



PRIVACY AND CONFIDENTIALITY POLICY

SPCC Saints Academy is committed to protecting the privacy of children, families and staff. All information and documentation of a personal, private or sensitive nature will be stored securely and treated appropriately. Photographs of children will only be used with parent permission, with the safety and protection of children our highest priority.

Introduction

SPCC Saints Academy will maintain private and confidential files for all educators and staff, children and their families. SPCC Saints Academy has systems for the appropriate use, storage and disposal of records (locked cupboards, secure electronic storage and secure shredding).

SPCC Saints Academy ensures 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*.

The Approved Provider will:

- Ensure that each family, staff, volunteers and student have access to the SPCC Saints Academy Privacy Collection Statement upon enrolment. This includes details about how they can access their personal information, have this corrected as needed, make a complaint about a breach of privacy, if one occurs. This can be accessed on our website at <https://www.spcc.nsw.edu.au/>
- Ensure that information collected from families, educators, and the community is maintained in a private and confidential manner at all times.
- Ensure that such information is not divulged or communicated (directly or indirectly) to another person other than the ways outlined as appropriate in the *Education and Care Services National Regulations, 181*, which says information can be communicated:
 1. To the extent necessary for the education, care or medical treatment of the child;
 2. To the parent of the child to whom the information relates (except for information in staff records);
 3. To the regulatory authority or authorised officer;
 4. As authorised, permitted or required to be given by or under any act or law; and
 5. With written consent of the person who provided the information.
- Ensure families are informed upon enrolment how images/photographs of their children will be used on the internet and/or publications.
- Provide families with information on the Complaints and Feedback procedure if any privacy or confidentiality procedure has been breached. Individuals can make a complaint to the Head of Saints Academy if they believe there has been a breach of their privacy in relation to the privacy principles. The breach will be assessed by the Head of Saints Academy within 14 days. Where the information collected is incorrect, the information will be corrected. Where a serious breach of privacy is found, appropriate actions will be negotiated between the Head of Saints Academy and the individual to resolve the situation, in line with the Complaints and Feedback procedure.



- Ensure information provided by families and staff is only used for the purpose it was collected for.

The Nominated Supervisor/Director will:

- Ensure each family's information is correct in enrolment records. This includes information on immunisation updates, income and financial details (credit card or bank information), contact details of family and emergency contact information, children's developmental records, Family Assistance information, and any medical or legal information - such as family court documentation – required by our education and care service. This would include any information required to be recorded under the National Law and Regulations, the Family Assistance Law and other relevant information collected to support the enrolment of a child.
- Provide families with details on the collection of personal information collected. This information will include:
 - ❖ The types of information collected by our education and care service;
 - ❖ The purpose of collecting information;
 - ❖ What types of information will be disclosed to the public or other agencies; and when and why disclosure may occur;
 - ❖ How information is stored at the service;
 - ❖ Approaches used to keep information secure;
 - ❖ Who has access to the information;
 - ❖ The right of the individual to view their personal information;
 - ❖ The length of time information needs to be archived; and
 - ❖ How information is disposed.
 - ❖ Will ensure information provided by families and staff is only used for the purpose it was collected for.

Storage of Information

- Ensure that education and care service records, personnel records, CCS information and children's and family's information is stored securely reducing the chance of unauthorised access, use or disclosure and remains private and confidential within the education and care environment at all times.
- All SPCC Saints Academy fee records are kept in a Qikkids cloud-based filing system and are only accessible by the Approved Provider, SPCC Saints Academy Directors (NS), Finance Officer and Administration Assistant.

Record keeping times

- Attendance records are kept for three (3) years at the SPCC Saints Academy locations.
- Medication records are kept until the child is 25 years old at the SPCC Saints Academy locations.
- Accident reports are kept until the child is 25 years old at the SPCC Saints Academy locations.
- Individual records are kept for three (3) years at the SPCC Saints Academy locations.
- Current records must be complete and up to date at all times.

Access to Information

- Ensure that information kept is not divulged or communicated, directly or indirectly to anyone other than:



- ❖ Medical and developmental information that is required to adequately provide education and care for the child
 - ❖ The Department of Education and Communities, or an authorised officer; or
 - ❖ As permitted or required by any Act or Law
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- Individuals will be allowed access to their personal information as requested. Individuals must request this in writing from the Nominated Supervisor. Authorised persons may request to view any information kept on the student.
 - Information may be denied under the following circumstances:
 1. Access to information that could compromise the privacy of another individual
 2. The request for information is frivolous or vexatious; and
 3. The information relates to legal issues, or there are legal reasons not to divulge the information such as in cases of custody and legal guardianship.

Educators will

- Maintain children's information and store documentation according to policy at all times
- Not share information about the education and care service, management information, other educators or children and families, without written permission or legislative authority.
- In keeping with the Early Childhood Australia (ECA) *Code of Ethics (2008)*, The *Education and Care Services National Regulations* and the Privacy Legislation, educators and staff employed by our education and care service bound to respect the privacy rights of students enrolled and their families; educators and staff and their families and any other persons associated with the service. Educators will sign a Confidentiality Statement as it relates to privacy and confidentiality of information.

PRIVACY COLLECTION STATEMENT

What information is collected	How we collect information	Why we collect information
Medical information, health and immunisation	Enrolment form Employment record Immunisation history statement Health care cards - Medicare and health fund information Accident, illness and injury forms	To ensure the health and safety of every child and as a requirement under Family Law and the NSW Public Health Act 2010.
Income and financial details, includes credit card and banking information	Enrolment form Employment record Fee payment and purchases Tax File Number	For the provision of the education and care service and as required under Family Assistance legislation and as per Funding Agreements with the Department of Education and Communities.
Staff employment documentation	Employment record	Required under employment legislation



Staff employment detail, includes tax, superannuation and financial details		
Contact details of family and emergency contact information	Enrolment form Employment record updated details form	Required under the Education and Care Services Regulation.
Student's development records	Observations Jottings Assessment of Student's learning	Required under the Education and Care Services Regulation and to provide a high quality education and care service.
Family Assistance information	Enrolment form Employment record CCSS	Required under the Family Assistance legislation and under employment legislation under Income Tax legislation.
Legal information	Enrolment form Employment record Court orders or AVOs	Required under the Education and Care Services Regulation.
Employment, marital status and nationality	Enrolment form Employment record	Required under employment legislation and to provide priority of access under commonwealth and state legislation.
Qualifications	Employment record Certified copies of documents	Required under the Education and Care Services Regulation.
WWCC, criminal history checks	Employment record Originals of documents	Required under the Education and Care Services Regulation.
Staff entitlements	Payroll records Tax File Number	Provision of entitlements.
Any information required to be recorded under the National Law and Regulations, the family Assistance Law other relevant information collected to support the enrolment of a child	Enrolment form Employment record Complaints records	Required under appropriate legislation.

Evaluation

All information pertaining to the education and care service, educators and families is maintained in a private and confidential manner in accordance with the *Commonwealth Privacy Act 1988* and the *Education and Care Services National Regulations*.

Adapted from Community Early Learning Australia

Updated February 2024