

# **PRIVACY**

## **AIM**

The practices detailed in this policy are designed to provide protection for children and families in relation to the information collected in accordance with the regulatory framework requirements for operating a children's service.

## **IMPLEMENTATION**

Personal information may be obtained verbally or in writing and held in both written and computerised form. Information collected is done so in a manner that complies with the Australian Privacy Principles and the Privacy Act 1988.

### Collecting Information

- Personal information will be collected and used specifically for the purpose of Beacon Hill Community Kindergartens (BHCK) function
- Persons providing the information will be given appropriate access to their information.
- Collection of any information will be limited to the amount of information required for BHCK's activities and generally only collected with the consent of the individual.
- BHCK will only collect personal information after providing the Privacy Policy to the family about the reason for which the information is being collected.
- BHCK will take steps to ensure 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 a change in their circumstances occurs. Computer records will be updated as soon as new information is provided.
- Confidential conversations between staff members and parents, or staff members and the nominated supervisor will be conducted in a quiet area away from the other children, parents and staff. Minutes of such conversations will be taken and stored in a confidential file.

### Use and Disclosure

- Personal information will only be disclosed for the purpose for which it has been collected.
- BHCK will disclose personal and specific information to the centre staff for the specific purpose of administration and educational outcomes for each child.

- Sensitive information will only be used if informed consent is gained at the time the information was collected.
- BHCK will obtain permission from parents/guardians before disclosing a child's personal and sensitive information to a professional attending the centre for the specific purpose of providing a service to the child. This includes early intervention teachers, speech and occupational therapists, doctors and counsellors.
- All staff members will be provided with a copy of this policy and required to sign a Confidentiality Agreement
- All Board members will be provided with a copy of this policy required to sign a Confidentiality Agreement. All matters discussed by the Board will remain confidential.
- Students, volunteers and work experience students will be informed of our confidentiality protocols, directed to never divulge information about the centre, families or children and will not be privy to any private information
- Photographs of enrolled children may be taken and used to document that child's learning or used in the daily digital diary available in the centre. Images of children will not be used on Facebook, our website or for advertising without the written consent of their parent/guardian.
- A class list detailing children in the class, parent's names and contact telephone and email will be compiled each year to facilitate friendships within the BHCK community. Permission will be sought be this list is circulated.
- BHCK engages in fundraising activities and may use information gathered to make a direct appeal for support. We will not disclose any personal information to a third party for marketing purposes without consent of for any other reason than the purpose for which the information was collected.
- BHCK will include emergency contact details in a class list. This information is available only to members of staff.
- In the case of an emergency any medical treatment plan information will be disclosed to emergency services personnel.
- BHCK will disclose information to other entities if it is required by any Act or law. This includes government departments, medical practitioners or individuals authorised by the parent/guardian.
- IF BHCK is provided with the personal information of others such as doctors or emergency contacts, BHCK encourages parents to inform them that their information is being disclosed to the centre and why and that they can access their information if required.

- Children’s portfolios are available in each of the classrooms. Parents are requested to access only the portfolio belong to their child.
- The nominated supervisor will ensure that any information kept is not divulged or communicated, directly or indirectly to anyone other than a parent/guardian responsible for the child except in the following circumstances:
  1. Access to information could compromise the privacy of another individual
  2. The request for information is frivolous or vexatious
  3. The information relates to legal issues or there are legal reasons not to divulge information in the instance of custody and legal guardianship

### Data Quality

- BHCK takes all reasonable precautions to ensure that any personal information collected, used or disclosed is accurate, complete and up to date. However the accuracy of that information is dependent on the information provided by individuals.
- Individuals are required to advise any changes to initial information provided.
- BHCK will ensure that information is collected and maintained as per the requirements of the Education and Care National Regulations 2011.

### Data Security

- BHCK will protect personal information from misuse, loss, change and unauthorised access or disclosure
- The nominated supervisor will ensure that personal information is retained and stored as per the requirements of the Education and Care National Regulations 2011 as detailed in the Retention of Records Policy.

### Openness, Access and Correction

- Parents/guardians may seek access to the personal information collected about them and their child on request. Children may also seek access to personal information about themselves. Access will however be denied where access to information would have an unreasonable impact on the privacy of others, result in a breach of our duty of care to the child or where children have provided information in confidence.
- Information is collected in a variety of ways. These include but are not limited to wait list applications, enrolment forms, permission notes, email, the internet, online banking services, face to face discussions, daily digital diaries, photographs, meetings, personal correspondence, fax and telephone.

### Anonymity

- BHCK will offer anonymous transaction within the service whenever possible

### Transfer Data Flows

- BHCK will not transfer personal information outside of Australia

### Sensitive Information

- BHCK respects the rights of an individual's sensitive information
- A high level of privacy protection applies to sensitive information
- Sensitive information includes information about a person's religious beliefs, racial or ethnic origin, philosophical beliefs, political opinions, membership of a political association, membership of a trade union, sexual preferences or practices, criminal records of health information.
- Sensitive information will only be collected when consent is granted
- Sensitive information will only be used when informed consent to do so is obtained at the time the information is collected
- Sensitive information will only be sighted by the child's parent, guardian or caregiver, relevant centre staff members or authorised personnel of the Department of Education and Communities
- In matters regarding duty of care, the interest of any child will take precedence over considerations of privacy and confidentiality

### Complaints

- Should any individual believe that BHCK has breached an Australian Privacy Principle they will be directed to the BHCK complaints procedure so that a full investigation into the alleged breach can be made.

### **Related Documents:**

BHCK Confidentiality Policy  
BHCK Grievance Policy  
BHCK Online Privacy Policy  
BHCK Retention of Records Policy  
BHCK Privacy Statement  
BHCK Staff Confidentiality Agreement  
BHCK Board Confidentiality Agreement

Australian Government  
Office of the Information Commissioner  
Australian Privacy Principles Privacy Fact Sheet 17