

6-P5: Confidentiality and Privacy Procedure



Responsible	Nominated Supervisor, Centre Team		
Accountable 1	Chief Safety, Compliance and Quality Officer	Accountable 2	Nominated Supervisor
Consulted	Compliance Team, Policy Committee		
Informed	All staff, students, volunteers		

Links to ECSNR 2011 and WA 2012:
 R168 2I R181 R183 R195
 R196

Links to NQS:
 QA 4 QA 5 QA 6 QA 7

Related Forms:
 1-F2 Photographic and Media Consent Form

Policy Statement

The objective of this procedure is to articulate Affinity Education Group’s compliance with National Law and Regulations, including amendments, from the Education and Care Services National Regulations 2011 and the Education and Care Services National Regulations WA 2012.

The early childhood sector often handles sensitive and confidential information pertaining to educators, children and families. Affinity Education Group and its employees have a legal and ethical responsibility to maintain the privacy and dignity of all centre users. The Nominated Supervisor and/or Centre Manager must ensure this by storing all written documentation securely and by remaining professional and discreet with verbal information.

Please note: This procedure must be read in conjunction with HR3 Privacy Policy.

Procedure Strategies

The following guidelines must be applied in order to uphold privacy and confidentiality of information pertaining to families and children, educators, the centre and Affinity Education Group.

- Educators, children and their families have the right to the protection of their personal information. As a result, laws relating to the protection of privacy and confidentiality must be strictly adhered to. Educators should familiarise themselves with the Privacy Act (1998) and HR3 Privacy Policy.
- All information, events, documentation, conversations and meeting discussions that occur within the centre or in virtual meetings must remain confidential at all times and must not be discussed outside the service.
- Enrolment documentation for each child including family personal details, financial information, health and medical history and court or legal instruction will be stored in a locked location and only accessible to authorised persons. Electronic information will be stored securely with a password and only accessible by authorised persons.
- Developmental records and information of a sensitive nature regarding development, health or behaviour of children will remain private and stored securely.
- Permission will be sought from families prior to sharing important information about their child’s care needs such as allergies or anaphylaxis. With permission, action plans and individual dietary needs will be displayed throughout rooms and kitchens, as relevant.
- Storypark posts, friendly conversations, learning stories and ‘what we did today’ style communication may contain general and positive information about other/all children where families have agreed that their child can be included in group posts.
- Sensitive developmental and behavioural conversations and documentation shared with families will only contain information about their own child.
- Conversations of a sensitive nature will be held in a private location away from children, families or other educators and away from possible distractions or interruptions.
- Educators will protect the privacy and confidentiality of children, families, other educators and the centre by not relaying personal information about each other to anyone within or outside the service.
- Educators will be respectful and discreet when on social media, online forums, network meetings and Storypark and will not disclose personal or confidential information or identify any person without their permission. Refer to *Online Posting Guidelines* in Social Media and External Communication Policy.
- Families must give their permission for photos and documentation to be taken on their child and used in centre displays, for marketing purposes for use on the Centre’s Facebook page or on Storypark.
- Educators will not use their own personal devices for taking photos of children. If educators use a personal laptop or tablet for documentation and programming purposes any identifying information must be downloaded as soon as practically possible onto centre property and deleted from personal devices prior to leaving the centre.

6-P5: Confidentiality and Privacy Procedure



- Due to the nature of the roles of the Centre Manager, Assistant Centre Manager and Educational Leader, these people may be privy to personal information regarding educators, children and families.
- Where an educator has a belief that a child may be at risk of harm or neglect, they may discuss their concerns with the Centre Manager and report their concerns to the Regulatory Authority and, if applicable, the police. This is not considered a breach of confidentiality due to mandatory reporting requirements and the educator genuinely acting in the best interest of the child.
- The Centre Manager, administration officer, or any other employee will not disclose information about other's employment conditions, remuneration and performance or grievance issues with any other centre user.
- Educators may have access to their own personal and employment information but must not access other employees' personal or employment information.
- All employees must access accounts/systems using their own log in credentials and personal accounts. Integrity must be maintained, and employees will not log into any system posing as another employee particularly when logging into or out of JAM/ESS and TimeTarget. Computer monitor screens should remain locked when not in use, and accounts/systems should be logged out of when not in use on a shared computer/ device.
- The identity of persons on the phone or email must be confirmed prior to disclosing any verbal information or sending any electronic information.

Privacy Statement

During Affinity Education Group management of this service, Affinity Education Group collects, stores and uses your confidential information. This information is treated with limited confidentiality and privacy and may be disclosed to third parties as required by law and where necessary during Affinity Education Group management of this Service. This includes the dissemination of confidential information to third parties in other service's purpose of debt collection and credit checks.

Affinity Education Group may further use and disclose confidential information provided to them when required by law or necessary to law enforcement to protect against serious or immediate pending threats to a child's life or health. Affinity Education Group's use of confidential information is always within the guiding principles of Education and Care Services National Law 2010 (271-273)

Affinity Education Group ensures that all records and confidential information are protected as is reasonable in the circumstances against loss, unauthorised access, modification and other misuse, but accept no liability for its unintentional dissemination. Affinity Education Group will always endeavour to check that the accuracy of all confidential information held is up to date and complete, given reasonable circumstances surrounding for which the information is used.

Affinity Education Group only divulges confidential information to third parties, provided that you have consented to the use of the information for the purpose intended.

Relevant Legislation

- Education and Care Services National Regulations 2011
- Education and Care Services National Regulations WA 2012
- Early Childhood Australia Code of Ethics (2006)
- Privacy Act 1988
- Freedom of Information Act 1982

6-P5: Confidentiality and Privacy Procedure



Version Control	Date	Author	Description of Change
1	Aug 2014	AEG	Update ECSNR
V4.16	Apr 2016	AEG	Revision and merge
V7.17	July 2017	AEG	Revision
V2.18	Feb 2018	AEG	NQS update
V4.19	Apr 2019	AEG	Scheduled review
V5.20	May 2020	AEG	Scheduled review
V5.21	May 2021	AEG	Scheduled review
V6.22	Jun 2022	AEG	Scheduled review
V8.23	Aug 2023	AEG	Scheduled review
V12.23	Dec 2023	AEG	Added RACI table and reference
V8.24	Aug 2024	AEG	Scheduled review

Responsible = those who are responsible for carrying out the task
Accountable level 1 = the owner and person accountable for the sign off or approval of a task
Accountable level 2 = the person who is accountable for the task being carried out
Consulted = the person to be consulted with and whose input, opinions and feedback are crucial to the task
Informed = the person who should be informed and made aware of the task and any updates

Policy Written by: Fiona Young	Position: Policy, Training and Development Manager	Date: Aug 2024
Approved by: Affinity Education Group	Approved Date: Aug 2024	Next review date: Aug 2025

Educators to sign: