# 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. Our Service adopts the *National Model Code and Guidelines* for taking images or videos of children, including the safe storage and retention of images or videos.

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, 170, 171, 177, 181, 183 and 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 and Cyber Safety Policy*

| STEP 1: COLLECTION OF DATA | | |
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| 1 | Laverton Community Children's Centre 46 782 938 029 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 | Personal information includes a broad range of information, or an opinion, that could identify an individual.<br><br>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.<br><br>Source: OAIC-Australian Privacy Laws, Privacy Act 1988 | |
| 3 | Personal information our Service may request regarding enrolled children:<br><br>☐ Child's name<br>☐ Gender<br>☐ Date of birth<br>☐ Birth Certificate<br>☐ Address<br>☐ Religion<br>☐ Language spoken at home<br>☐ Emergency contact details and persons authorised to collect individual children<br>☐ Children's health requirements<br>☐ Immunisation records- (Immunisation History Statement)<br>☐ Developmental records and summaries | |

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| | ☐ External agency information<br>☐ Custodial arrangements or parenting orders<br>☐ Incident reports<br>☐ Medication reports<br>☐ Child Care Subsidy information<br>☐ Medical records<br>☐ Authorisation forms – including authorisation to take and publish photographs, video, work samples<br>☐ Doctor's contact information<br>☐ Centrelink Customer Reference number (CRN)<br>☐ Dietary requirements | |
| 4 | Personal information our Service may request regarding parents and caregivers<br>☐ Parent/s full name<br>☐ Address<br>☐ Phone number (mobile & work)<br>☐ Email address<br>☐ Bank account or credit card detail for payments<br>☐ Centrelink Customer Reference number (CRN)<br>☐ Family court documentation- custody arrangements or parental agreement<br>☐ Any other information related to Family Assistance Law | |
| 5 | Personal information our Service may request regarding staff and volunteers<br>☐ Personal details<br>☐ Tax information<br>☐ Banking details<br>☐ Working contract<br>☐ Emergency contact details<br>☐ Medical details<br>☐ Immunisation details (including COVID-19 vaccinations, please check your state/territory requirements)<br>☐ Working With Children Check verification<br>☐ Educational Qualifications<br>☐ Medical history<br>☐ Resume<br>☐ Superannuation details<br>☐ Child Protection qualifications<br>☐ First Aid, Asthma and Anaphylaxis certificates<br>☐ Professional Development certificates<br>☐ PRODA related documents such as RA number and background checks | |

| STEP 2: METHOD OF COLLECTION OF INFORMATION | | |
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| 1 | Information is generally collected using standard forms at the time of enrolment, engagement 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 [enter name of program software if applicable] | |

| STEP 3: STORAGE OF PERSONAL INFORMATION | | |
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| 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 room in a 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. Staff are encouraged to change passwords every 6 months. | |
| 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. | |

| STEP 4: ACCESS TO PERSONAL AND SENSITIVE INFORMATION | | |
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| 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 | 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:<br>• the extent necessary for the education and care or medical treatment of the child to whom the information relates<br>• a parent of the child to whom the information relates, except in the case of information kept in a staff record<br>• the Regulatory Authority or an authorised officer<br>• as expressly authorised, permitted or required to be given by or under any Act or law [Child Information Sharing Scheme (CISS) or Family Violence Information Sharing Scheme (FVISS) VIC]<br>• with the written consent of the person who provided the information. | |

| STEP 5: DISCLOSING PERSONAL AND SENSITIVE INFORMATION | | |
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| 1 | Our Service will only disclose personal or sensitive information to:<br>- a third-party provider with parent permission (for example CCS software provider)<br>- Child Protection Agency- Office of the Children's Guardian and Regulatory Authority as per our *Child Protection and Child Safe Environment Policies*<br>- as part of the purchase of our business asset with parental permission<br>*OR*<br>- under relevant state/territory legislation to ensure the safety, health and wellbeing of a child. (Child Information Sharing Scheme (CISS) or Family Violence Information Sharing Scheme (FVISS)- MARAM). | |

| STEP 6: COMPLAINTS AND GRIEVANCES | | |
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| 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:<br>https://forms.business.gov.au/smartforms/landing.htm?formCode=APC_PC | |

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| 3 | For any other general concerns, parents and families are requested to contact the Manager directly on: 03) 9360 0964 | |

| REVIEW OF PROCEDURE | | | |
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| Date procedure created | 05/07/2023 | To be reviewed | April 2026 |
| Approved by | Krystle Hills | Signature |  |
| Procedure Reviewed Date | Modifications/Changes | | |
| 22/04/2025 | Procedure reviewed, links checked, statement on National model code and guidelines added. | | |
| April 2024 | Procedure reviewed, no changes | | |