

POLICY STATEMENT

PRIVACY AND CONFIDENTIALITY

AUTHORISATION

POLICY TYPE:	Operational
POLICY LOCATION:	Corporate
RESPONSIBLE OFFICER:	Children Services Coordinator
AUTHORISED BY:	Director, Corporate and Community Services
DATE ADOPTED:	27 June 2023
ADOPTED BY:	Manex
MINUTE NO: <i>(If required)</i>	
REVIEW DUE DATE: <i>(Four years unless statutorily required sooner)</i>	May 2026
REVISION NUMBER:	
RELATIONSHIP TO THE COMMUNITY STRATEGIC PLAN	This policy supports Council's Delivery Program Strategy 4.2: Provide quality, accredited and affordable Education and Care Services within Bland Shire and surrounds (Bland Preschool, Family Day Care, Mobile resource Unit and Toy Library services).

DOCUMENT HISTORY

VERSION NO.	DATE	DESCRIPTION OF AMENDMENTS <i>Include names of former policies that this policy will replace if applicable</i>	AMENDED BY <i>(Where required)</i>
0	2009		2012
1	December 2012	Minute number 15122012	May 2014
2	June 2014	Minute number 12062014	May 2016
3	October 2018		September 2020
4	May 2021		May 2023
5	May 2023		May 2026

REVIEW OF THIS POLICY

This Policy will be reviewed within Three (3) years from the date of adoption or as required in the event of legislative changes. The Policy may also be changed as a result of other amendment that are to the advantage that Council and in the spirit of this Policy.

Any amendment to the Policy must be with the approval of the General Manager/Manex.

1. Purpose:

To ensure Bland Shire Children Services Unit staff, Educators, volunteers and work placement students are aware of all matters concerning privacy and confidentiality to prevent the misuse of personal information involving children and families enrolled at the service.

2. Scope:

This policy document applies to staff, Educators, volunteers and work placement students at Bland Shire Children Services Unit, inclusive of Family Day Care Educators and their household members.

3. Outcomes:

To demonstrate respectful relationships with children and families enrolled in any Bland Shire Children Service in order to build trusting partnerships. All information pertaining to the service and its stakeholders is maintained in a private and confidential manner in accordance with the Privacy Act 1988.

4. Roles and Responsibilities:

The Approved Provider will:

- Ensure all information collected by Bland Shire Council will be privately maintained and used only for the purpose it was collected.
- Have in place comprehensive safeguards when storing stakeholders electronic information.
- Provide parents/guardians access to personal information, unless the following circumstances apply –
 - a) Access to information could compromise another individuals privacy
 - b) The request for information is frivolous or vexatious
 - c) The information relates to legal concerns, or there are legal reasons not to divulge the information (custody, and or legal guardianship)
- Obtain parent/guardian permission prior to disclosing any personal and sensitive information no required to be disclosed by legislation
- Not divulge any information to other parties, other than outlined legislative requirements including –
 - a) The Regulatory Authority or an Authorised Officer
 - b) As permitted or required under any act or law including Chapter 16A of the Care and Protection Act,
 - c) To the parent of the child to whom the information relates.

The Nominated Supervisor will:

- Provide a Privacy Statement for parents/guardians to acknowledge as part of the enrolment process, including details on how to access personal information.
- Maintain all service records required under the Education and Care National Regulations.
- Obtain relevant information to ensure all information is current and accurately completed as per Regulation requirements.
- Inform families upon enrolment how photographs of their children will be used in publications (Social Media, Kindyhub).
- If required, provide families relevant information on the Grievance/complaints policy should they feel there is a breach in privacy.

Educators will:

- Maintain confidentiality and abide by the Early Childhood Australia Code of Ethics, Bland Shire Councils Code of Conduct, Children Services Code of Conduct, Education and Care National Regulations and Privacy legislation to respect the rights

and privacy of children, families, Educators, staff, and any other persons associated with the service.

- Only discuss children enrolled at the service with their documented parent/guardians.
- Avoid using a child's name when discussing any service incident/experience with other families or members of the public.
- Ensure information gathered is only used for the purpose it was collected for.
- Upon commencement of employment sign a confidentiality statement in relation to privacy and confidentiality guidelines.

Families will:

- Provide all information required upon enrolment and update the service when any circumstances change.
- Provide current documentation in the case of family separation, child custody and or court orders pertaining to the child's safety and welfare. Families will continue to update and provide documentation when circumstances change.
- Understand it is not appropriate to discuss other children and/or families that utilise the service.

Maintaining Information:

All parties involved, including families, staff and Educators have the right to ask to amend personal records if they are shown as incorrect, out of date, misleading, incomplete or irrelevant.

5. Definitions:

This policy refers to staff and Educators employed by Bland Shire Council and Educators registered with Bland/Temora Family Day Care.

6. Legislation and Supporting Documents:

Australian Children's Education and Care Quality Authority (2022) Guide to the National Quality Framework.

Education and Care Services National Law 2010

Education and Care Services National Regulations 2011

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/jpps.html

Child Protection and Well Being -

<https://www.health.nsw.gov.au/parvan/childprotect/Pages/info-exchange-safety-child-youth.aspx>