

Privacy & Confidentiality Policy

Policy Relevant to: Governance & Management Policy

Last Reviewed: November 2012

Next Review: July 2022

NQF Reference: National Regulations 181, 181-184

NQS 4.21, 4.2.3, 5.2.3, 6.1, 7.1.1

Aim

This policy addresses the issues of privacy and confidentiality of children, educators, volunteer workers and parents using Adventure Patch (AP) services. Adventure Patch will adhere to the *Australian Privacy Principles Act 2014* and *Privacy Act 1988*

AP aims to protect privacy and confidentiality by ensuring that all records and information about individual children, families, educators and management are kept in a secure place and are only accessed by or disclosed to those people who need the information to fulfil their responsibilities at Adventure Patch service or have a legal right to know.

Collection of personal information will be lawful, fair, reasonable and unobtrusive.

National Privacy Principles

NPP 1: Collection

AP will only collect personal information:

- When it is necessary for its functions or activities.
- Directly from an individual wherever it is reasonable and practicable to do so.
- Information only by lawful and fair means and not in an unreasonably intrusive way.
- In some instances, AP will be required by law to collect personal information.
- Will only collect sensitive information where an individual has consented or as permitted under the Act.
- If AP collects personal information about an individual from a third party, it will take reasonable steps to make sure that the person is aware of the matters referred to above, unless doing so would pose a serious threat to the life, safety, health or welfare of any individual, or, would prejudice the carrying out of an investigation.

NPP 2: Use and Disclosure

AP will only use personal information within AP or disclose outside AP:

- To contact an individual in order to provide services requested by that person.
- To contact an individual in order to resolve issues relating to AP or functions, that the person has brought to our attention.
- To supply an individual with material concerning AP.
- To contact an individual in relation to their child.
- To facilitate the collection of AP accounts.
- To enable payment for AP services, e.g. collection of credit card or bank account details.
- To update an individual's name and address details and verify information.
- To contact an individual in case of an emergency.



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In some circumstances, AP may need to disclose a person's information to other organisations as required by legislation, for example:

- Education & Care Unit, Department of Education
- Department of Education, Employment & Workplace Relations (DEEWR)
- Centrelink
- Workers Compensation, public liability or professional indemnity insurers.
- Debt collection agency
- Department of Education, staff screening.

NPPs 3 & 4: Information Quality and Security

AP will take reasonable steps to ensure that the personal information it holds is accurate, complete, up-to-date, and is kept safely and securely from unauthorised use or access.

NPP 5: Openness

AP make this policy available on request, and take reasonable steps to advise how it manages personal information.

NPP 6: Access and Correction

AP will provide access to an individual's personal information, and will correct any information if it is inaccurate, incomplete or out-of-date. Access will not be provided where information relates to legal proceedings.

NPP 7: Identifiers

AP are unable to adopt an Australian Government identifier for an individual (e.g. Medicare numbers) as its own.

NPP 8: Anonymity

Where possible, AP will give individuals the opportunity to do business with them without the individual having to identify themselves.

NPP 9: Trans-border Data Flows

Outlines how organisations should protect personal information that they transfer outside Australia.

NPP 10: Sensitive Information

Sensitive information includes information such as health, racial or ethnic background, or criminal record. Higher standards apply to the handling of sensitive information.

Practices

AP will collect the following personal information:

- Contact details of children, families, staff, students, volunteers and management.
- Children, families, staff, students, volunteers, emergency contacts contact details.
- Children's health status, immunisation, developmental records and plans, Life threatening medical information & action plans, external agency information, custodial arrangements, incident records, and medication records
- Staff documentation relating to recruitment and selection, performance reviews, qualifications, work history, safety screenings, health status, immunisation records
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and workers' compensation claims, student and volunteer work history, safety screening.

- Information relating to families' Child Care Centre (CCS) status and any other additional funding arrangements

AP ensures that all information collected from persons will be considered private and confidential and not disclosed without the prior knowledge or consent from the individual or legal representative.

All employees and Board Members will abide by the following:

- Information is to be kept confidential.
- Clearly understand what confidential information they may have access to in order to fulfil their responsibilities and how this information may be accessed.
- Understand who has a legal right to know particular information.
- Information about staff members will be accessed only by the CEO/coordinator, the individual concerned or authorised Board member.
- All matters discussed at Board meetings must be treated as confidential.
- No member of staff may give information on matters relating to children to anyone, other than the custodial parent/joint guardian or guardian.
- Staff will protect the privacy and confidentiality of other staff members by not relating personal information about another staff member to anyone, either within or outside the service.
- Students/people on work experience/volunteers will not discuss staff/children or families at the service outside the service, nor will they ever use family names in oral, recorded or tutorial information.
- In relation to court cases, AP will provide information if subpoenaed to do so.
- Information may be exchanged between staff at a service and provided to the Board to ensure proper operation of the service and wellbeing of staff and others.

