

Privacy and Confidentiality Policy

Published	May 2018
Review Date	November 2023
Sources	<p>Education and Care Services National Regulations, October 2017</p> <p>Guide to the Education and Care Services National Law and the Education and Care Services National Regulations, October 2017</p> <p>Guide to the National Quality Standard, October 2018</p> <p>The Privacy Act, What does it all Mean? Community Child Care Magazine, June 2002</p> <p>Interim Standards for In Home Care, Funding Agreement Requirements, Department of Education, Employment and Workplace Relations, February 2008</p>

Aim:

Country Children's Early Learning Pty Ltd aims to ensure that confidentiality within the service is maintained and that all people involved with the service have the right to the protection of their personal information.

Explanation:

To ensure the Licensee, Co-ordination Unit staff and Educators are clear about the requirements in relation to privacy and confidentiality of records and other information obtained concerning:

- The children in care
- Staff and their families
- Educators and their families
- Families of the children in care or registered with the service

Family Day Care and In Home Care staff and Educators, through their normal work situations, are privy to personal information about each other, the children and families in care. It is of utmost importance that this information is handled with respect and kept confidential where necessary. Privacy laws legislate for the protection of individuals regarding their personal information.

Private information gathered relating to Staff, Educators, Children and Families is maintained in accordance with the National Privacy Principles (1988 Privacy Act).

Responsibilities:

In relation to Co-ordination Unit Staff and Educators:

- Abide by their obligations under the Education and Care Services National Regulations 2011 (Regulations 181, 182, 183) and the National Quality Standard 2011 (Elements 4.2, 7.1.1, 7.3.1) in relation to privacy and confidentiality
- Exercise confidentiality as a standard approach when developing and implementing policies and procedures
- Be sensitive to the rights of Co-ordination Unit staff, parents and Educators to have information of a personal nature handled in a tactful, secure and discreet manner

In relation to Verbal Information:

- Any information obtained by Educators or staff in relation to the Educators, staff or the families of children enrolled for the service must be treated confidentially
- Only information which is relevant to providing quality care for a child needs to be

discussed between the Educator and Co-ordination Unit

- Staff and Educators need to be aware that it is not appropriate for them to discuss children in care with people other than the child's parents, Co-ordination Unit or Educator
- It is important Educators do not refer to a child by name when discussing an incident, which has occurred as part of their Family Day Care or In Home Care business, with another Educator, parent or member of the public

In relation to Written Records:

- Information that is kept in a record as required by the National Regulations must not be communicated (either directly or indirectly) with anyone other than:
 - Educators who require the information for the education and care of the child
 - Medical personnel who require the information for medical treatment of a child
 - The parent of the child that the record relates to (except for a staff record)
 - The Regulatory Authority or an Authorised Officer
 - As expressly authorised, permitted or required to be given by or under any Act or law
 - With the written consent of the person who provided the information
- Precautionary steps will be taken to ensure all information of a personal nature is not available to people unauthorised to access this information
- Personal information in written records will be kept securely by storing records confidentially in a safe and secure area
- Thorough destruction or secure disposal of records after the lapse of the mandatory period of retention will also be practised

In relation to Families:

- Respect the private and confidential relationship between themselves and the Educator
- Refrain from discussing grievances with an Educator in the public arena
- Use the Grievance Handling Policy when issues arise

In relation to Social Networking Websites:

- It is expected that the principles of Privacy and Confidentiality addressed for the Scheme, Co-ordination Unit Staff, Educators, Educators' Family members and Parents in this policy will be maintained when any parties are using social networking sites such as Facebook or Twitter
- Social networking sites are a public arena and it is therefore not appropriate for any information regarding the Family Day Care and In Home Care Service to be discussed on such sites

In relation to Country Children's Early Learning's Facebook Page:

Purpose:

- To be used as a tool for communicating general information with Educators, Staff and Parents that is non-specific to any person, residence or venue
- CCEL's Facebook page will be a source for sharing the following information with Educators, Staff and Parents:
 - Policies, Procedures and Guidelines
 - Child Development and Health Facts
 - Training clips/movies for Educators and Staff
 - Training clips/movies for Parents

- Training dates for Educators, Staff and Parents
- Photo Album of equipment for the Resource Library
- Photo Displays of new equipment available to borrow from the Resource Library
- Photos suggesting ideas on how to use new equipment
- Reminders for Upcoming Events
- Reminders for Immunisation Records

Protocol:

- Educators, Staff and Parents will be friends
- No children are to be discussed or pictured on the site
- No families are to be discussed or pictured on the site
- No Educators, Staff or their families are to be discussed on the site
- Educators and Staff pictures will only be displayed with the consent of the Educator or Staff Member
- Facebook is not to be used as a personal communication tool between Families and Educators/Staff, Educators/Staff and Educators/Staff (e.g. what they are doing on the weekend, their child is sick and won't be in today)
- Any person that posts inappropriate or offensive information will be asked to remove it
- Parents who themselves, or whose friends do not abide by the protocol will be unfriended and risk losing their placement with CCEL
- Educators or Staff who themselves, or whose friends do not abide by the protocol will be unfriended and risk losing their position with CCEL

In Home Care**In relation to Co-ordination Unit Staff and Educators:**

- Abide by their obligations under the Interim Standards for In Home Care Funding Agreement Requirements 2008 in relation to privacy and confidentiality (Standards 3.7, 3.8)
- In addition to the information in the preceding policy, In-Home Care Educators will also adhere to the following points which refer directly to the In-Home Care Standards
- Respect the privacy of families using the service by not discussing their personal details, other than for relevant administrative purposes

Continual Monitoring and Improvement:

Continual improvement and monitoring will occur in the following ways:

- Incidental and planned consultation with families
- Co-ordination Unit Staff accessing current relevant information
- Co-ordination Unit Staff and Educators accessing current and relevant training
- Internal evaluation of incidences and the improvement of systems