Confidentiality Policy

This policy addresses issues of privacy and confidentiality of children, staff, volunteers, students and parents / guardians of children attending The Peter Toms Early Learning Centre. It aims to protect the privacy and confidentiality by ensuring that all records and information about individual children, families, staff and management are kept in a secure place and are only accessed by or disclosed to those people who need the information to fulfil their responsibilities at the ELC or have a legal right to know.

Implementation:

- Personal information will only be collected so far as it relates to the service's activities and functions, and in line with relevant legislation. (National Privacy Principle 1.1 - Privacy Act 1998.)

- Collection of personal information will be lawful, fair, reasonable and unobtrusive. (National Privacy Principle 1.2 - Privacy Act 1998.)

- Individuals who provide personal information will be advised of: the name and contact details of the service; the fact that they are able to gain access to their information; why the information is collected; the organisations to which the information may be disclosed; any law that requires the particular information to be collected; and the main consequences for not providing the required information. (National Privacy Principle 1.3 – Privacy Act 1998).

- The use or disclosure of personal information will only be for its original collected purpose, unless the individual consents or unless it is needed to prevent a health threat, or is required or authorised under law. (National Privacy Principle 2.1 – Privacy Act 1998).

- The service will take steps to ensure the personal information collected, used or disclosed, is accurate, complete and up to date. Parents will be required to update their enrolment details annually, or whenever they experience a change in circumstances. Computer records will be updated as soon as new information is provided. (National Privacy Principle 3 – Privacy Act 1998).

- Personal information will be kept in a secure and confidential way, and destroyed by shredding or incineration, when no longer needed. (National Privacy Principle 4 – Privacy Act 1998).

- Individuals will be provided with access to their personal information and may request that their information be up-dated or changed where it is not current or correct. (National Privacy Principle 6 – Privacy Act 1998).

- Individuals wishing to access their personal information must make written application to the Director, who will arrange an appropriate time for this to occur. The Director will protect the security of the information by checking the identity of the applicant, and ensuring someone is with them while they access the information to ensure the information is not changed or removed without the Director’s knowledge.
The Director will deal with privacy complaints promptly and in a consistent manner, following the Centre’s Grievance Procedures.

Brighton Grammar School employees are required to sign a Confidentiality Statement as part of their employment contract.

Every enrolling parent/guardian is provided with clear information about:
- Why personal information is kept.
- How to amend personal information.
- Third parties to whom the service discloses such information as a usual practice.

Confidential conversations that staff have with parents, or the Director has with staff members will be conducted in a quiet area away from other children, parents and staff.

Personnel forms and employee information will be stored securely. (Workplace Relations Act 1996).

Information about staff members will only be accessed by the Director, administration manager and individual staff member concerned. (Workplace Relations Act 1996.)

No member of staff may give information or evidence on matters relating to children and/or their families to anyone other than the responsible parent/guardian, unless prior written approval by the responsible parent/guardian is obtained. Exceptions may apply regarding information about children when subpoenaed to appear before a court of law. Notwithstanding these requirements, confidential information may be exchanged in the normal course of work with other staff members, when this is reasonably needed for the proper operation of the Centre and the wellbeing of users and staff. (Children's Services Regulations 2009, Privacy Act 1988).

Reports, notes and observations about children must be accurate and free from biased comments and negative labeling of children.

Staff will protect the privacy and confidentiality of other staff members by not relating personal information about another staff member to anyone either within or outside The Peter Toms Early Learning Centre.

Who is affected by this policy?
Children, families, staff and visitors

Legislative Requirements
Federal
Privacy Act 1988
Information Privacy Principles as stipulated in the Privacy Act 1988
Fair Work Act 2009
United Nations Convention of the Rights of a Child
Early Childhood Australia Code of Ethics 2005
National Childcare Accreditation Council
Victoria
Information Privacy Act 2000
Centre staff
Health Records Act 2000
Freedom of Information Act 1982

Sources
National Childcare Accreditation Council
Victoria
Information Privacy Act 2000
Health Records Act 2000
Freedom of Information Act 1982

Review
The policy will be reviewed annually. The review will be conducted by:
- Families
- The Peter Toms Early Learning Centre

Policy created: 9th July 2010