

1.8 Confidentiality and Privacy Policy

Policy overview

The Confidentiality and Privacy Policy for Acorn Child Care sets out Acorn Child Care's expectations regarding preserving the confidentiality and privacy of Acorn Child Care related information and its collection and to ensure that the information is only used for the purpose permitted in the policies and procedures.

This policy is a guide only and will not form part of your General Terms and Conditions of employment or confer contractual rights, on which a staff member may rely. This policy may be amended from time to time.

What do I need to do?

You need to read the policy carefully. You will receive some education on the policy and how it is implemented during your time here at Acorn Child Care.

Policy and further information

To the extent that the contents of the Confidentiality and Privacy Policy refers to obligations on Acorn Child Care, they are guidelines for management or summaries of applicable legislative requirements only and are not contractual terms, conditions or representations on which a staff member may rely. Your manager is available to assist with any queries you have relating to the policy which is detailed below.

Purpose and scope

During the period of your employment or engagement with Acorn Child Care or at any time thereafter, you are not to disclose to any unauthorised person, confidential information relating to Acorn Child Care, staff, children, families, clients or suppliers of Acorn Child Care. Confidential information includes:

- Information about our staff, children, families, suppliers including their identity, personal details,
- family and financial affairs (as applicable);
- Children's profile documentation including health documents;
- Any documents marked as confidential that relates to staff members;
- Any document or information marked as confidential and any information received or developed by
- a staff member in the course of the employment or engagement which is not publicly available and
- relates to curriculum, processes, and techniques used by Acorn Child Care in the course of its
- business, or related agencies;
- Policies, procedures, forms and related guides;
- Contractual, technical and production information;
- Business and marketing plans;
- Notes and developments regarding confidential information;
- Any of Acorn Child Care's trade secrets, confidential dealings or operations;
- Any information (electronic, hard copy or otherwise) concerning Acorn Child Care and its related

- entities; and
- Other information designated as confidential by Acorn Child Care or agencies it engages or partners with for any child, family or staff related reason;
- Turnover figures, information relating to suppliers and clients, any marketing information such as
- client and supplier lists, financial information and business plans;

All Acorn Child Care documentation is confidential. This includes child and family records, forms (blank or completed), policies and procedures, financial and other statements, and all other documents. These documents can only be taken from Acorn Child Care with the informed permission of the Manager. Staff agree to return any or all confidential information upon request by Acorn Child Care. This is not meant to impose an obligation on the employee with respect to maintaining confidence regarding any portion of the confidential information which: Is generally known or available by publication, commercial use or otherwise; Which you are required by law or by a government agency to disclose; or You have disclosed to Acorn Child Care's legal advisers who agreed to keep the confidential information confidential;

- Breaches of confidential information are taken very seriously and Acorn Child Care will not tolerate
- any disregard by an employee for this policy, or for contractual obligations concerning confidential
- Information.

Employee Privacy Policy

Purpose and scope

During the period of your employment or engagement with Acorn Child Care or at any time thereafter, you will be required to collect, store and use personal information of Acorn Child Care, staff, children, families, clients or suppliers of Acorn Child Care in accordance with this Employee Privacy Policy.

Information Collected

Acorn Child Care and its staff must only collect information for the purpose of providing Acorn Child Care services or as required under the laws, regulations and guidelines of the relevant Australian and state government agencies responsible for children, child protection or education and care programs. The relevant laws and regulations include, but are not limited to:

- Privacy Act 1988 (Cth) ("Privacy Act");
- The National Quality Framework;
- Northern Territory of Australia Education and Care Services (National Uniform Legislation) ACT
- 2011;
- Education and Care Services National Law (WA) Act 2012;
- Office of the Information Commissioner NT; and
- Office of the Information Commissioner WA.

Sensitive Information

The information collected by Acorn Child Care may be sensitive information as defined in the Privacy Act and may include, but is not limited to, health or location information about an individual. Acorn

Child Care and staff are not permitted to disclose sensitive information to anyone unless required to do so by law or at the clear and reasonable direction of the Manager.

How it is collected

Information must be collected in a fair, reasonable and lawful manner through:

- verbal and written communication;
- direct observations;
- support agencies and government agencies; and/or
- third party organisations lawfully disclosing the information to Acorn Child Care.
- Staff may only collect, use and disclose personal information in accordance with this Employee Privacy Policy and only with the express written consent of the disclosing person.

