

Confidentiality and Privacy

National Quality Standards 7.3.1, 7.

National Regulations 177-184

Privacy Act 1988



It is essential that all records and files pertaining to educators, staff members, children and families within the Education and Care Service are kept confidential and that limited access is granted to the records.

Storage

All information about individual children, families, staff and management will be kept in a secure place and only be accessed by or disclosed to those people who need the information to fulfil their responsibilities at the Education and Care Service or who have a legal right to know. All laws relating to the protection of privacy and confidentiality will be strictly adhered to.

Collection and Use

All **information collected** is required to ensure the education, health and safety of your child whilst in our care, and to meet legislative requirements set down in the Education and Care Services National Law and Regulations.

All information supplied must be true and accurate.

The Education and Care Service is required to collect up to date correct personal and health information about children and families including but not limited to the following forms and methods:

- Enrolment forms and other documentation such as permission slips for photos excursions or incursions
- Ezi debit form for fees
- Attendance register
- Accident/Illness reports
- Authorisations to give medication
- Medical certificates
- Family assistance office assessment forms
- Observation and photos of children
- Information about children's routines

Access to records

Only the following people have access to children's records:

- A parent of the child to whom the information relates (except in the case of information kept in a staff record) in consultation with the nominated supervisor
- An employee delegated by the nominated supervisor or educator involved in the education and care of the child
- Management

Please note: Students, trainees and volunteers will not have access to any child's records without written consent from the parent.

Information kept in a record under the Regulations is not divulged or communicated, directly or indirectly, to another person other than—

- to the extent necessary for the education and care or medical treatment of the child to whom the information relates; or
- a parent of the child to whom the information relates, except in the case of information kept in a staff record; or
- the Regulatory Authority or an authorised officer; or
- as expressly authorised, permitted or required to be given by or under any Act or law; or
- with the written consent of the person who provided the information.

Disclosure of personal information

The information you give is used by those educators/employees who need to access the information to ensure the health and safety of your child whilst in our care, and if required, may also be disclosed to the following authorities:

- CCMS/CCS
- Medical/ambulance staff
- DEEWR
- Regulatory authority
- Inclusion support agencies
- Debt collection agencies

Staff confidentiality

Discussions at meetings regarding parents and children will be treated as confidential. Any personal issue relating to a child must be discussed only with the nominated supervisor and or team Leader. Educators/ employees will protect the privacy and confidentiality of other educators/ employees by not relating personal information about each other to anyone either within or outside the Education and Care Service. Educators/ employees are not permitted to take home a child's developmental record or programmes. If accessing Storypark confidentiality rules still apply.

Storypark

At Kozy Kids educators currently utilise Storypark as part of the process for recording children's involvement in the curriculum within a secure online environment. Storypark has its own Privacy Policy accessible on their website. By accessing their service, or providing Personal Data directly to them, families consent to Storypark processing their Personal Data in the manner and for the purposes set out in the Storypark Privacy Policy.

Collection and storage of personally identifiable information

This privacy policy applies to all personal information obtained by Kozy Kids, including, but not limited to when submitted by users of our website or Storypark.

By accessing the Website or Storypark all users consent to the collection, use, disclosure, storage and processing of their information in accordance with this privacy policy. This information may include names, dates of birth, email addresses, phone numbers and photographs. We will collect such information by lawful and fair means and not in an unreasonably intrusive way. We may collect information:

- From you directly when you provide information to us, either face to face or in relevant paperwork such as enrolment forms or child profile forms;
- When you register to use the website/Storypark;
- When personal information is loaded into Storypark, including photos or videos. There may be times when a child may be photographed or filmed, in connection to their educational experiences and curriculum, with another child (including incidentally) which image/film is subsequently posted on a child's profile which is visible to a person who is authorised to access that child's profile, typically but not exclusively that child's parent/guardians and family members and specialists (each being an authorised viewer);
- In relation to a child, from their parent/guardian, authorised family member or employee of Kozy Kids using Storypark;
- When materials created by the child include personal information are loaded into Storypark by authorised family members or Kozy Kids employees.

Use of personal information

We use personal information in the following ways

- For the purpose of collection described above, including the features in Storypark to be utilised and enjoyed, subject always to the terms of use and adherence to this policy. This may entail incidental posting of photographs /videos of one child on another child's profile (as described above in dot point three) which posts may remain able to be viewed even once a given child no longer attends Kozy Kids as long as the child's profile is retained;
- To communicate with you and share your child's educational journey both at home and during care;
- Incidentally, where educators at Kozy Kids and their educational mentors may view some content of children's profiles to further professional development;
- To protect our legal interests and fulfil our regulatory obligations;
- In other circumstances, with your prior written consent.

Security Measures

We take all reasonable steps to protect personal information and have security measures in place to protect the loss, misuse and alteration of information under our control. All Kozy Kids employees with access to this material must abide by this privacy policy and access is only granted to those with a need to view or use it. Employees are required to acknowledge their compliance of this policy upon being granted access. Employees who violate this privacy policy are subject to disciplinary action, up to and including termination of employment.

Our security measures are regularly reviewed to maintain security and we take all reasonable precautions to protect information from accidental loss and theft by storing it in a secure data centre onsite with restricted access and regularly reviewing our technology to maintain security.

Storypark is protected by a secure and encrypted password that each user must choose for themselves. Users should never share their passwords. Kozy Kids is not responsible for any loss of data or breach of privacy if a user shares their password with someone else. Passwords are not stored on our servers.

Whilst we take all reasonable precautions to secure and protect your data, internet transmissions cannot be guaranteed to be 100% secure and that you acknowledge that you use this service at your own risk.

Policy Developed November 2016
Reviewed July 2019

Disclosure of personal information

We will only disclose personal information

- Where you have expressly given permission to do so or it can be reasonably inferred from the circumstances that you consent to the disclosure to third parties;
- If Kozy Kids or substantially all of its assets were acquired by a third party, in which case personal information that we hold may be one of the transferred assets (subject to the same constraints on use and disclosure as under this policy);
- If we are under duty or have a legal right to disclose or share personal information in order to comply with any legal obligation, or in order to enforce or apply terms and conditions to protect our rights, property or safety of our employees and users;
- To our IT support providers in so far as to allow them to successfully carry out their duties.

We limit the information we provide to third parties to the information they need to help us provide or facilitate the provision of goods or services and associated purposes. We deal with third parties that are required to meet privacy standards required by law in handling your personal information and use your personal information only for the purpose that we give it to them.

If you have any questions about this privacy policy or related practices, then please feel free to contact us via email at maylands@kozykids.com.au

Policy Source Acknowledgements

Privacy Act 1988 - <http://www.oaic.gov.au/privacy/privacy-act/the-privacy-act>

For all documents relating to the National Quality Framework including but not limited to:

National Law Guide and National Regulations Guide

National Quality Standards Guide

Early Years Learning Framework

ACECQA website www.acecqa.gov.au