



**BRISBANIA BEFORE & AFTER SCHOOL & VACATION CARE CENTRE INC**  
**MANAGEMENT**

**Title: CONFIDENTIALITY**

**Status: Current**

**Date of Origin: July 2012**

**Policy No: P 7**

**Last Review: August 2024**

**POLICY STATEMENT:**

Brisbania Before & After School & Vacation Care Centre, will make every effort to protect the privacy and confidentiality of all individuals associated with the service by ensuring that all records and information about individual children, families, educators, staff and management are kept in a safe and secure place and is not divulged or communicated, directly or indirectly, to another person other than:

- To the extent necessary for the education and care of the child.
- NSW Government department for purpose of Enrolment and CCS information. If personal information for child and guardian are not uploaded to the NSW Government CCS entitlements will not apply.
- To the extent necessary for medical treatment of the child.
- A parent/guardian of the child to whom the information relates.
- The Regulatory Authority or an authorised officer as expressly authorised, permitted or required under the Education and Care Services National Law and Regulations.
- With the written consent of the person who provided the information.

**THE APPROVED PROVIDER /NOMINATED SUPERVISOR/ MANGEMENT WILL:**

- Ensure that obligations under the *Education and Care Services National Law and National Regulations* are met
- Ensure educators, staff, students, visitors and volunteers have knowledge of and adhere this policy and associated procedure and provided with a copy if required.
- Require new employees to sign a *Confidentiality Agreement* as part of their induction and orientation
- Will advise students, volunteers and visitors of their role to maintain confidentiality during induction
- Ensure personal information is protected in accordance with our obligations under the *Privacy Act 1988 and Privacy Amendments (Enhancing Privacy Protection) Act 2012* and only authorised personnel have access to private and sensitive information.
- Ensure all computers are password protected and have security software-antivirus protection installed.
- Ensure the appropriate and permitted use of images and videos of children, including obtaining written authorisation from parents and/or guardians of children who will be photographed or videoed by the Service. The authorisation is to state the purpose



for which the images and videos are to be used for and details regarding their publication or sharing.

- Ensure families are aware that the use of images or videos obtained from the Service, via the Services app, Facebook page or other format are not to be shared by families on any device or social media platform. Families are not to share photographs or videos taken during special events for publishing on social media platform or sharing any other format.
- Ensure personal electronic devices including phones, smartwatches or other devices that are able to take images or videos, are not used in the children's environment.
- Ensure only devices that are issued by the Service are used to record and store images and videos of children.
- Develop procedures to ensure controls are in place over the storage, access and retention of children's images and videos at the Service, including hardcopy and digital files.
- Refer to individual family court orders for guidance regarding access, sharing and release of information where required.
- Upon request from a parent, provide documents or information relating to their child.
- Ensure personal and sensitive information regarding the health and wellbeing of a child, family member or staff member is not shared with others unless consent has been provided, in writing, or provided the disclosure is required or authorised by law under relevant state/territory legislation (Reg.177(4A)) (including Child Information Sharing Scheme (CISS)). See *Child Protection Policy* for further information regarding legal obligations to sharing information as per CISS.
- Ensure employees who have resigned acknowledge their commitment to refrain from accessing accounts or misusing sensitive and confidential information.
- Establish policies and procedures regarding the use of CCTV within them OSHC Service, including the obligation to inform families, staff and visitors about the purpose and storage of CCTV images and videos, ensuring data is kept secure and accessed by authorised persons.

#### **EDUCATORS AND STAFF WILL:**

- Ensure service documentation and records remain at the OSHC Service.
- Inform management if they learn of images of enrolled children being shared on social media or by any other format by families or staff that have been obtained via the Service's app, Facebook page or other format; or photos taken during special events by the Service or families.
- Not use personal electronic devices in the environment with children. Phones, smart watches and personal electronic devices are to be kept in locked storage for staff.
- Ensure personnel and sensitive information is not accessed by unauthorised persons
- Ensure passwords used to gain access to private and sensitive information are not shared with others
- Ensure any media enquiries are directed to the approved provider or nominated supervisor.

#### **PROCEDURES:**

- Collection of personal information
- Before collecting personal information, the service will inform individuals of the following:
  - The purpose for collecting the information;
  - What types of information will be disclosed to the public or other organisations;
  - When disclosure will happen;
  - Why disclosure needs to occur;
  - How information is stored;
  - The strategies 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 retained; and
- How information will be disposed of.
  
- All information regarding the children and their families attending the service is to be used solely for the purposes of providing childcare and meeting the administrative requirements of operating the service.
  
- All information regarding any child/family enrolled in the service will only be accessible to authorised persons. Brisbane Before & After School & and the Nominated Supervisor will determine who is authorised to access records.

**(b) Retention and Storage of Records**

- The Service will ensure that documents set out in the Education and Care Services National Regulations (Regulation 177) are kept in a safe and secure place for the length of time outlined in (Regulation 183) (2).
- The Approved Provider will develop a practice in relation to the retention and disposal of records.
- In the event that approval of the service is transferred, the requirements of (Regulation 184) will be followed.

**(c) Disclosure of Information**

- Personal information regarding the children and their families is not to be discussed with anyone outside the service, except in circumstances outlined in (Regulation 181).
- Parents/guardians may seek access to the personal information collected about them and their child by contacting the Nominated Supervisor at the service. Children may also seek access to personal information about themselves. However access may be denied where access would impact on the privacy of others; where access may result in a breach of the service's duty of care to the child; or where the child has provided information in confidence.
- Lists of children's or parents/guardians names, emails and phone numbers are deemed confidential and are not for public viewing and will not be issued to any other person or organisation without written consent.
- No personal information regarding a staff member is to be given to anyone without his/her written permission.
- If the OSHC service is transferred to a new approved provider, any records and documents will be transferred to the new approved provider following written consent from parents/guardians regarding the transfer of records and documents.

**(d) Personal Conversations**

- Personal conversations with families about their children, or other matters that may impact on the child's enrolment, for example, fees, will take place in an area that affords them privacy.
- Personal conversations with educators and staff about matters relating to their performance will take place in an area that affords them privacy.

**(e) Maintenance of Information**



- The Nominated Supervisor is responsible for maintaining all service records required under the Education and Care Services National Regulations (Regulation 168) and other relevant legislation, for example, Work, Health and Safety, Australian Taxation Office, Family Assistance Office, Department of Education, Employment and Workplace Relations (DEEWR) and for ensuring that information is updated regularly.
- The service takes all reasonable precautions to ensure personal information that is collected, used and disclosed is accurate, complete and up-to-date.
- Individuals will be required to advise the service of any changes that may affect the initial information provided.

**(f) Complaints**

- If you have concerns about how Brisbane Before and After school care has handled your personal information or believe there has been a breach you can raise this with Brisbane Before and After school care.

By email:

[admin@bbascc.com.au](mailto:admin@bbascc.com.au)

By Post

Po Box 6293 Kincumber NSW 2251

By Phone

02 43696737

**CONSIDERATIONS:**

Education and Care Services National Regulations: 145 – 152, 168, 174 – 177, 183.  
National Quality Standard: 4.2, 5.1, 7.3

**Other Service policies/documentation**

- Governance and Management Policy.
- Enrolment Form.
- Parent Handbook.
- Staff Handbook.
- Personnel files.

**Other**

- My Time, Our Place.
- Network *OSHC*
- *Code of Conduct*.
- Network *Record Keeping* Factsheet.
- Work, Health and Safety Act (2011).
- Privacy Act (1988).
- Child Care Service Handbook (DEEWR).
- Child Care Benefit legislation.



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