

# PRIVACY AND CONFIDENTIALITY PROCEDURE

Privacy is acknowledged as a fundamental human right. Our Service has an ethical and legal responsibility to protect the privacy and confidentiality of children, individuals and families as outlined in Early Childhood Code of Ethics, National Education and Care Regulations and the Privacy Act 1988 (Cth). The right to privacy of all children, their families, and educators and staff of the Service will be upheld and respected, whilst ensuring that all children have access to high quality early years care and education. All staff members will maintain confidentiality of personal and sensitive information to foster positive trusting relationships with families.

Working in conjunction with the *Privacy and Confidentiality Policy*, this procedure ensures that the confidentiality of information and files relating to the children, families, staff, and visitors using the Service is upheld at all times.

*Education and Care Services National Law or Regulations (R.168, 181 and 181-184) NQS QA 7: Element 7.1, 7.1.1, 7.1.2, 7.1.3 and 7.2 Governance practices and procedures*

*Related Policy: Privacy and Confidentiality Policy*

STEP 1: COLLECTION OF DATA	
1	Evoked Early Learning is committed to protecting personal information in accordance with our obligations under the Privacy Act 1988 and Privacy Amendments (Enhancing Privacy Protection) Act 2012
2	<p>Personal information includes a broad range of information, or an opinion, that could identify an individual.</p> <p>Sensitive information is personal information that includes information or an opinion about a range of personal information that has a higher level of privacy protection than other personal information.</p> <p>Source: OAIC-Australian Privacy Laws, Privacy Act 1988</p>
3	<p>Personal information our Service may request regarding enrolled children:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Child's name</li> <li><input type="checkbox"/> Gender</li> <li><input type="checkbox"/> Date of birth</li> <li><input type="checkbox"/> Birth Certificate</li> <li><input type="checkbox"/> Address</li> <li><input type="checkbox"/> Religion</li> <li><input type="checkbox"/> Language spoken at home</li> <li><input type="checkbox"/> Emergency contact details and persons authorised to collect individual children</li> <li><input type="checkbox"/> Children's health requirements</li> <li><input type="checkbox"/> Immunisation records- (Immunisation History Statement)</li> <li><input type="checkbox"/> Developmental records and summaries</li> <li><input type="checkbox"/> External agency information</li> <li><input type="checkbox"/> Custodial arrangements or parenting orders</li> </ul>

	<input type="checkbox"/> Incident reports <input type="checkbox"/> Medication reports <input type="checkbox"/> Child Care Subsidy information <input type="checkbox"/> Medical records <input type="checkbox"/> Permission forms – including permission to take and publish photographs, video, work samples <input type="checkbox"/> Doctor’s contact information <input type="checkbox"/> Centrelink Customer Reference number (CRN) <input type="checkbox"/> Dietary requirements	
4	<b>Personal information our Service may request regarding parents and caregivers</b>  <input type="checkbox"/> Parent/s full name <input type="checkbox"/> Address <input type="checkbox"/> Phone number (mobile & work) <input type="checkbox"/> Email address <input type="checkbox"/> Bank account or credit card detail for payments <input type="checkbox"/> Centrelink Customer Reference number (CRN) <input type="checkbox"/> Family court documentation- custody arrangements or parental agreement <input type="checkbox"/> Any other information related to Family Assistance Law	
5	<b>Personal information our Service may request regarding staff and volunteers</b>  <input type="checkbox"/> Personal details <input type="checkbox"/> Tax information <input type="checkbox"/> Banking details <input type="checkbox"/> Working contract <input type="checkbox"/> Emergency contact details <input type="checkbox"/> Medical details <input type="checkbox"/> Immunisation details <input type="checkbox"/> Working With Children Check verification <input type="checkbox"/> Educational Qualifications <input type="checkbox"/> Medical history <input type="checkbox"/> Resume <input type="checkbox"/> Superannuation details <input type="checkbox"/> Child Protection qualifications <input type="checkbox"/> First Aid, Asthma and Anaphylaxis certificates <input type="checkbox"/> Professional Development certificates <input type="checkbox"/> PRODA related documents such as RA number and background checks	

**STEP 2: METHOD OF COLLECTION OF INFORMATION**

1	Information is generally collected using standard forms at the time of enrolment or employment	
2	Additional information may be provided to the Service through email, surveys, telephone calls or other written communication	
3	Information may be collected online through the use of software such as CCS software or program software Xplor	

**STEP 3: STORAGE OF PERSONAL INFORMATION**

1	To protect personal and sensitive information, our Services maintains physical, technical and administrative safeguards. All personnel records, CCS information, personal records related to children and families and other records related to service's provision of education and care will be stored securely and only accessed by authorised personnel.	
2	All hard copies of information will be stored in children's individual files or staff individual files in a locked cupboard or filing cabinet	
3	All computers used to store personal information are password protected. Each staff member will be provided with a unique username and password for access to CCS software and program software. Staff are not permitted to share usernames and passwords	
4	Access to personal and sensitive information is restricted to key personal only	
5	Security software is installed on all computers and updated automatically when patches are released	
6	Data is regularly backed up on external drive and/or through a cloud storage solution	
7	Any notifiable breach to data is reported	
8	All staff are bound to respect the privacy rights of children, families, other personnel of the service.	
9	All staff must sign a Confidentiality Agreement to maintain the privacy and security of information and agree to delete any confidential information from personal devices, surrender documentation, software and any other materials related to the Service upon ceasing employment with the service.	
10	Procedures are in place to ensure information is communicated to intended recipients only. [provide an example of confidentiality clause on invoices and payment enquiries]	

STEP 4: ACCESS TO PERSONAL AND SENSITIVE INFORMATION		
1	Personal and sensitive information about staff, families and children will be stored securely at all times.	
2	Families who have access to enrolment or program information online will be provided with a unique username and password. Families will be advised not to share username and passwords.	
3	<p>The Approved Provider will ensure that information kept in a child's record is not divulged or communicated through direct or indirect means to another person other than:</p> <ul style="list-style-type: none"> <li>• the extent necessary for the education and care or medical treatment of the child to whom the information relates</li> <li>• a parent of the child to whom the information relates, except in the case of information kept in a staff record</li> <li>• the Regulatory Authority or an authorised officer</li> <li>• as expressly authorised, permitted or required to be given by or under any Act or law</li> <li>• with the written consent of the person who provided the information.</li> </ul>	

STEP 5: COMPLAINTS AND GRIEVANCES		
1	If a parent, employee or volunteer has a complaint or concern about our Service, or they believe there has been a data breach of the Australian Privacy Principles, they are requested to contact the Approved Provider so reasonable steps to investigate the complaint can be made and a response provided	
2	If there are further concerns about how the matter has been handled, please contact the Office of Australian Information Commissioner on 1300 363 992 or: <a href="https://forms.business.gov.au/smartforms/landing.htm?formCode=APC_PC">https://forms.business.gov.au/smartforms/landing.htm?formCode=APC_PC</a>	
3	For any other general concerns, parents and families are requested to contact the Approved Provider directly on: admin@evokeearlylearning.com.au	