



Confidentiality & Record Keeping Policy (GL 1)

Policy Rationale

Cooks Hill Preschool recognizes and respects the importance of privacy and confidentiality as an individual right and a basis for building partnerships. Our service requires personal information from families to provide appropriate and responsive care. This policy has been developed to comply with the Australian Privacy Principles [APPs][2014] and pursues the highest standard in the protection and preservation of privacy and confidentiality.

Strategies, Practices and Procedures

Cooks Hill Preschool aims to maintain privacy and confidentiality for all their stakeholders through the adoption of this policy in conjunction with our Privacy Collection Statement.

The Approved Provider/Nominated Supervisor will use best endeavours to:

- Ensure that each family, staff, volunteer/student, and committee member, is provided with a privacy collection statement upon enrolment, that 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.
- Ensure each staff member, committee members, volunteers and student information is correct in personnel and other files. This includes information on qualifications, WWCC, criminal history checks, staff entitlements, contact and emergency information, health and immunization information and any relevant information collected by the service.
- Ensure that information collected from families, educators, committee members 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;

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- To the extent necessary for the education, care or medical treatment of the child
 - To the parent of the child to whom the information relates (except for information in staff records)
 - To the regulatory authority or an authorised officer
 - As authorised, permitted, or required to be given by or under any act or law; and
 - 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 and gain written approval.
 - Provide families with information on the Grievance procedure if any privacy or confidentiality procedure has been breached. Individuals can make a complaint to the Approved Provider if they believe there has been a breach of their privacy in relation to the Privacy principles. The breach will be assessed by the Approved Provider 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 Approved Provider and the individual to resolve the situation, in line with the Grievance Procedure.
 - Will ensure information provided by families, staff and committee members is only used for the purpose it was collected for.
 - Ensure each family, staff member, committee members, volunteer and student is provided with a copy of the Privacy Collection Statement.
 - Ensure each families' information is correct in enrolment records. This includes information on immunization updates, contact details of family and emergency contact information, children's developmental records, any medical or legal information such as family court documentation, required by our service. This would include any information required to be recorded under the National Law and Regulations, and other relevant information collected to support the enrolment of a child.
 - Ensure that education and care service records, personnel records, and children's and families information is stored securely reducing the chance of unauthorized access, use or disclosure and remains private and confidential within the service at all times.
 - Ensure records and documents are kept in accordance with the Education and Care Services National Regulations, for the required time frames as outlined in the table below.



Records and documents required to be kept at the service (National Regulations 183)			
Type of record	Responsibility	Timeframe	Reference
Evidence of current public liability insurance Note: Does not apply if the insurance is provided by a state or territory government.	Approved provider Family day care educator	Available for inspection at service premises or family day care office	Regulations 29, 30, 180
Quality Improvement Plan	Approved provider	Current plan is to be kept	Regulations 31, 55
Child assessments	Approved provider Family day care educator	Until the end of 3 years after the child's last attendance	Regulations 74, 183
Incident, injury, trauma and illness record	Approved provider Family day care educator	Until the child is 25 years old	Regulations 87, 183
Medication record	Approved provider Family day care educator	Until the end of 3 years after the child's last attendance	Regulations 92, 183
Child attendance	Approved provider Family day care educator	Until the end of 3 years after the last date on which the child was educated and cared for by the service	Regulations 158–159, 183
Child enrolment	Approved provider Family day care educator	Until the end of 3 years after the child's last attendance	Regulations 160, 183
Death of a child while being educated and cared for by the service	Approved provider	Until the end of 7 years after the death	Regulations 12, 183
Record of service's compliance history	Approved provider	Until the end of 3 years after the approved provider operated the service	Regulation 167

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Records and documents required to be kept at the service (National Regulations 183)			
Type of record	Responsibility	Timeframe	Reference
Record of responsible person in day-to-day charge including certified supervisors placed in day-to-day charge	Approved provider	Until the end of 3 years after the staff member works for the service	Section 162 Regulations 150, 177
For centre-based services only			
Staff record	Approved provider	Until the end of 3 years after the staff member works for the service	Regulation 145
Record of access to early childhood teachers	Approved provider	Until the end of 3 years after the staff member works for the service	Regulation 152
Record of educators working directly with children	Approved provider	Until the end of 3 years after the staff member works for the service	Regulation 151
Record of volunteers and students	Approved provider	Until the end of 3 years after the volunteer or student attended the service	Regulation 149

Early childhood educators will use best endeavours to:

- Maintain children’s information and store documentation according to policy at all times.
- Not share information about Cooks Hill Preschool, 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 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.

Families will use best endeavours to:

- Provide the correct information to the early childhood service, and update information as required.
- Respect the privacy and confidentiality of educators, children and families within the service.

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Links to Legislation & National Quality Standards

- Privacy Act 1988 [Privacy Act]
- Australian Privacy Principles
- Early Childhood Australia
- Children (Education and Care Services National Law Application) Act 2010
- National Quality Standards Area 7: Governance & Leadership (2018)
- Children and Young Persons (Care and Protection) Act 1998
- Education and Care Services National Regulations
- ✓ *Regulation 181*

*This policy has been adapted from CELA's Privacy & Confidentiality Policy 2018
(www.cela.org.au)*

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Adopted by the Management Committee: _____