How it is stored

Information is stored in the child's room area and in Acorn Child Care's administration. The material/records are either hard copy in files or in electronic format on computers that have individual passwords and business security measures. Staff must ensure that all personal information is stored securely and in accordance with this Employee Privacy Policy or any other Acorn Child Care policy. Staff information is stored securely in Acorn Child Care's administration.

How it is used

Information gathered can only be used and disclosed for the purposes that it was provided. Information is generally used for the purposes of:

- supporting the child's enrolment process;
- developing plans and programs for each child;
- supporting families in their parenting;
- supporting staff in their employment and professional development;
- completing tasks required by the Australian and state governments; and
- Supporting a multi-disciplinary team approach.

How it may be disclosed professionally

Information should only be disclosed at the direction of the Manager or in accordance with the Privacy Act or any other relevant law.

Data quality, Request for access and concerns

Staff and parents are entitled to access their own personal and private information at a suitable time and on written request. Staff and parents may request to correct or update information held by Acorn Child Care or may lodge a complaint with the Manager.

If Staff or a parent has any questions or concerns about the way in which Acorn Child Care handles collected information, then that person can contact the Acorn Child Care manager. Acorn Child Care will deal with requests, complaints and concerns promptly and in a manner consistent with this Employee Privacy Policy or any other Acorn Child Care policy.

Time required to keep information

Acorn Child Care will maintain information for the period of time as required by law. If the law does not require certain information be maintained, Acorn Child Care will follow recommended guidelines for the periods of time that certain information is usually maintained. Any information that is no longer required to be kept by Acorn Child Care will be securely destroyed.

Inactive records are stored securely until they have been kept for the required legal amount of time prior to being securely destroyed.

Visiting media, students, or observers

To safeguard and respect the privacy of the families in Acorn Child Care, visiting media, students, or observers must meet with the Manager, provide photo identification and discuss their proposed visit in full detail.

The Manager will decide whether the proposal can proceed, basing the decision on the policies of Acorn Child Care and where relevant, the related legislation. Information gathered in Acorn Child Care is confidential and cannot be used without the informed and express consent of the Manager who will always consult with the relevant parents.

Parents wishing to video or photograph children in any manner in their group can do so only after the Team Leader in the room has the express permission of the relevant parents. Information about matters relating to children or families (including sensitive information) may not be relayed to anyone (directly or indirectly) other than to the parents of the child it relates to unless written permission is given by the parent.

Staff

Staff must adhere to the Employee Privacy Policy, any other privacy policy and confidentiality principles in regards to other staff, children and families at Acorn Child Care. All staff and students are required to sign a confidentiality agreement to this effect prior to beginning employment at Acorn Child Care.

Staff will adhere to the specific confidentiality measures in regards to child protection issues (Child Protection (Child Safety or similar) Policy). Information about staff will only be accessed by relevant management personnel or the relevant Australian and state government agencies responsible for children, child protection or education and care programs.

Any documentation written by staff about children must be accurate, timely and free from negative comments or bias. All documentation must be dated and contain the author's name. If staff are aware or become aware of any errors in any documentation, the staff member must immediately correct the error and inform the Manager.

Any visual images taken by staff of enrolled children in Acorn Child Care must not be used for any purpose other than the purpose for which the parent was originally advised and provided their consent, unless further written consent is obtained.

Privacy relating to external parties

Complaints

All complaints about a breach of privacy will be investigated by an appropriately qualified representative in accordance with our complaint handling process (which is available in hard copy on request).

We will endeavour to resolve complaint as quickly as possible and, in any event, within 28 days. The complainant will be notified of the outcome of the investigation, including how we propose to resolve the complaint and what, if any, corrective measures we will implement. If the complainant is not satisfied with our handling of the complaint, the complainant may lodge a complaint with the Office of the Australian Information Commissioner (**OAIC**). For more information about doing so, visit <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>.

The appointment of a Privacy Officer

The Privacy Officer within the service will be the Nominated Supervisor.

Families

Staff must ensure that all families respect the privacy of staff and other families at Acorn Child Care. Should parents be unsure or concerned about any privacy issue, they should be encouraged to discuss their concerns with the Manager.

Date(s) reviewed:

01/01/2016					
01/01/2017					
01/01/2018					
01/02/2019					

Next review date: 01/02/2020