

Privacy Policy

Date: 24/06/03, revised 5/03/08, reviewed 7/02/11, reviewed 1/10/14, reviewed 26 May 2015, reviewed 7/05/18

Signed By Management Committee: _____ **Date:** _____

Aim:
To ensure that the confidentiality and privacy of all children, families, committee members and staff members of University Preschool Child Care Centre is respected and maintained at all times.
To ensure that University Preschool and Child Care Centre complies with the Australian Privacy Principles and the Commonwealth Privacy Act 1988.

Related Policies and Documents

Acceptance and Refusal of authorisations Policy
UPCCC Code of Conduct
Waiting List and Enrolment Policy
Complaints Policy
Waiting List Form
Enrolment Form

Background: why we collect, hold and use personal information

Protecting the privacy of personal and sensitive information collected by UPCCC and the need for confidentiality is a fundamental for University Preschool and Child Care Centre in providing a Quality Child Care Service.

University Preschool and Child Care Centre follows the standards of the Australian Privacy Principles (APPs) to regulate the way in which our service manages information. Childcare centres are required to follow these standards as they hold health information about the children in their care.

University Preschool and Child Care Centre requires certain information to be collected, in accordance with the regulatory framework of operating a children's service.

The primary purpose for collecting information is to enable University Preschool and Child Care Centre to provide an individualised developmentally appropriate program that is educational, nurturing and safe.

Definitions:

The definitions below are based on those in the Privacy Act 1988 (Cwlth).

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

Sensitive information includes health information about an individual. The definition of health information includes information or an opinion about the health or disability (at any time) of an individual, or a health service provided to an individual. It could include information about a person's health, notes of symptoms and treatment, prescriptions, specialist reports and test results and dental records.

Sensitive information also includes information or an opinion about an individual's racial or ethnic origin, religious beliefs or affiliations, or philosophical beliefs that is also personal information.

Permitted General Situation is a situation where the requirements on how an organisation will collect or use information - including a government related identifier (e.g. Medicare number, Centrelink Reference Number, Passport number) do not apply. These include:

- lessening or preventing a serious threat to the life, health or safety of any individual, or to public health or safety
- taking appropriate action in relation to suspected unlawful activity or serious misconduct; and
- locating a person reported as missing.

Permitted Health Situation is a situation where the requirements on how an organisation will collect or use information do not apply. These include:

- the collection of health information to provide a health service. The definition of providing a health service includes an activity that is intended or claimed to assess, record, maintain or improve an individual's health. Childcare centres are considered to provide a health service.
- the disclosure of health information to a person responsible for an individual (i.e. the Centre providing health information to a child's parent/guardian).

Practice:

1. The kinds of personal information we collect

- 1.1. University Preschool and Child Care Centre (UPCCC) collects the following kinds of information:
 - names, addresses, phone & email contacts, ethnicity and university identifiers, Centrelink Reference Numbers and details of any court orders relating to the enrolled child's parents;
 - child's name, date of birth, ethnicity, Centrelink Reference Number, medicare number and details of any medical conditions, routines, likes and dislikes,

2. How we collect personal information

- 2.1. UPCCC collects personal information (including sensitive information) in many ways, including:
 - through forms and documents filled out by parents/guardians about their children
 - through emails sent by parents/guardians to the Centre
 - through discussions with parents/guardians and children
 - through staff notes and photographs
- 2.2. UPCCC will not collect personal information (other than sensitive information) unless the information is reasonably necessary for its functions or activities.
- 2.3. It will collect personal information only by lawful and fair means, and only from the individual (or his/her parents/guardians).
- 2.4. Persons providing the information should be given appropriate access to their information and should be advised about the purpose for the collection of the information.
- 2.5. UPCCC will only collect personal information after providing our "Privacy Policy Statement to the individual (or their parents) about which the information is being collected.

Sensitive information

- 2.6. UPCCC respects the rights of an individual's sensitive information.
- 2.7. A higher level of privacy protection applies to sensitive information.
- 2.8. UPCCC will only collect sensitive information if the individual (or his/her parent/guardian) consents to it at the time the information is collected, and the information is reasonably necessary for its functions or activities.
- 2.9. UPCCC may also collect sensitive information in a Permitted Health Situation or a Permitted General Situation.

Anonymity and pseudonymity

- 2.10. UPCCC will offer anonymous transactions within the organisation wherever possible.
- 2.11. UPCCC will offer transactions using a pseudonym within the organisation wherever possible.

Unsolicited Personal Information

- 2.12. From time to time, UPCCC may be provided with personal information that it did not solicit, either by parents/guardians or children. If this is information that is reasonably necessary for its functions or activities, it will treat it the same way as other personal information, and in accordance with this policy. Otherwise, it will destroy or de-identify the information as soon as practicable.

