

Privacy Policy

DRAFT 10/05/18

Introduction

This Privacy Policy contains important information about why and how we collect personal information about your family and how we manage and safeguard your family's privacy when you entrust this information to us.

Your Privacy

We appreciate that the success of our service is in no small part, dependent upon a relationship of trust being established and maintained with past, current and future families and the importance of managing collected personal information with a high degree of diligence and care.

We are committed to ensuring the continued integrity and security of the personal information you have entrusted to us and of complying at all times with the privacy laws (incorporating the Australian Privacy Principles) that apply to the service we provide. If you have a comment, query or complaint regarding a privacy matter, please don't hesitate to discuss it with us.

What information do we collect?

We collect personal information directly from you through our enrolment and application processes and sometimes we collect or confirm this information from a third party such as funding agencies or health practitioners.

The private information we are required to collect includes but is not limited to:

- your name, address, date of birth and full name, date of birth and address of the child;
- name, address and contact details for:
 - each known parent;
 - any emergency contacts;
 - any authorised nominees;
 - any person who is authorised to consent to medical treatment or administration of medication;
 - any person who is authorised to give permission to an educator to remove the child from the education and care service premises.

- details of any court orders, parenting orders or parenting plans;
- gender of the child;
- language used in the child's home;
- cultural background of the child and parents;
- any special considerations for the child, such as any cultural, religious or dietary requirements or additional needs;
- authorisations for:
 - the approved provider, nominated supervisor or an educator to seek medical treatment for the child and/or ambulance transportation;
 - the service to take the child on regular outings.
- name, address and telephone number of the child's registered medical practitioner or medical service;
- child's Medicare number (if available);
- details of any specific healthcare needs of the child, including any medical condition, allergies or a diagnosis that the child is at risk of anaphylaxis;
- any medical management plan, anaphylaxis management plan or risk minimisation plan for the child;
- any dietary requirements of the child;
- immunisation status of the child;
- if the approved provider or staff member has cited a health record for that child, a copy is filed;
- certificates of immunisation or exemption as required in NSW;
- Residential status and proof of identity.

You need to also be aware that when you visit our website, apps or other web-based content and services ("Websites"), that our service provider may record information (such as your computer's IP address and top-level domain name, the type of browser you are using, the date, time and pages accessed) in relation to your visit.

Use and Disclosure

We only collect personal information where it is reasonably necessary for one or more of our functions or activities, such as:

- the administering and management of early childhood education and care;
- assessing your eligibility for funding support or other benefits;
- complying with any legal or regulatory obligations imposed on us;
- performing our necessary business functions.

To do this, some of your private information will be shared with government agencies or funding organisations as required in order to entitle you to access various support, if any.

We may also disclose your personal information to organisations that carry out functions on our behalf. This may include for example education software or information technology service providers, professional advisers, regulators and government authorities. Our agreements with these entities ensure this information is only used to carry out functions on our behalf and use your private information for the purpose it was disclosed.

We may also disclose your personal information to an individual or an organisation (a 'third party') if:

- You direct us to do so;
- You consent to the third party obtaining the information from us; or
- You consent to the third party accessing the information on our systems, and/or do anything which enables the third party to obtain access.

Your consent to a third party obtaining or accessing information may be implied from:

- Your use of any service or application which a third party provides to you, or makes available to you, which involves the third party obtaining or accessing personal information held by us or organisations like us; or
- You doing anything else which enables the third party to obtain access to the information.

Anonymity

There are limited circumstances where you may be able to deal with us anonymously or by using a pseudonym if you request to do so. Examples include where you are seeking only general information about our services or indicative pricing. In most cases it will not be possible for you to deal with us in this way, or to commence or complete an enrolment application due to the information and identifiers required by regulators and government agencies.

Access and correction

You may request access to your personal information that we hold at any time and request a correction of any errors in that information.

We will also take reasonable steps to amend or correct your personal information to keep it accurate and up-to-date.

Please contact us if you would like to access or request a correction of your personal information.

Storage and security of your personal information

We will take reasonable steps to keep the personal information that we hold about you secure to ensure that it is protected from loss, unauthorised access, use, modification or disclosure.

Your personal information is stored within secure systems that are protected in controlled facilities. Our employees and authorised agents are obliged to respect the confidentiality of any personal information held by us.

You can also help to keep the personal information that we hold about you secure by taking care before you authorise or otherwise assist any third party to obtain or gain access to that information.

Storage of Children's Development Records

Educators take photos and make notes for use in children's developmental records on their digital devices. When children's photos, observations and learning stories are uploaded to Google Drive, they are removed from these devices.

