

Policy Document No: ELC23  
Category: Early Learning  
Topic: Privacy Policy



**Date Issued: November 2007**

**Last Review Date: December 2016**

## Considerations

**Philosophy:** Mount Scopus Memorial College respects the right of all people associated with our services to have their personal information protected.

**Children's needs:** Children require communication regarding their health, learning, behaviour and any other sensitive issue to be kept confidential.

**Parent's needs:** Parents require the assurance that private information given to the centre regarding income, family arrangements or any other personal details are kept confidential. Parents need the opportunity to speak to staff regarding confidential matters that may impact their child's care. They need to be provided with an opportunity to access their personal records on request.

**Staff needs:** Staff require clear guidelines regarding what they should and shouldn't disclose about children and families, how families may access their personal records, freedom to raise personal issues that impact on the workplace. (See appendix 2) Staff personal records, details and appraisals are treated confidentially.

**Management needs:** Ensure staff compliance with the privacy policy. Obtain and store relevant personal details from families and staff.

## Legislation and Sources

Privacy Act 1998 (Cth),

The Health Records Act 2001 (Vic)

The Information Privacy Act 2000 (Vic).

National Privacy Principles

*Education and Care Services National Regulations Part 4*, regulation 168 (2.1), 181, 183, 195. Ministerial Council for Education, Early Childhood Development and Youth Affairs, 2011

## Policy Statement

We believe your privacy is important.

We have put in place a Privacy Policy which illustrates how we collect, use, disclose, manage and transfer personal information including health information. This policy is available on request.

Our service is, in some of its activities, bound by privacy legislation. If we need to collect health information we are subject to the Health Records Act (Vic). If we have collected information as a service provider to the state government, we are covered by the information Privacy Act (Vic). Otherwise, for all other transactions involving personal information, we are not covered by privacy legislation, and our Privacy Policy may not apply.

This policy is to be used in conjunction with the Mount Scopus Memorial College Privacy Policy.

## How the policy will be implemented – Specific practices and procedures

- This policy will be displayed at the service and made available on request.
- Collection of information - In complying with its obligations under the Privacy Act 1998 (Cth), the Centres will only collect information that is required and related to one of our functions.
- The type of information collected and held includes, but is not limited to, personal and health information regarding:
  - children and parents during the child's attendance at the service

- job applications and employees personal details
- The information is collected on the following identifiers:
  - Tax File number for all employees
  - Customer Reference Number (CRN) for families to access Childcare rebate.
- Personal information about individuals is collected by way of forms. These are required to be completed by parents or job applicants, and information is gathered through personal interviews and telephone calls.
- In complying with the Information Privacy Act 2000, the program protects personal information collected in the course of its operations. Personal information refers to records of any form which could identify a person or describe them in a way which allows their identity to be determined. This includes paper and electronic records, photographs and video recordings.

#### **Information in relation to Children:**

- Staff will keep individual records on all children enrolled in our Early Learning Services. These records will be stored appropriately to guard from unauthorised access.
- Some of the children's confidential records will be stored in the child's room, these include, but are not limited to, learning portfolios, accident and medication files. These files will include a reminder to parents to only access their own child's folder.
- Staff will be made aware of the need for sensitivity and confidentiality in handling information regarding child protection issues.
- Children's photos will be collected throughout the year, and each child shall receive a disk with a collection of individual and group photos. Any parent opposed to their child appearing on a classmates disk, needs to inform staff upon enrolment.
- Reports, notes and observations about children will be accurate and free from biased comments and negative labelling of children.
- In accordance with the Health Records Act 2001 (Vic), the service will place any health information regarding a child in confidential files and, where necessary, display it in an area only accessible to staff. The information will not be available for public viewing. (See appendix 1)

#### **Information in relations to Parents and Families:**

- Confidential conversations that staff may have with parents will be conducted in a quiet area away from other children, parents and staff. Such conversations are to be minuted and stored in a confidential folder.

#### **Information in relation to Staff:**

- Staff will protect the privacy and confidentiality of other staff members by not relating personal information about another staff member to anyone either within or outside the centre.
- Staff's individual files will be stored in an appropriate office space in a lockable filing cabinet.

