



## POLICIES AND PROCEDURES

### Privacy Policy

Adapted from policy by Kestine Flanagan-Project Officer-Community Childcare Co-op Ltd

#### **Policy Statement:**

Protecting the privacy of personal and sensitive information collected by our service and the need for confidentiality is a fundamental requirement for Time 4 Kindy Pre School & Long Day Care Centre in providing a quality childcare service.

Time 4 Kindy Pre School & Long Day Care Centre complies with the Commonwealth Privacy Act 1988 – Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Privacy Amendment Act and the Privacy Regulation 2013).

Time 4 Kindy Pre School & Long Day Care Centre follows the standards of Australian Privacy Principles to regulate the way in which our service manages personal and sensitive information.

#### **Strategies, Practices and Procedures:**

Time 4 Kindy Pre School & Long Day Care Centre requires certain information to be collected, in accordance with the regulatory framework of operating a children's service.

#### **1. Collecting Information**

- a) Personal information must only be collected and used specifically for the purpose of the organisation's function. Personal information should be collected in a fair and unobtrusive way. Basic details are collected directly from parents, such as names and the names of authorised persons (authorisations) to collect or contact in case of an emergency, address, phone contacts. It is also necessary for educators to collect details regarding a child's name, date of birth, medical details, health, routines, likes and dislikes which make up a personal profile.
- b) Persons providing the information should be given appropriate access to their information and be advised about the purpose for the collection of the information.
- c) Collection of information is limited to only the amount of information that is necessary for the organisation's activities. It is generally only collected with consent of the individual.
- d) The primary purpose for collecting information is to enable Time 4 Kindy Pre School & Long Day Care Centre to provide your child with an individual developmentally appropriate program that is educational, nurturing and safe.
- e) We are required to hold information regarding a child's Child Care Benefit entitlements. All this information is vital in assisting us to provide the best possible individual care for your child and for processing payments. Some of the information we collect is to satisfy the services' legal obligations under the National Regulations.

Time 4 Kindy Pre School & Long Day Care Centre will only collect personal information after providing our "Privacy Information Management Statement" to the individual (or their parents) about which the information is being collected. This is attached to our enrolment form

#### **2. Use and Disclosure**

- a) Personal Information – Disclosure of information should only be for the purpose for which it was collected. This is with limited exceptions, and can only be used for a secondary purpose when it relates specifically to the primary purpose of the collection of the information.
- b) Sensitive Information can only be used when informed consent is obtained at the time the information was collected.
- c) Time 4 Kindy Pre School & Long Day Care Centre discloses personal and sensitive information to the service's staff, for the specific purpose of administration and education of your child.
- d) Time 4 Kindy Pre School & Long Day Care Centre will obtain parent/guardian permission before disclosing a child's personal and sensitive information to a professional attending our centre for the specific purpose of providing a service for your child. This includes early intervention teachers, speech therapists, occupational therapists, doctors and counselors.
- e) Personal information collected about children is regularly disclosed to their own parents or guardians. On occasions, information such as a child's personal achievements, child portfolios and photos are displayed within the boundaries of our service's building.
- f) Time 4 Kindy Pre School & Long Day Care Centre from time to time engages in fundraising activities. Information received from you may be used to make an appeal to you. We will not disclose your personal information to third parties for their own marketing purposes without your consent, or for any other reason than for the purpose for which it was collected.
- g) Time 4 Kindy Pre School & Long Day Care Centre will disclose specific information, including your child's name, age and specific needs to the carers of your child.
- h) Time 4 Kindy Pre School & Long Day Care Centre may include your emergency contact details in a class list and in Time 4 Kindy Pre School & Long Day Care Centre's contact directory. Access to these is limited to the staff and the boundaries within Time 4 Kindy Pre School & Long Day Care Centre.
- i) If you provide Time 4 Kindy Pre School & Long Day Care Centre with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the centre, and why. You will also need to inform them that they can access that information if they wish to do so.
- j) Time 4 Kindy Pre School & Long Day Care Centre may, from time to time, disclose personal and sensitive information to others for administrative purposes. This includes to the Early Childhood Education and Care Directorate, NSW Department of Education and Communities, Department of Human Services, Department of Health, Family Law Court and other Education and Care Professionals.

