

# **PRIVACY POLICY**



## **AUSTRALIAN PRIVACY PRINCIPLES (APP) PRIVACY POLICY STATEMENT**

In order to provide the highest standard of service, the Reid Early Childhood Centre (RECC) is required to collect personal information about children and their parents/guardians before and during the course of each child's enrolment. RECC is committed to protecting the privacy of each child and his/her family in accordance with Regulation 181 of the Education and Care Services National Regulations 2011 under the Education and Care Services National Law (ACT) Act 2011. In addition, and consistent with this regulation, staff members are required to abide by the 13 Australian Privacy Principles in schedule 1 of the Privacy Act 1988, introduced via the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

This policy is a requirement of the Education and Care Services National Regulations 2011 under the Education and Care Services National Law (ACT) Act 2011 that require the Centre to maintain a policy and procedures regarding the confidentiality of records [Regulation 168(2)(1)]. It is also a requirement of Australian Privacy Principle 1 as described in schedule 1 of the Privacy Act 1988.

## **IMPLEMENTATION**

Personal information is usually collected at enrolment directly from parents/guardians including their names, address and telephone contact details. It is also necessary for staff to collect details regarding each child's name, date of birth, medical details and health status. Each child's enrolment record also contains: authorisations signed by a parent/guardian consenting to medical treatment from a medical practitioner and transportation by ambulance if required; immunisation records; and medical management plans for chronic medical conditions. This is a requirement specified in regulation 160 of the Education and Care Services National Regulations 2011 under the Education and Care Services National Law (ACT) Act 2011. Further information about the contents of each child's enrolment record is in the Centre's Enrolment, Orientation and Induction Policy.

In addition, RECC is required to hold information regarding your child's *Child Care Benefit* and *Child Care Rebate* entitlements. The government identifiers associated with this information are not used by the Centre as its own identifier of each child (Australian Privacy Principle 9).

As required by regulation 74 of the Education and Care Services National Regulations 2011 under the Education and Care Services National Law (ACT) Act 2011, educators

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maintain records that assess each child's developmental needs, interests, experiences and participation in the educational program and assess each child's progress against the outcomes of the educational program. These records are used to design a program that fosters the individual needs of each child and are available to parents on request.

### Personal Information Handling Principles

- Personal information held at the Centre about a child or family will not be divulged to another person other than:
  - to the extent necessary for the education and care or medical treatment of that child
  - the parent/guardian of the child to whom the personal information relates, except in the case of personal information kept in a staff record
  - the Regulatory Authority
  - as expressly authorised, permitted or required to be given by or under any Act or Law (for example, members of the Management Committee in fulfilling their legal obligations)
  - with the written consent of the person who provided the personal information.
- The Centre will ensure that personal information is stored in a safe and secure place and only for the relevant period set out in Regulation 183(2) in the Education and Care Services National Regulations 2011. Beyond this period, records will be appropriately destroyed.
  - Personal information received but not solicited by the Centre will be de-identified or destroyed as soon as practicable, if it is lawful and reasonable to do so.
- Upon request to the Director, personal information pertaining to a child will be provided to his/her parent/guardian in a timely manner.
- RECC shall take all reasonable steps to ensure that personal information regarding each family are up to date and complete, making corrections as required.
  - This can include the confirmation or re-collection of personal information at the beginning of each year or when children move between rooms.
- Parents and guardians are also expected to keep RECC informed of changes to the personal information regarding their children (for example, any change in health status).
- If a child care student has a valid training requirement involving gathering personal information relating to a child or his/her parents/guardians, the Director must agree to the request for personal information and then seek written consent from the parents/guardians before releasing personal details to the student.
- RECC will not disclose personal information to overseas recipients, unless it is at the written request of a staff member or a child's parent/guardian.
- Where personal information is disclosed for enforcement related activities conducted on or behalf of an enforcement body (as provided for in Australian Privacy Principle 6.2(e)), a written note of this disclosure will be made and kept at the Centre.
- RECC staff are to receive regular training to ensure that they understand and can accurately apply the Australian Privacy Principles specified in schedule 1 of the Privacy Act 1988.

Reviewed and updated in March 2014 with approval from RECC Management Committee

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### Photographs

Photographic images are considered personal information. The Centre shall request parental permission for photos to be taken of their child/ren and they are to be used for the purposes of educational programming, documenting children's progress and development and are sometimes displayed within the Centre as a demonstration of the Centre's activities and educational program. These photographs are not published on the internet.

When participating in a Centre activity, such as the end of year concert or an excursion, parents/guardians are requested to make their child the primary focus of any photographs or video footage they take and to not upload these images or footage to social networking websites.

### Complaints/Feedback

The Centre requests that comments, feedback or complaints regarding the collection, use, disclosure and/or storage of personal information be made to the Director in the first instance. In accordance with the Centre's Grievances and Complaints Policy, RECC shall endeavour to resolve issues in a timely manner and a response will be provided within 14 days. Also in accordance with the Centre's Grievances and Complaints Policy, where a matter remains unresolved, it will be referred to the Management Committee for review.

It is also possible to make a complaint to the Australian Government Office of the Australian Information Commissioner (OAIC) regarding the Centre's handling of personal information at [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) or 1300 363 992.

### **RELATED POLICIES:**

Enrolment, Orientation and Induction Policy

Grievances and Complaints Policy

Illness Policy

Immunisation Policy

Medical Conditions Policy

### **SOURCES:**

Education and Care Services National Law (ACT) Act 2011

Education and Care Services National Regulations 2011

Office of the Australian Information Commissioner ([www.oaic.gov.au](http://www.oaic.gov.au))

Privacy Act 1988

Privacy Amendment (Enhancing Privacy Protection) Act 2012

Privacy Regulation 2013