



Jannali East Before and After School Care
Program Incorporated
ABN : 82 641 384 248
Provider Number: 555006 930H
P.O. Box 338 Jannali NSW 2226
Telephone: 0435 - 996806

Confidentiality Policy

Considerations:

- **National Regulations 145 – 152**
(Staff and educator records)
- **National Regulation 168**
(Education and care service must have policies and procedures)
- **National Regulations 174 – 176**
(Time to notify certain circumstances and information to Regulatory Authority)
- **National Regulation 177**
(Prescribed enrolment and other documents to be kept by approved provider)
- **National Regulation 181**
(Confidentiality of records kept by approved provider)
- **National Regulation 183**
(Storage of records and other documents)

Sourced:

- Education and Care Services National Law Act 2010
- National Quality Standards: Quality Areas: 4.2, 5.1 and 7.3
- Privacy Act 1988
- UN Convention on the Rights of the Child

Related Policies & Documentation:

- Child Care Benefit legislation
- Child Care Service Handbook (DEEWR)
- Dealing with Medical Conditions Policy
- Enrolment Form
- Governance and Management Policy
- My Time, Our Place Framework
- Parent Handbook
- Personnel files
- Staff Handbook
- Work, Health and Safety Act 2011

Policy Statement:

Our service will make every effort to protect the privacy and confidentiality of all individuals associated with the service by ensuring that all records and information about individual

children, families, educators, staff and management are kept in a safe and secure place and are not divulged or communicated, directly or indirectly, to another person other than:

- To the extent necessary for the education and care of the child
- To the extent necessary for medical treatment of the child
- Family of the child to whom the information relates
- The Regulatory Authority or an authorised officer as expressly authorised, permitted or required under the Education and Care Services National Law and Regulations
- With the written consent of the person who provided the information.

Procedures:

(a) Collection of personal information

- Before collecting personal information, the service will inform individuals of the following:
 - The purpose for collecting the information;
 - What types of information will be disclosed to the public or other organisations;
 - When disclosure will happen;
 - Why disclosure needs to occur;
 - How information is stored;
 - The strategies 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 retained; and
 - How information will be disposed of.
- All information regarding the children and their families attending the service is to be used solely for the purposes of providing childcare and meeting the administration requirements of operating the service.
- All information regarding any child/family enrolled in the service will only be accessible to authorised persons. The Approved Provider and the Nominated Supervisor will determine who is authorised to access records.

(b) Retention and Storage of Records

- The Service will ensure that documents set out in the Education and Care Services National Regulations (Regulation 177) are kept in a safe and secure place for the length of time outlined in Regulation 183 (2).
- The Approved Provider will develop a practice in relation to the retention and disposal of records.
- In the event that approval of the service is transferred, the requirements of Regulation 184 will be followed.

(c) Disclosure of Information

- Personal information regarding the children and their families is not to be discussed with anyone outside the service, except in circumstances outlined in Regulation 181.
- Families may seek access to the personal information collected about them and their child by contacting the Nominated Supervisor at the service. Children may also seek

access to personal information about themselves. However access may be denied where access would impact on the privacy of others; where access may result in a breach of the service's duty of care to the child; or where the child has provided information in confidence.

- Lists of children's or families names, emails and phone numbers are deemed confidential and are not for public viewing and will not be issued to any other person or organisation without written consent.
- No personal information regarding a staff member is to be given to anyone without his/her written permission.

(d) Personal Conversations

- Personal conversations with families about their children, or other matters that may impact on the child's enrolment, for example, fees, will take place in an area that affords them privacy.
- Personal conversations with educators and staff about matters relating to their performance will take place in an area that affords them privacy.

(e) Maintenance of Information

- The Nominated Supervisor is responsible for maintaining all service records required under the Education and Care Services National Regulations (Regulation 168) and other relevant legislation, for example, Work, Health and Safety, Australian Taxation Office, Family Assistance Office, Department of Education, Employment and Workplace Relations (DEEWR) and for ensuring that information is updated regularly.
- The service takes all reasonable precautions to ensure personal information that is collected, used and disclosed is accurate, complete and up-to-date.
- Individuals will be required to advise the service of any changes that may affect the initial information provided.

Endorsement by the Service:

Considered and accepted by the Management Committee (representative):

Name Signature Date

Considered and accepted by the Staff (representative):

Name Signature Date

Considered and accepted by the Parents (representative):

Name Signature Date

Last Reviewed: January 2014

Next Review: January 2016