Google Drive is a cloud-based storage system. Cloud-based storage is a powerful tool for educators and parents to share information and work in partnerships. However, while corporations such as Google have in-built security, users should be aware that breaches have occurred in other cloud-based services. Users accept this small degree of inherent risk when accepting the terms and conditions of the Google Drive software.

Opting out: Parents who chose not to have their child's data uploaded to Google Drive will have the options of providing an alternative digital storage system such as a hard drive or can receive a hardcopy of photos and the summative assessment.

Social and Print Media

Photos appear in the local paper and are posted on social media to inform the community of the learning occurring in our services.

Parents may give or withhold permission for their child's photo to be used in the enrolment form. Children's names will not be posted.

Permission can be withdrawn at any time. When giving authorisation for children's photos to appear in print or social media, parents accept the terms and conditions of the newspaper/social media company.

Our websites and the use of cookies

We use our best efforts to ensure that information received via our Websites remains secured within our systems. We are regularly reviewing developments in online security; however, users should be aware that there are inherent risks in transmitting information across the internet.

We use cookies on our Websites. Cookies can make using our Websites easier by storing information about your preferences and enabling you to take full advantage of our services. Cookies are very small text files that a Website can transfer to your computer's hard drive or portable electronic device's memory for record keeping.

Most internet web browsers are pre-set to accept Cookies to enable full use of websites that employ them. However, if you do not wish to receive any Cookies on an internet web browser you may configure your browser to reject them or receive a warning when Cookies are being used. In some instances, this may mean that you will not be able to use some or all of the services provided on our websites. However, you may still be able to access information-only pages.

How we manage a data breach

A data breach occurs when personal information is lost or subjected to unauthorised access, modification, use or disclosure or other misuse.

Data breaches can be caused or exacerbated by a variety of factors and give rise to a range of actual or potential harms to individuals, agencies and organisations.

In the event of any suspected data breach, the matter will be investigated to determine:

- The nature of the breach
- The number of people impacted
- The nature of the breach and extent to which an individual or group may be harmed by the breach
- Remedial action to minimise or prevent impact
- Review of systems to minimise the possibility of future similar breach.

De-identification and destruction of records

When your child/children leave our service, the following documents and records must be retained by law for the periods of time listed. At the conclusion of that period, the documents and records will be de identified and destroyed.

Type of record	Timeframe	Reference
Child Assessments	Until 3 years after child's last attendance	Regulation 74, 183
Incident, injury, trauma and illness records	Until the child is 25 years old	Regulation 87, 183
Medication record	Until 3 years after child's last attendance	Regulation 92, 193
Child's Attendance	Until 3 years after child's last attendance	Regulation 158-159, 183
Child enrolment	Until 3 years after child's last attendance	Regulation 160, 183
Death of a child while being educated and cared for by the service	Until 7 years after child's last attendance	Regulation 12, 183
Staff record	Until 3 years after employee's last attendance	Regulation 145
Record of access to early childhood teacher	Until 3 years after child's last attendance	Regulation 152
Record of educators working directly with children	Until 3 years after child's last attendance	Regulation 151
Record of volunteers and students	Until 3 years after child's last attendance	Regulation 149

All other documents and records that are not listed above will be de-identified and destroyed within 30 days of your departure from the service.

Statutory Legislation & Considerations

Privacy Act 1988

Education and Care Services
National Regulations [2011 - 653]
Version 1 Feb 2018

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

Related Policies

Social Media Policy

Staff Code of Conduct

Changes to this policy

From time to time, it may be necessary for us to review our Privacy Policy and the information contained in this document. We will notify you of any changes by posting an updated version on our Websites and providing you with a revised copy of the document.

Privacy concerns, complaints or changes to your information

If you have concerns, wish to make a complaint regarding the handling of your personal information by us or if you would like to correct information we currently hold, please contact the services Privacy Officer, Allyson Cuskelly on (02) 66825235.

If you are not satisfied with the response provided, you may refer your complaint directly to:

Office of the Australian Information Commissioner
Phone: 1300 363 992
Email: enquiries@oaic.gov.au
www.oaic.gov.au External Link

Further information about privacy

You can find more information about privacy (including information about specific issues, answers to frequently asked questions and links to the 13 Australian Privacy Principles) on the Office of the Privacy Commissioner's website at <http://www.oaic.gov.au> External Link

