Hills Grammar

Privacy and Confidentiality Procedure

Statement

The ECEC requires important information from families, educators and staff to provide appropriate and responsive care to all children, educators and staff. The ECEC recognises and respects the importance of privacy and confidentiality as an individual right and a basis for building partnerships.

Rationale

The ECEC will ensure private and confidential files for educators and staff, children and their families are stored confidentially. Systems will be developed for the appropriate use, storage and disposal of records, in consultation with the School's archivist. The information from families and children in these files is only used for the education and care of the child enrolled in the ECEC, and only shared with relevant or authorised people as defined within authorisations of the Education and Care Services National Regulations.

Strategies

The Nominated Supervisor will focus on the following in regards to:

Collection of Information

- Ensure families' information is included in enrolment records. This includes but is not limited to information on immunisation updates, contact details of family and emergency information, Family Assistance information and any medical or legal information.
- Ensure each staff member, volunteer/visitor or student information is correct in personnel and other files. This includes but is not limited to information on qualifications, working with children' checks, criminal history checks, contact and emergency information, health and legal information.
- Ensure families, educators, staff and visitors have access to this policy as well as the ECEC Privacy Collection Statement which includes details about how they can access their personal information, have this corrected as needed or make a complaint about a breach of privacy, if one occurs.
- Ensure that information collected from families and educators is, maintained in a private and confidential manner. Information that is collected will not be divulged or communicated to another person other than the ways outlined as appropriate in the Education and Care Services National Regulations, which say information can be communicated;
    - To the extent necessary for the education, care or medical treatment of a child.
    - To the parent of the child to whom the information relates (except for information in staff records).
    - To the regulatory authority or an authorised officer.
    - As authorised, permitted or required to be given by or under any act or law.
    - With written consent of the person who provided the information.
- Support parent decisions that children's photos which are emailed or used for publications, are only used if the family has given consent on their child's enrolment form.
- Provide families with information on how the Seesaw App will be used as a communication tool to families and provide them with an opportunity to sign the permission form to say yes or no to having their child's photos on the Seesaw.
- Provide families with information on the ECEC Dealing with Complaints in addition to the Hills Grammar School's Complaints Resolution procedure if any privacy or confidentiality procedure has been breached.

Individuals can make a complaint to the Approved Provider if they believe there has been a breach of their privacy.

- Information provided by families, staff and educators will only be used for the purpose it was collected for.

Storage of Information

- All personal information is stored in a way that reduces the chance of unauthorised access, use or disclosure.
- When required, confidential information will be sealed in a THGS confidential envelope with information on the front detailing who is able to open and read it. This envelope will be stored in the child/staff member's file.

Access to Information

- 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, 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;
  - If access to information could compromise the privacy of another individual.
  - The request for information has no serious purpose of value.
  - 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 ECEC records required under the Education and Care National Regulations. Information will be updated as required.
- For the ECEC 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 ensure information provided by families, educators and staff is only used for the purpose for which it was collected.

Educators will:

- Maintain children's information and store documentation according to this policy at all times.
- Not share information about the ECEC, management information, other educators, or children and families without written permission or legislative authority.
- In keeping with the Early Childhood Australia (ECA) Code of Ethics, the Education and Care Services National Regulations, educators employed are 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 ECEC.

Families will:

- Be informed of the information that is required to be shared with ECEC for the purposes of enrolling their child.
- Have access to their own personal information or their child's information should they request to view anything.
- Be informed of this policy as well as the Privacy Collections Statement.

Statutory Legislation and Considerations

Education and Care Services National Law Act 2010

Education and Care Services National Regulations

Guide to the National Quality Standard ACECQA

Sources

Community Early Learning Australia www.cela.org.au

Australian Children's Education and Care Quality Authority (ACECQA) www.acecqa.gov.au

Australian Childcare Alliance www.childcarealliance.org.au

Review

This policy is reviewed by management, employees and families as required or when legislative requirements change.

Families and staff are essential stakeholders in the policy review and will be given opportunity and encouragement to be actively involved.