#### **Management and security of information**

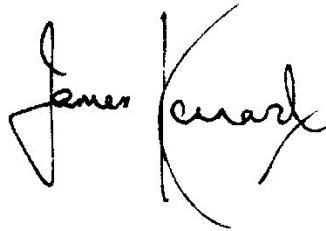
In order to protect personal information from misuse, loss or unauthorised access, staff will ensure that all personal information:

- Will be kept in a secure and confidential way, and destroyed by shredding or incineration, when no longer needed. (*National Privacy Principle 4 – Privacy Act 1988*);
- Access will be limited to staff who require this information to assist them in performing their job tasks;
- It will not be left in areas that allow for unauthorised access;
- The storage of all materials will be in a secure cabinet; and
- Computerised records will require a password.
- Individuals will be provided with access to their personal information and may request that their information be up-dated or changed where it is not current or correct. (*National Privacy Principle 6 – Privacy Act 1988*).

We may disclose personal information held about an individual to Government departments or agencies as part of our legal and funding obligations. These include (but are not limited to):

- local government in relation to enrolment details for planning or funding proposes;
- organisations providing services related to staff entitlements and employment;
- insurance providers in relation to a specific claims;
- law enforcement agencies;
- health organisations and family, in circumstances where the person requires urgent medical assistance and is incapable of giving permission;
- Anyone, whom the individual authorises the service to disclose information; and other appropriate members of the school body.
- Sensitive information will be used and disclosed only for the purpose for which it was collected or a directly related secondary purpose unless the individual agrees otherwise or the use or disclosure of the sensitive information is allowed by law.

Approved by the College Principal:

A handwritten signature in black ink, appearing to read "James Kenard". The signature is written in a cursive style with a large, stylized 'K'.

Date: December 2016

## Appendix 1 - Privacy Statement

*The Szalmuk Family Early Learning Centre of 15 Mayfield Street, East St Kilda, and Fink Karp Ivany Early Learning Centre of 1 Feodore St, Caulfield South are required to collect personal and health information from or about families within the following forms:*

- Centre Enrolment Form
- Attendance Register
- Accident/Illness Reports
- Authorisations to Give Medication
- Medical Certificates
- Statement of Child Care Usage Forms
- Family Assistance Office Assessment Forms

This information is required to ensure the health and safety of your child whilst in our care, and to meet legislative requirements set down in:

- Children and Community Services Act 2004
- *Education and Care Services National Regulations*; Ministerial Council For Education, Early Childhood Development and Youth Affairs, 2011
- Child Care Service Handbook

The information you give is used by those Centre staff that need to access the information to meet the above requirements, and may also be disclosed to the following authorities:

- Child Care Licensing Officers (Children and Community Services Act 2004)
- Department for Community Development Officers (Children and Community Services Act 2004)
- Family Assistance Office Review Officers (Child Care Benefit)

All personal information is kept in a secure place to protect it from unauthorised access, modification or disclosure.

You are entitled to access personal and private information kept about you and your family on request, and may ask for inaccurate information to be up-dated or corrected.

Failure to provide the required information will result in non-acceptance of your child's enrolment.

## Appendix 2 - Confidentiality Statement for Staff

- Staff, students, the centre management will respect the rights to privacy of: enrolled children and their families; other staff, students, the owner and other committee members and their families, and agree to comply with the National Privacy Principles, included in the Privacy Act.
- Information pertaining to children and their families, or staff, students, the management and their families is not discussed with, or made available to, any person who has not been authorised by the individual family, or staff, student, except in circumstances involving an authorised officer of the Licensing Unit or from other government departments covered by legislation.
- Information about individual children or their families is only discussed with persons within the Centre. All discussions relating to individual children and their families by staff, students the owner or management committee members will be on a confidential professional basis.
- Information about a staff member and their family is not discussed with other staff at the centre, or with any person or persons within or outside the Centre, without the staff member's consent.
- Information pertaining to the Centre's confidential business transactions is not discussed with any person or persons within or outside the Centre, except where this is within the staff or management's professional work at the Centre.

I agree to abide by the above Statement.

Name: \_\_\_\_\_ (*Please print*)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_