

## Confidentiality, Privacy and Security of Information Policy – July 2018

### Policy introduction

Weldon Children’s Services recognises and respects the importance of privacy and confidentiality as an individual right and a basis for building partnerships. The management and educators of Weldon Children’s Services are committed to ensuring the confidentiality, security, and privacy of all children, educators and parents using the centre.

Weldon Children’s Services is a non-profit organisation committed to the provision of quality early and middle childhood education and care programs. To do this effectively we need, by law, to collect a great deal of personal information about children, their families, our employees, students, volunteers, committee members and others relevant to the operations of Weldon Children’s Services. This policy has been developed to comply with the Australian Privacy Principles (APPs) (2014) and pursues the highest standard in the protection and preservation of privacy and confidentiality.

### Our policy in action

We will:

- Maintain private and confidential files for educators and staff, children and their families
- 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.

### Statutory legislation and considerations

- Australian Privacy Act 1988
- National Privacy Principles 2014
- Education and Care Services National Regulations 2011
- National Quality Standards

### Strategies for policy implementation

#### Collection of Personal Information

##### Purpose

The primary purpose of collecting personal information about children, families, our employees, students, volunteers, committee members and others is to enable Weldon Children’s Services to perform its duties as an organisation responsible for the management and delivery of early and middle years’ education and care programs. As well as, supporting the organisation’s policies, guidelines, legislative requirements and better practice recommendations.

## Quality Area Seven: Governance & Leadership

# Confidentiality, Privacy and Security of Information

Policy review date: May 2019



### Method of Collection

Personal information will generally be collected from you directly through the use of standard forms, over the internet via our CCSM program and/or our website, via email, written communication or telephone conversations with you. Photographs of children and samples of children's work are collected at Weldon Children's Services programs. The name, address and telephone numbers of additional emergency contacts are collected from the children's parents or guardians.

### Kinds of Information Collected

The kind of information collected and its specific use is detailed in our Privacy Collection Statement. The Statement is provided to each family, staff, students, volunteers and committee members upon enrolment, participation in our programs or commencement of employment. Much of the personal information collected is "sensitive" (as defined by the Privacy Act) and will include health, custody arrangements, ethnicity and beliefs.

### Use and Disclosure

Weldon Children's Services takes seriously its obligations when dealing with your personal information. We will only use your personal information for the purpose it was collected unless we seek your consent, are authorised or required by law. Generally we will only use and disclose your personal information as follows:

- To establish and maintain your child and family enrolment details
- To update child records with regard to information specific to the child's individual program and/or health/medical conditions as required
- To communicate with you regarding Weldon activities and update Weldon information
- To respond to your enquiries
- To display within our services information that assists us in the care of your child/children e.g. allergy charts, nappy and toileting charts, sign in and out records

We may also disclose personal information about you or your child to:

- Third party service providers who assist us in our program and business operations including the child's medical practitioner, other health or medical practitioners where the child is sick or injured or at risk of illness or injury, our CCMS provider, credit reporting bodies, collection agencies, legal advisors and technology service providers. We will take reasonable steps to ensure these service providers do not breach the Australian Privacy Principles.
- Authorised officers of child protection or family support agencies where we reasonably believe that a child is at risk of significant harm, as required by Weldon's Child Well-Being and Protection Policy.

## Quality Area Seven: Governance & Leadership

# Confidentiality, Privacy and Security of Information

Policy review date: May 2019



### Failure to Provide Information

If you do not wish for your personal information to be collected you should discuss this with the program coordinator/director. The program coordinator/director will act strictly in accordance with this policy and will be happy to discuss the reasons for seeking to collect your personal information. The program coordinator/director will also discuss with you any consequences of not providing your personal information, or providing incomplete or inaccurate personal information, which may include an effect on what services Weldon Children's Services can provide to you.

### Accuracy

If at any time you believe that your personal information held by Weldon Children's Services is incorrect please advise the Administration Coordinator. We will take all reasonable steps to correct the information so that it is accurate, complete and up to date. This is the responsibility of all staff involved in the collection and recording of such information.

### Access and Correction

The Privacy Act requires Weldon Children's Services to provide individuals with access to the personal information that Weldon holds about them, unless Weldon is entitled under the Privacy Act or other legislation to deny access or provide an explanation for a decision instead. In the case of personal information about children, Weldon will provide access on the written request of the parent or guardian outlining the personal information that access is sought.

Ordinarily Weldon Children's Services will require you to make a request in writing to the General Manager. Weldon Children's Services' employees other than the General Manager are not generally able to provide you with access. We will respond to requests for access as soon as possible and will acknowledge the request within 14 days and deal with it within 30 days or earlier. Though we may ask, we will not require an explanation of why as a pre-requisite to giving access. We will not charge a fee but may seek recovery of any actual costs to us of providing access.

Some circumstances where it may be appropriate and lawful for Weldon to deny access are:

- Providing access would unreasonably be to the detriment of the privacy of another individual
- The request is frivolous or vexatious
- The information relates to existing or anticipated legal proceedings between Weldon and the individual, and the information would not be available by the legal discovery process
- Giving access would reveal Weldon's intentions in relation to negotiations with the individual and prejudice those negotiations for Weldon
- Providing access would be unlawful or if denying access is required or authorised by law

This is not an exhaustive list of circumstances where we may be entitled or even required to deny access.

## Quality Area Seven: Governance & Leadership

# Confidentiality, Privacy and Security of Information

Policy review date: May 2019



### Security

Weldon Children's Services will take all reasonable precautions to safeguard your personal information from loss, misuse, unauthorised access, modification or disclosure. Personal information collected by Weldon Children's Services will be stored securely in paper form and/or electronically at the Weldon program and/or at Weldon Children's Services Head Office. Only authorised Weldon employees will have access to your information. Weldon will use an appropriate combination of security measures to exclude unauthorised persons or intruders from gaining access to information including:

- Physical measures including physical barriers
- Alarm systems
- Technology
- Administrative protocols

### Disposal

Weldon Children's Services retains and archives information as required by various legislated timeframes. Archived records are stored at Weldon Head Office. We are currently developing an archive disposal register, which will detail the various timeframes required and destruction dates. Hard copy personal information and records will be shredded or placed in security disposal bins. Electronic records or files will be deleted securely so that they cannot be retrieved.

### Enquiries & Complaints

If an individual:

- Has an enquiry about our information management or privacy procedures
- Wishes to request access to personal information
- Wishes to see a copy of this policy
- Wishes to make a complaint about our way of handling personal information

The person can contact the program coordinator/director at the Weldon program where the enrolment occurred – all contact details are on our website [www.weldon.com.au](http://www.weldon.com.au)

### National Quality Framework

Education and Care Services National Law 2010:

Education and Care Service National Regulation 2011: 184 to 184, 158 to 162

National Quality Standard for Early Childhood Education and School Aged Care

Standard 7.3 Element 7.34

### Sources

- Information Privacy Act and Privacy Principles: [www.oaic.gov.au/privacy](http://www.oaic.gov.au/privacy)
- Department of the Officer of the Privacy Commissioner: [www.privacy.gov.au](http://www.privacy.gov.au)
- Early Childhood Australia [www.earlychildhoodaustralia.org.au](http://www.earlychildhoodaustralia.org.au)

Quality Area Seven: Governance & Leadership  
**Confidentiality, Privacy and Security of Information**  
Policy review date: May 2019



## Policy Details

Policy Number

Date for review: May 2019