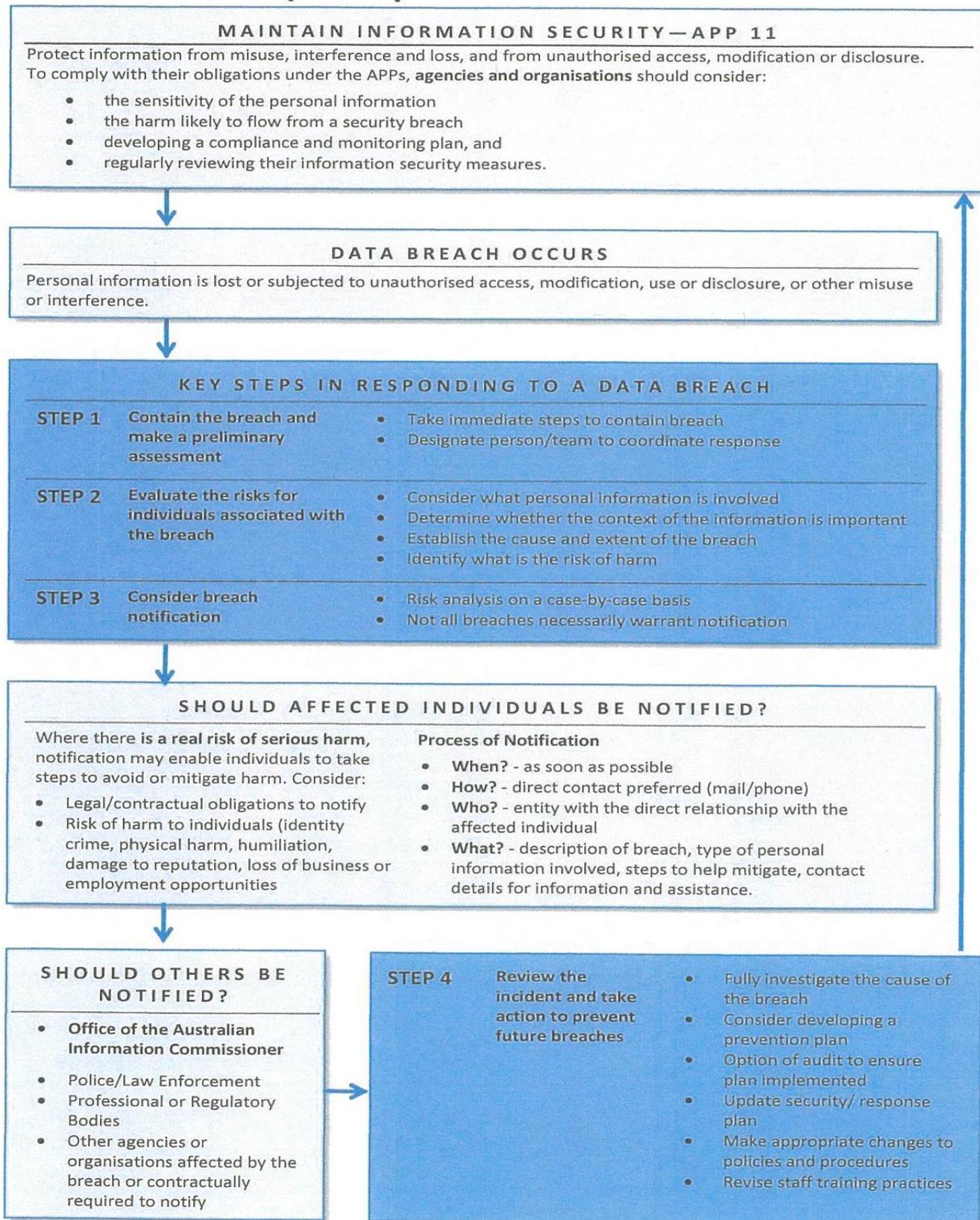
President's Name:

President's Signature:

Date:/...../.....

REVIEW DATE:

Data breach response process



DATA BREACH MANAGEMENT AND ACTION PLAN

Manager of This Breach		Person Who Identified the Breach	
Name		Name	
Address		Address	
Town		Town	
State		State	
Post Code		Post Code	
Phone		Phone	

Describe what the data breach was -

Date breach occurred	Date breach discovered
...../...../...../...../.....

What Type of personal information was disclosed (Please circle)

- Financial details - e.g. credit card numbers, passwords, account information, financial statement
Tax File Number (TFN)
- Identity information - e.g. Centrelink Reference Number, passport number, driver license number
- Contact information - e.g. home/work address, phone number, email address
- Health information – e.g. medications, conditions, treatments
- Other sensitive information - e.g. sexual orientation, political or religious views

Describe how the data breach occurred -

How many individual's personal information was involved in the breach -

What remedial steps can be taken, if any, to minimise the impact on individual of the breach
 NOTE: *If remedial action is sufficient to rectify the situation and exposure to harm is minimised, no further entry is required, or the Commissioner notified.*

What action are being taken to assist individuals who's personal information was involved in the breach -

How will individuals who are likely to be at risk of serious harm as a result of the data breach be notified and when will this will occur -

List any other data protection authorities, law enforcement bodies or regulatory bodies that you have reported this data breach to: