Wideview Out of School Hours Care

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Policy 26

Confidentiality policy

Policy Statement

Wideview Outside School Hours Care (WOOSHC) Service will make every effort to protect the privacy and confidentiality of all individuals associated with the service by ensuring that all records and information about individual children, families, educators, staff and management are kept in a safe and secure place and is not divulged or communicated, directly or indirectly, to another person other than:

- To the extent necessary for the education and care of the child
- To the extent necessary for medical treatment of the child
- Family of the child to whom the information relates.
- The Regulatory Authority or an authorised officer as expressly authorised, permitted, or required under the Education and Care Services National Law and Regulations
- With the written consent of the person who provided the information.

Links to Education and Care Services National Regulations and National Quality Standard

QUALITY AREA		
4.2	Professionalism	Management, educators, and staff are collaborative, respectful and ethical.
5.1	Relationships between educators and children	Respectful and equitable relationships are maintained with each child.
7.1	Governance	Governance supports the operation of a quality service.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
111	Administrative space
145-152	Staff and educator records—centre-based service
158-162	Attendance and enrolment records
168	Education and care service must have policies and procedures
177	Prescribed enrolment and other documents to be kept by approved provider
181	Confidentiality of records kept by approved provider
183	Storage of records and other documents
184	Storage of records after service approval transferred

Procedure

1. Confidential Information

1.1 refers to all information, data, records, or experience relating to the personnel files of employees or candidates for employment and all forms, including but not limited to documents, databases, records, drawings, and oral communications relating to staff, families, and children.

2. Collection of personal information

2.1 When collecting personal information, the service may discuss:

- The purpose for collecting the information.
- How information is stored.
- The strategies used to keep information secure.
- Who has access to the information.
- The right of the individual to view their personal information.
- The length of time information needs to be retained; and how information will be disposed of.

2.2 All information regarding the children and their families attending the service is to be used solely for the purposes of providing childcare and meeting the administration requirements of operating the service.

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2.3 All information regarding any child/family enrolled in the service will only be accessible to authorised persons. The Approved Provider and the Nominated Supervisor will determine who is authorised to access records.

3. Retention and Storage of Records

3.1 The Service will ensure that documents set out in the Education and Care Services National Regulations (Regulation 177) are kept in a safe and secure place for the length of time outlined in Regulation 183 (2).

- Records relating to funding will be kept for a period of 7 years.
- Complete Incident, injury, trauma, and illness forms will be kept until the child is 25 years
- Child Care Subsidy records will be kept for a period of 3 years.
- Records relating to fees accounting and bank statements will be kept for a period of 7 years.
- Death of a child records will be kept for 7 years after death of the child.
- Insurance and financial details will be kept for a period of 7 years.
- Staff Employment Details All records pertaining to an individual staff member are to be kept for 3 years after the individual's last day
- Children's records Unless otherwise stated above, all records pertaining to an individual child must be kept for 3 years following the child's last date of care. All other records must be kept for 3 years after the record was made.

3.2 The service will develop a practice in relation to the retention and disposal of records.

3.3 In the event that approval of the service is transferred, the requirements of Regulation 184 will be followed.

4. Disclosure of Information

4.1 Personal information regarding the children and their families is not to be discussed with anyone outside the service, except in circumstances outlined in Regulation 181.

4.2 Families may seek access to the personal information collected about them and their child by contacting the Nominated Supervisor at the service. Children may also seek access to personal information about themselves. However, access may be denied where access would impact on the privacy of others; where access may result in a breach of the service's duty of care to the child; or where the child has provided information in confidence.

4.3 Lists of children's or families' names, emails and phone numbers are deemed confidential and are not for public viewing and will not be issued to any other person or organisation without written consent.

4.4 No personal information regarding a staff member is to be given to anyone without his/her written permission.

4.5 Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998 provides the legislative basis for sharing information that relates to the safety, welfare, or wellbeing of a child.

5. Personal Conversations

5.1 Personal conversations with families about their children, or other matters that may impact on the child's enrolment, for example, fees, will take place in an area that affords them privacy. (r111)

5.2 Personal conversations with educators and staff about matters relating to their performance will take place in an area that affords them privacy.

6. Maintenance of Information

6.1 The Nominated Supervisor is responsible for maintaining all service records required under the Education and Care Services National Regulations (Regulation 168) and other relevant legislation, for example, Work, Health and Safety, Family Assistance Office, Department of Education, Employment and Workplace Relations (DEEWR) and for ensuring that information is updated regularly. The Finance Manager is responsible for maintaining all Australian Taxation Office documents, and financial records.

6.2 The service takes all reasonable precautions to ensure personal information that is collected, used, and disclosed is accurate, complete and up to date.

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6.3 Individuals will be required to advise the service of any changes that may affect the initial information provided.

7. Breaches of Confidentiality:

7.1 All breaches of confidentiality will be addressed efficiently and effectively. Any serious breach may require us as mandatory reporters to notify relevant authorities (e.g., Police, NSW Communities and Justice, ACECQA etc.)

7.2 Staff found to have breached confidentiality will be subject to disciplinary action, up to and including dismissal and/or legal action.

7.3 Committee members found to have breached confidentiality will be asked to leave the committee and may be subject to legal action.

Sources, further reading and useful websites

- Australian Children's Education & Care Quality Authority. (2014).
- My Time, Our Place: Framework for School Age Care in Australia (2011).
- Network OSHC Code of Conduct.
- Work, Health and Safety Act (2011).
- Privacy Act (1988).
- Child Care Service Handbook (DEEWR).
- Child Care Subsidy legislation.
- Enrolment Form.
- Parent Handbook.
- Staff Handbook.
- Care and protection act

Policy review information -

The Service encourages staff and parents to be actively involved in the annual review of each of its Policies and Procedures. In addition, the Service will accommodate any new legislative changes as they occur, and any issues identified as part the Service's commitment to quality improvement. The Service consults with relevant recognised authorities as part of the annual review to ensure the policy contents are consistent with current research and maintain the highest standards of child safety and practice.

Review Date	Date completed	By Whom	Collaborated	Comment
Sep 2022	30 Sep 2022	Brandi (Manager)	Staff Committee Parents	
Sep 2023	2 Oct 2023	Brandi (Manager)		
Sep 2024	30 Sep 2024	Brandi (Manager)		
Sep 2025	26 Sep 2025	Brandi (Manager)		
Sep 2026	30 Sep 2026	Brandi (Manager)		