



# Confidentiality

Review Date: 11/11/2018

## Introduction

Our education and care service recognises and respects the importance of privacy and confidentiality as an individual right and a basis for building partnerships.

This policy has been developed with regard to the Information Protection Principles (IPPs) (2003) and pursues the highest standard in the protection and preservation of privacy and confidentiality.

## Goals – What are we going to do?

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 2011.

## Strategies - How will it be done?

### Collection of Information

For the education and care service to be able to meet the needs of each child, family, educator and staff member information must be collected and maintained. The Nominated Supervisor will provide families with details on the collection of personal information.

This information will include:

- The types of information collected by the 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;
- How information is disposed;
- The Nominated Supervisor will ensure information provided by families and staff is only used for the purpose it was collected for.

## **Storage of Information**

The Nominated Supervisor will ensure that all personal information is stored securely reducing the chance of unauthorised access, use or disclosure.

## **Access to Information**

The Nominated Supervisor 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, or
- The Department of Education and Communities, or an authorised officer, or
- As permitted or required by any Act or Law.

Individuals will be allowed access to their personal information when they request it. 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;
- 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.

## **Maintaining Information**

The Nominated Supervisor is responsible for keeping all service records required under the Education and Care National Regulation 2011. Information will be updated regularly.

In keeping with the Early Childhood Australia (ECA) Code of Ethics (2008), the Education and Care Services National Regulations 2011 and the Privacy Legislation, educators and staff employed by the education and care service bound to respect the privacy rights of children enrolled and their families; educators and staff and their families and any other persons associated with the service. Educators will sign a Confidentiality Statement as it relates to privacy and confidentiality of information.

## **Statutory Legislation & Considerations**

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

Education and Care Services National Regulations 2011

## **Sources**

Information Privacy Principles, [www.privacy.gov.au/publications/ipps.html](http://www.privacy.gov.au/publications/ipps.html)

Department of the Officer of the Privacy Commissioner - [www.privacy.gov.au](http://www.privacy.gov.au)

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

Community Childcare Cooperative Sample Policies - [www.ccccnsw.org.au](http://www.ccccnsw.org.au)

## **Evaluation**

All information related to the service, the staff and families will be maintained in a private and confidential manner.

**Adopted on behalf of the Management Committee**

**President's Name:** Naomi Simpson

**Date:** 11/11/2016

**REVIEW DATE: 11/11/2018**