

# PRIVACY AND CONFIDENTIALITY POLICY

## Policy Statement

Highgate School Outside School Hours Care (Highgate OSHC) believes that your privacy is important, and we are committed to full compliance with our obligations under Australian Legislation. Therefore, the information collected under our Commonwealth obligations, in terms of its nature, storage and principles of access, is subject to the Privacy Act 1998 (Cth). The Office of the Australian Information Commissioner website provides general information on these legislative instruments: <https://www.oaic.gov.au/>

All the information Highgate OSHC collects is essential in helping it provide a high level of individual care for each child, and to enable the processing of payments. Some of the information we collect is to satisfy our legal obligation under the Education and Care Services National Law, including the maintenance of staff records. Information will not be disclosed to those not associated with Highgate OSHC including its educators, families and children, unless with written consent, or unless required to meet legislative requirements. This may include an inspection of the records or providing copies of information.

## General

Highgate OSHC will;

- Maintain private and confidential files for educators and staff, children and their families. We will develop systems for the appropriate use, storage and disposal of records.
- Ensure the information in these files is used only for the education and care of the child enrolled in the service, and only shared with relevant or authorised people as defined within authorisations of the Education and Care Services National Regulations 2011.

## Practices

To maintain security and confidentiality of personal and health-related information, the educators and staff will be aware of their obligations under the Regulations in relation to confidentiality of personal and health information of staff and their families, children in care and their families, and contractors of the service and their families.

## Collection of Information

For Highgate OSHC to be able to meet the needs of each child, family, educator and staff member information must be collected and maintained.

Highgate OSHC educators and staff will keep the following information secure and confidential:

- personal information, date of birth, address, phone number, work address and phone number, any other personal identifying information
- health, medical or dental information
- social services, legal, financial, child protection information.

The Director will limit the amount and nature of information being kept to what is required for the centre. The Director will ensure information provided by families and staff is only used for the purpose it was collected for.

## Storage of Information

The Director will ensure that all personal information is stored securely reducing the chance of unauthorised access, use or disclosure.

## **Access to Information**

The Director will ensure that information kept is not divulged or communicated, directly or indirectly, to anyone other than:

- Medical and developmental information that is required to adequately provide education and care for the child, or
- The Department of Education and Communities, or an authorised officer, or
- As required by law.

Individuals will be allowed access to their personal information when they request it. Authorised persons may request to view any information kept on their child.

Information may be denied under the following conditions:

- Access to information could compromise the privacy of another individual;
- The information relates to legal issues, or there are legal reasons not to divulge the information such as in cases of custody and legal guardianship.

If displaying information to highlight for staff names of children with medical or other special needs, do so in accordance with privacy guidelines, such as displaying in an area accessible to staff and not accessible to visitors or other families. Explain to families the need to do so for purpose of safety of the child and obtain parental consent.

Highgate OSHC will obtain parent/guardian permission before disclosing a child's personal and sensitive information to a professional attending our centre for the specific purpose of providing a service for your child. This includes inclusion support officers, speech therapists, occupational therapists, doctors and counsellors.

## **Maintaining Information**

The Director is responsible for keeping all service records required under the Education and Care National Regulation 2011.

Information will be updated regularly. In keeping with the Education and Care Services National Regulations 2011 and the Privacy Legislation, educators and staff employed by the OSHC are bound to respect the privacy rights of children enrolled and their families; educators and staff and their families and any other persons associated with the service.

Educators will sign a Confidentiality Statement upon employment as it relates to privacy and confidentiality of information.

Approved by Highgate School Governing Council 6<sup>th</sup> April 2021

DATE OF EFFECT: 26<sup>th</sup> April 2021

REVIEWED: 3<sup>rd</sup> November 2022

TO BE REVIEWED: 3<sup>rd</sup> November 2023

#### Related Documents

<http://www.acecqa.gov.au/national-quality-framework/national-law-and-regulations/national-regulations>

Education & Care Services National Regulations (2011) – Regulations 181

National Quality Standard for Early Childhood Education and Care & School Age Care (2010) – Standard 7.3; Element 7.3.1 & Element 7.3.5

Privacy Act 1988 (Cwlth) – Australian Privacy Principles

United Nations Convention of the Rights of a Child

## Confidentiality Statement

Confidentiality is maintained for all knowledge and information as described in the Confidentiality Agreement. To ensure confidentiality, all employees are required to review, confirm, and sign the Confidentiality Agreement.

## Confidentiality Agreement

As an employee of Highgate OSHC \_\_\_\_\_, I may be provided with confidential information regarding the children in my care. Confidential information may include, but is not limited to: name, email, date of birth, religion, phone numbers and address, gender, ethnicity and disability status.

Employees must review, confirm, and sign the Confidentiality Agreement.

Employees agree:

- To respect the confidentiality rights of every child and family who attends the service
- Not to disclose confidential information without proper authorisation or other than when it is required by law and/or regulations
- Not to access, report on, extract, or disclose information that is not required in their normal job functions and responsibilities
- Not to discuss or otherwise communicate any form of information concerning the care or condition of any child with unauthorised individuals
- That confidentiality applies equally to verbal information and information stored in information systems (databases) and on paper records. Written or printed information will be stored in a secure place and/or disposed of with proper regard for Confidentiality, following all legal requirements related to the information in question
- Failure to abide by the confidentiality requirements may result in my immediate termination

Violations or suspected violations of the Confidentiality Agreement should be reported immediately.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Director Name: \_\_\_\_\_

Director Signature: \_\_\_\_\_

Date: \_\_\_\_\_