

## Privacy and Confidentiality

### Rationale

Adventure Patch Family Day Care (APFDC) understands the importance of developing practices that respect privacy and confidentiality so that families will trust the service and openly exchange information with educators and staff, which may be important to the care of a child. Legislation requires that families provide personal information to the service so that appropriate care can be taken of their children. Authorised educators and staff at the service will use this information and may discuss a child's personal details with another child care professional in order to fulfil their responsibilities towards the child. It is important therefore to ensure that educators and staff are fully aware of their responsibilities for maintaining strict confidentiality under the Privacy Act, and also that families are informed of their rights in regard to access to their own personal information, and how the service will ensure the information is protected from unauthorised access. Families need to be informed about which people have authorised access to their child's personal information.

### NQF Links

<b>Law</b>	3(3)(a); 172; 175; 197; 200; 206; 215-216; 263-265
<b>Regulations</b>	168; 181; 182; 183; 84; 195-203
<b>NQS</b>	7.1.2;

### Policy

APFDC protects the privacy, dignity and confidentiality of individuals by ensuring that all records and information about individual children, families, educators/staff and management is treated with discretion and kept in a secure place and only accessed by or disclosed to authorised people who need the information to fulfil their responsibilities at the service or have a legal right to know.

### Practices

*Co-ordination Unit Staff and Educators are required to*

- Exercise confidentiality as a standard approach when developing and implementing policies and procedures.
- Be sensitive to the rights of Co-ordination Unit staff, families and Educators to have information of a personal nature handled in a tactful, secure and discreet manner.
- Ensure any information is not divulged or communicated ,directly or indirectly to another person unless:-
  - Educators require the information for the education and care of the child

- Medical personnel require the information for medical treatment of the child
- The parent of the child requests the information
- A regulatory officer requests the information

## **Procedures**

### *Verbal Information*

- Any information obtained by Educators or staff in relation to the Educators, staff or the families of children enrolled for the service must be treated confidentially.
- Only information which is relevant to providing quality care for a child needs to be discussed between the Educator and Co-ordination Unit.
- Staff and Educators need to be aware it is not appropriate for them to discuss children in care with people other than the child/ren's families, Co-ordination Unit or Educator.
- It is important Educators do not refer to a child by name when discussing an incident, which has occurred as part of their Family Day Care business, with another Educator, family or member of the public.

### *Records*

- Personal information in written records will be kept securely by storing records confidentially in a safe and secure area.
- Thorough destruction or secure disposal of records after the elapse of the mandatory period of retention will also be practised.
- The Co-ordination Unit will ensure no information or images are used via any social media (eg: facebook/website) without written permission from families to use that piece of information or image.
- The Co-ordination Unit will maintain a current website and Facebook page with information to promote the service and Educators in a positive, professional manner at all times.

### *Social Media*

- It is not permitted to use photos of children, or any other information that may identify children or families on social media sites unless families have provided specific permission for this to occur. This policy strategy applies to educators, educator assistants, other staff, management, students, volunteers or any other person that may have access to children at the service.
- Staff, educators or management are not permitted to discuss the service, staff, educators or families on social media sites. Failure to adhere to this policy would be seen as unprofessional behaviour and would be subject to the relevant grievance procedure process.
- APFDC will include information about the social media policy in the parent information handbook, educator, staff, student and volunteer orientation procedures, and will include regular reminders about the policy in service newsletters.

*Families will be encouraged to*

- Respect the private and confidential relationship between themselves and the Educator.
- Refrain from discussing grievances with an Educator in the public arena.
- Use the Grievance and Complaints Policy when issues arise.
- Promote the service positively at all times.

**Sources**

Privacy Act 1988

Freedom of Information Act 1982

Personal Information & Protection Act 2004

Education and Care National Law 2010

Education and Care National Regulations 2011

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