### **3. Data Quality**

- a) Time 4 Kindy Pre School & Long Day Care Centre takes all reasonable precautions to ensure personal information that we collect, use and disclose is accurate, complete and up-to-date. However, the accuracy of that information depends, to a large extent, on the information that is provided by the individuals.
- b) Individuals will be required to advise our service of any changes that may affect the information provided.
- c) The Approved Provider of the service will ensure information is collected and maintained in accordance with the Education and Care Services National Regulations 2011.

### **4. Data Security**

- a) Time 4 Kindy Pre School & Long Day Care Centre will protect personal information from misuse, loss, change, and unauthorized access/disclosure.
- b) The Approved Provider of the service will ensure personal information is stored in accordance with the Education and Care Services National Regulations 2011.

## **5. Openness, Access and Correction**

- a) Parents/Guardians may seek access to the information collected about them and their son/daughter by contacting the centre. Children may also seek access to personal information about themselves. However, there will be occasions when access is denied. Such occasions would where access would have an unreasonable 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 children have provided information in confidence.

## **6. Identifiers**

- a) Time 4 Kindy Pre School & Long Day Care Centre recognizes that Government identifiers such as the Medicare number or Veterans Affairs numbers will only be used for the purpose for which it was issued.

## **7. Anonymity**

- a) Time 4 Kindy Pre School & Long Day Care Centre will offer anonymous transactions within the organization whenever possible.

## **8. Transfer Data Flows**

- a) Time 4 Kindy Pre School & Long Day Care Centre does not transfer information outside of Australia.

## **9. Sensitive Information**

- a) Time 4 Kindy Pre School & Long Day Care Centre respects the rights of individual's sensitive information.
- b) A higher level of privacy protection applies to sensitive information.
- c) Sensitive information relates to information about an individual's religious beliefs, racial or ethnic origin, philosophical beliefs, political opinions, membership of a political association, membership of a trade union, sexual preferences or practices, criminal records or health information.
- d) Sensitive information can only be collected with an individual's consent to do so.
- e) Sensitive information can only be used when informed consent is obtained at the time the information was collected.

### **Training Staff:**

The way an organization's staff handle personal information is just as important as the technology the organization has in place to manage and secure the information. All new staff will receive instruction during orientation on the use, collection and storage of private information.

### **Employment:**

Personal information collected from prospective employees who are subsequently not employed by an organization, such as unsuccessful job applicants, will not be covered by the employee records exemption. However, once an individual's employment relationship is formed with an individual, the records the employee holds relating to that individual's pre-employment checks become exempt.

**The Approved Provider/Nominated Supervisor will ensure that this policy is maintained and implemented at all times.**

### **Links to Other Policies:**

Enrolment Form

Referral to Other Agencies Policy

Consent to Release Information Form  
Documentation of Children's Experiences Policy  
Occupational Health and Safety Policy  
Grievances and Complaints Management Policy  
Child Protection Policy

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**Policy Reviewed:** March 2016  
**Policy Review Date:** March 2017

**Sources:**

Education and Care Services National Law Act 2010  
Education and Care Services National Regulations 2011  
National Quality Standards 2011 Quality Areas 2, 4 6 and 7  
NSW Department of Education & Communities  
Laws relating to protection of privacy and confidentiality; duty of confidentiality arising from a contract with parent; to whom and when information must be disclosed;  
Child Care Service Handbook 2012-2013  
Commonwealth Privacy Act 1988  
Privacy Amendment (Enhancing Privacy Protection) Act 2012 (*Privacy Amendment Act*)  
Health records Act 2001  
Privacy and Personal Information Protection Act 1998  
The Health Records and Information and Privacy Bill 2002 (NSW)  
NSW Privacy Commission (02) 9268 5588  
Federal Privacy Commission 1300 363 992  
Health Services Commission  
<http://www.oaic.gov.au/privacy/privacy-act/privacy-law-reform> accessed March 2016