APP privacy policy for parents and guardians

Collection and Use

All information supplied must be true and accurate therefore this cannot be done anonymously.

The centre is required to collect correct personal and health information from or about families within the following forms and methods:

- Enrolment form and documentation
- Ezi debit form
- Attendance register
- Accident/Illness reports
- Authorisations to give medication
- Medical certificates
- Family assistance office assessment forms
- Observation and photos of children

This information is required to ensure the health and safety of your child whilst in our care, and to meet legislative requirements set down in:

1. Education and Care Services National Law and National Regulations; and
2. The Privacy Act 1988 (Cth) and the Australia Privacy Principles.

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If we are provided with personal information that we did not collect directly from you about you, your family or your child(ren), we will advise you of this collection as soon as practicable.

Disclosure of personal information

The information you give is used by those educators/staff who need to access the information to meet the above requirements, and if required may also be disclosed to the following authorities:

- CCMS
- Medical/ambulance staff
- DEEWR
- Regulatory authority
- Inclusion support agencies

Storage of personal information

All personal information is kept in a secure online database to protect it from unauthorised access, modification or disclosure.

Access and correction of personal information

You are entitled to access personal and private information kept about you and your family on request, and may ask for inaccurate information to be up-dated or corrected. Failure to provide the required information will result in non-acceptance of your child's enrolment.

Questions and complaints

Your privacy is important to us, should you have any questions, concerns or you wish to make a complaint relating to our collection and use of your personal information please contact us the nominated supervisor or operations manager.

Policy review

- The service will review the confidentiality of centre records policy every year or as new information arises.
- Families are encouraged to collaborate with the service to review the policy and procedures.
- Educators/staff are essential stakeholders in the policy review process and will be encouraged to be actively involved.

Sources

- Consultation with management, staff and families.
- Privacy Act 1988 - <http://www.oaic.gov.au/privacy/privacy-act/the-privacy-act>
- For all documents relating to the National Quality Framework including but not limited to:
 - National Law Guide and National Regulations Guide
 - National Quality Standards Guide
 - Early Years Learning Framework and the My Time, Our Place Framework for Outside School Hours Care
 - Quality Improvement Plan Guide

Go to ACECQA website www.acecqa.gov.au

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