3. How we use personal information

- 3.1. UPCCC discloses personal and sensitive information to the staff of the service, for the specific purpose of administration and for the care and education of your child. This includes specific information, such as your child's name, age and specific needs.
- 3.2. It 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 early intervention teachers, speech therapists, occupational therapists, doctors and counsellors.
- 3.3. Personal information collected about children is regularly disclosed to their own parents or guardians. On occasions information such as children's personal achievements, child portfolios and photos are displayed within the boundaries of our service's building.
- 3.4. UPCCC from time to time engages in fundraising activities. Information received from you may be used to make an appeal to you. We will not disclose your personal information to third parties for their own marketing purposes without your consent or for any other reason than for the purpose in which it was collected.
- 3.5. UPCCC may include your emergency contact details in a class list and in our contact directory. Access to these is limited to the staff and boundaries of the Centre.
- 3.6. If you provide UPCCC with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the Centre and why. You will also need to inform them that they can access that information if they wish to do so.
- 3.7. Identifiers: University Preschool will only use Government identifiers such as the Centrelink Reference Number (CRN), Medicare number or Veterans Affairs number for the purpose for which it was issued.
- 3.8. Sensitive information:
 - Health Records – these include information on medical conditions, e.g. asthma, severe allergies, diabetes, disabilities and can include emergency action plans. These records help to inform staff on the best care of a child with a medical condition and the action to take in an emergency. These records are only shared with staff on a needs to know basis and information is not shared with anyone outside the Centre, other than the child's immediate family or when discussing the child's condition with their health care specialist.
 - Information related to a child or families racial or ethnic origin, religious beliefs or affiliations, or philosophical beliefs is collected and is used to help promote continuity of care between the child's home and the Centre. Again this information is shared with the staff who care directly for the child. The information is not shared outside the centre.
- 3.9. UPCCC may also use sensitive information in a Permitted Health Situation or a Permitted General Situation.

4. Data Quality

- 4.1. UPCCC takes all reasonable precautions to ensure personal information that we collect, use and disclose is accurate, complete and up-to-date. However, the accuracy of that information depends to a large extent on the information that is provided by the individuals.
- 4.2. Individuals will be required to advise our service of any changes to the initial information they provided.

- 4.3. The licensee of the service will ensure information is collected and maintained in accordance with the Education and Care Services National Regulations.

5. How we store personal information

- 5.1. UPCCC will protect personal information from misuse, loss, change, and unauthorised access/disclosure.
- 5.2. UPCCC will ensure personal information is stored in accordance with Education and Care Services National Regulations.
- 5.3. Personal files will be stored in a locked filing cabinet in the Director's Office
- 5.4. Some personal information relating to individual children is displayed or kept in areas where it is available to others, this includes birthdays and the children's individual portfolios which contain information including observation records, checklists and information sheets. A child's parents may request that their child's birthday is not displayed and that their portfolio is stored in a separate area.
- 5.5. Personal information stored electronically on Centre computers can only be accessed by employees of the Centre with the appropriate security access and password.
- 5.6. Once an enrolled child has left the Centre their personal information will be archived and kept for the length of time as specified in the Education and Care Services National Regulations i.e.
 - Records relating to an incident, illness, injury or trauma suffered by a child while attending the Centre will be kept until the child's 25th birthday
 - Records relating to an incident, illness, injury or trauma suffered by a child that may have occurred following an incident while the child was being cared for at the Centre will be kept until the child's 25th birthday
 - Records relating to the death of a child while being cared for at the Centre will be kept until the end of 7 years after the death;
 - Any other records relating to the child will be kept until the end of 3 years after the last date on which the child attended the Centre.
 - All records to be destroyed will be shredded.
- 5.7. UPCCC does not transfer personal information outside of Australia.

6. How you can access and correct the personal information we hold

- 6.1. Parents/Guardians have the right to seek access to the personal information held by UPCCC about them and their child/children. Children also have the right to seek access to personal information about themselves. Parents/Guardians and children also have the right to seek correction to personal information.
- 6.2. However, there will be occasions when access is denied. Such occasions include where UPCCC reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or safety, or have an unreasonable impact on the privacy of other individuals. This could include situations where giving access may result in a breach of the UPCCC's duty of care to a child, breach of a Court Order, or where children have provided information in confidence.
- 6.3. If UPCCC refuses to give access to personal information, it will give you reasons for the refusal (unless this is unreasonable given the grounds for the refusal). It will also inform you of the complaint mechanism available (outlined in section 7 below).
- 6.4. Should you wish to access or correct your/your child's personal information held by the Centre, please contact:
 - Director
 - University Preschool & Child Care Centre
 - Building 75, Blocks E & F, Lennox Crossing, The ANU, ACTON, ACT, 2601
 - 02 6125 4113
 - unipresc@iimetro.com.au
- 6.5. To request access to your/your child's personal information held by the Centre, please send a written request, i.e. Letter or Email, addressed to the contact person at 6.4 above.

