



Confidentiality Policy

Relevant Legislation

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

Education and Care Services National Regulations 2011:181

Link to National Quality Standard:7.3.1

Introduction

Our preschool exists in a small sea side village which is part of the broader Bega Valley community. Educators, staff and families have a significant chance of interacting in the course of their daily living. Our Confidentiality policy is highly valued by staff, educators and our committee who respect and understand the importance of protecting private and sensitive matters.

Our philosophy and practice is founded on the premise that confidentiality is the basis for building positive and respectful relationships. We recognise and respect 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. With this in mind policies and procedures have been developed to protect the privacy, dignity and confidentiality of individual children, families, educators and staff.

Policy Goals

At all times our preschool will:

- ❖ Maintain private and confidential files for educators and staff, children and their families. All records and information will be treated with discretion kept securely place and accessed by or disclosed to authorised people who **need** the information to fulfil their responsibilities at the preschool **or have a legal right to know**.
- ❖ Use 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: What will we do?

Information must be collected and maintained to enable Tathra Preschool to meet the needs of each child, family, educator and staff member

The Nominated Supervisor will provide families with details on the collection of personal information. This information will include:

- The types of information collected by Tathra Preschool;
- 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;

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 Tathra Preschool 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 service. Educators will sign a Confidentiality Statement as it relates to privacy and confidentiality of information.

Disposal of Information

- Records are disposed by procuring the services of Cleanaway using a sealed container

Evaluation

All information related to the service, the staff and families will be maintained in a private and confidential manner. The Nominated Supervisor will ensure information provided by families, staff and educators is only used for the purpose it was collected for.

Procedures and Forms

- Confidentiality Statement
- Staff Code of Conduct
- Enrolment Form
- Enrolment Handbook
- Staff Induction Procedures
- Child Protection Policy
- Grievance Procedures.
- Enrolment and Orientation for new families procedures
- Induction Procedures for staff, committee, students and volunteers
- Storage and Disposal of Personal Information Procedures

Links to other Policies

- Tathra preschool Philosophy
- Staff Code of Conduct
- Tathra Preschool Acceptance and Refusal of Authorisation Policy
- Enrolment and Orientation for new families Policy
- Grievances and Complaints Policy
- Payment of fees

Sources and References

DEEWR (2009). Belonging Being and Becoming: The Early Years Learning Framework for Australia. www.deewr.gov.au

Information Privacy Principles www.privacy.gov.au/publications/ipps.html

Department of the Officer of the Privacy Commissioner - www.privacy.gov.au

Australian Early Childhood Code of Ethics
Early Childhood Australia - www.earlychildhoodaustralia.org.au

Tathra Preschool Enrolment Handbook

UNICEF (n.d) fact sheet: A summary of the rights of the child under the Convention on the Rights of the child (March 2011). www.unicef.org

Date Adopted

December 2012

Review Date

Updated 2017
2021 or when procedure,
practice or legislation changes