Confidentiality/ Privacy Policy

Policy Statement:
OSCA protects the privacy, dignity and confidentiality of individuals by ensuring that all information about individual children, families, staff and management are treated with discretion and kept in a secure place. The information is to be accessed by, or disclosed to, only those people who need it in order to fulfil their responsibilities at the centre, and those who have a legal right to know.

Procedures:
Collection and Use of Information
Personal information will only be collected in so far as it relates to the Centre’s activities and functions, and in line with relevant legislation. Collection of personal information will be lawful, fair, reasonable and unobtrusive. Individuals who provide personal information will be advised of: the name and contact details of the Centre; 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.

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.

The Centre 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.

Confidentiality
Personal information will be kept in a secure and confidential way, and destroyed by shredding or incineration when no longer needed. 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.

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. Where the aggrieved person is dissatisfied after going through the grievance process, they may appeal in writing to The Director of Complaints, Office of the Federal Privacy Commission, GPO Box 5218, Sydney NSW 1042, or phone the Commissioner’s Hotline on 1300 363 992.

Staff and Management
Every employee and the Management Committee are to be provided with clear written guidelines detailing:
  - What information is to be kept confidential and why
- What confidential information they may have access to in order to fulfil their responsibilities and how this information may be accessed.
- Who has a legal right to know what information
- Where and how the confidential information should be stored.

Every employee, and Committee Members, is required to sign a Confidentiality Statement.

All matters of a sensitive nature that are discussed at committee meetings will be treated as confidential.

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

Personnel forms and employee information will be stored securely. Applicants, students or volunteers will be informed that their personal information is being kept, for what reason, for how long, and how it will be destroyed at the end of the time period. Information about staff members will only be accessed by the Director, Chairperson, Payroll Officer, or person delegated by the Committee, and the individual staff member concerned.

Applicants for positions within the organisation will be asked for their consent before their references are checked.

No member of staff may give information or evidence on matters relating to children and/or their families, either directly or indirectly, 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 at the Centre and may be given to the Management Committee, when this is reasonably needed for the proper operation of the Centre and the wellbeing of users and staff.

Staff are aware of the need for sensitivity and confidentiality in handling information regarding child protection issues. Reports, notes and observations about children must be accurate and free from biased comments and negative labelling of children.

Parents/Guardians
Every enrolling parent/guardian is provided with clear information about:
- What personal information is kept, and why.
- Any legal authority to collect personal information.
- Third parties to whom the service discloses such information as a usual practice.

Visual images of enrolled children will not be taken, recorded, removed from the centre, or used for any purpose without the written consent of the parent, except where visual images are used within the service for monitoring of an enrolled child, or visual images are taken by a licensing officer acting in the course of his/her
duties, in which case only the parent and authorised staff will have access to the images. Parental consent to use visual images within the Centre will be given or denied on the child’s enrolment form.

To protect children’s privacy visual images of children will not be transmitted on the internet or by email at any time unless specific parental consent is given.

**Students/Volunteers**
Students/people on work experience/volunteers will not make staff/children or families at the centre, an object for discussion outside of the centre (eg. college, school, home etc.), nor will they at any time use family names in recorded or tutorial information. Students/people on work experience/volunteers will only use information gained from the Centre upon receiving written approval from the Centre to use and/or divulge such information, and will never use or divulge the names of any persons at the Centre.

**Sources:**
- Children and Community Services Act 2004 (WA) – clause 199(1)(a)(ii); 237
- Children and Community Services (Child Care) Regulations 2007 (WA) –
- DCD and Licensing Unit website: [www.community.wa.gov.au](http://www.community.wa.gov.au)
- OSHC Quality Practices Guide – Principles 2.1; 6.4; 8.1; 8.3; 8.6

**NATIONAL QUALITY FRAMEWORK**

- Education and Care Services National Regulations – Reg 75(a); 83(b); 125(c); Division 6 – Confidentiality and storage of records; Reg 178; 179; 180; 181
- National Quality Standard for Early Childhood Education and Care and School Age Care (Nov 2010) – Element 4.3.1; Element 7.3.3; Standard 7.6
- Early Years Learning Framework for Australia
- Framework for School Age Care in Australia

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