- 6.6. UPCCC will respond to the request, generally, no later than 30 days after it receives it.
- 6.7. UPCCC will make any corrections to the personal information it holds as soon as practicable after it receives updated information.

7. Complaints process

- 7.1. If you feel UPCCC has breached the Australian Privacy Principles, you are able to make a complaint.
- 7.2. The complaint needs to be made in writing to the contact person at 6.4 above. UPCCC will respond to any complaint, generally, within 30 days.
- 7.3. If you are not satisfied with the response, you are able to lodge a complaint with the Office of the Australian Information Commissioner. See <http://www.oaic.gov.au/privacy/making-a-privacy-complaint> for information on how to do this.

References:

Commonwealth Privacy Act 1988 - <https://www.legislation.gov.au/Details/C2018C00034> Privacy Amendments (Private Sector) Act 2000 - <http://www.comlaw.gov.au/Details/C2004A00748>
Health Records Act 1997 - <http://www.legislation.act.gov.au/a/1997-125/current/pdf/1997-125.pdf>
Privacy and Personal Information Protection Act (NSW) 1998 - <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+133+1998+cd+0+N>
Education and Care Services National Law (ACT) Act 2011 - <http://www.legislation.act.gov.au/a/2011-42/current/pdf/2011-42.pdf>
Education and Care Services National Regulations 2011 - <http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+653+2011+cd+0+N>

Resources

Australian Children's Education & Care Quality Authority - <https://www.acecqa.gov.au/>
Office of the Australian Information Commissioner – Web <https://www.oaic.gov.au/resources/individuals/privacy-fact-sheets/general/privacy-fact-sheet-17-australian-privacy-principles.pdf>
Office of the Australian Information Commissioner, Australian Privacy Principles guidelines - <https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-3-processing-requests-for-access>

Date for Review: March 2020

Privacy Policy Statement

We respect your privacy

In order to provide you with the highest standard of service our organisation is required to collect personal information from you about your children and parents/guardians before and during the course of a child's enrolment in our service. We are committed to protecting your privacy and we abide by the Australian Privacy Principles contained within the Privacy Act.

Privacy of your personal information is important to us and we conduct our business with respect and integrity.

What information do we collect, why and how is it used?

Basic details are usually collected directly from parents such as your names, addresses, phone contacts but it is also necessary for staff to collect details regarding your child's name, date of birth, medical details, health, routines, likes and dislikes which make up a personal profile.

In addition we are required to hold information regarding your child's Child Care Benefit entitlements.

All this information is vital in assisting us to provide the best possible individual care for your child and for processing payments. Some of the information we collect is to satisfy UPCCC's legal obligations under the relevant childcare legislation.

Naturally much of this information is of a personal nature and some of it might be regarded as 'sensitive' and not the sort of information that you would wish to have unnecessarily disclosed to others.

We assure you that:

- This information will only be used by our child care professionals in order to deliver your child's care to the highest standards.
- It will not be disclosed to those not associated with the care of your child without your express consent.
- You may ask to seek access to the information held about you and your child and we will provide access without undue delay, however, there may be occasions when access is denied. Such occasions include where UPCCC reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or safety, or have an unreasonable impact on the privacy of other individuals. This could include situations where giving access may result in a breach of the UPCCC's duty of care to a child, breach of a Court Order, or where children have provided information in confidence.
This access might be inspection of your child's records or by providing copies of information.
- There will be no charge made for requesting this information but there may be a fee levied to cover the cost associated with the processing of this request.
- We will take reasonable steps to ensure at all times that the details we keep about your family are accurate, complete and up to date.
- We will take reasonable steps to protect this information from misuse or loss and from unauthorised access or disclosure.
- Our staff are committed to respect these principles at all times.
- If a student has a valid training requirement that involves the gathering of certain information pertaining to your child or family, the student must have written consent from you and the Coordinator (and/or their delegate) of the Centre.

All privacy related comments, feedback or complaints should be directed to the Centre's Director.

We will follow up all comments, feedback or complaints, generally, within 30 days and resolve them to maintain our high standards of service provision.

For more detailed information please refer to the Centre Privacy Policy