

Privacy and Confidentiality

POLICY ADOPTED: 17 June 2014

Policy Objective:

- To ensure that staff, educators, volunteers and work experience students of Bland Shire Children's Services are aware of all matters concerning confidentiality.
- To protect the confidentiality of the children in care by preventing the misuse of personal information.

Policy Statement:

- Our education and care service recognises and respects the importance of privacy and confidentiality as an individual right and a basis for building partnerships. A range of sensitive matters is often discussed within Children Services, families and educators. Personal information should not be collected unnecessarily or used except for a relevant purpose. Educator and family records must remain confidential.

Statutory Legislation & Considerations

- Children (Education and Care Services National Law Application) Act 2010.
- Education and Care Services National Regulations 2011: 181.
- National Quality Standard 7.3.5.
- Government Information Act (GIPA) 2009.

Definitions:

In this policy "staff" refers to staff employed by Bland Shire Council Children's Services and educators registered with the Bland/Temora Family Day Scheme.

Recommended Practices:

Collection of Information

For the Bland Shire Children Services to be able to meet the needs of each child, family, educator and staff member information must be collected and maintained.

The nominated supervisor will provide families with details on the collection of personal information.

This information will include:

- The types of information collected by Bland Shire Children Service.
- 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 personal information.
- The length of time information needs to be archived.
- How information is disposed.

The nominated supervisor will ensure information provided by families and staff is only used for the purpose it was collected for.

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 development information that is required to adequately provide education and care for the child, or
- The Department of Education, 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 the 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 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.
- All parties involved, including families, staff and educator; have the right to ask to have personal records amended if they are shown to be incorrect, out of date, misleading, incomplete or irrelevant.
- 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 education and care service bound to respect the privacy rights of children enrolled and their families; educators and staff and their families any other persons associated with the service.
- Educators will sign a confidentiality statement as it relates to privacy and confidentiality of information.
- All staff, work experience students and volunteers will maintain the integrity and security of confidential documents or information as per the Bland Shire Code of Conduct. All staff will at commencement of employment for Bland Shire Council and yearly will sign an agreement to abide by the Code of conduct.

References:

- Education and Care Services National Regulations 2011: 181
- National Quality Standard 7.3.5
- Early Childhood Australia – www.earlychildhoodaustralia.org.au
- Department of the officer of the privacy commissioner – www.privacy.gov.au
- Information Privacy Principals www.privacy.gov.au/publications/ipps.html

Authorisation:

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Related Council Policy/Procedure