



# OOSH PRIVACY & CONFIDENTIALITY POLICY & PROCEDURES

017

## 1. Policy Information

Policy title	OOSH Privacy & Confidentiality Policy & Procedures
Policy version	O17.1
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Implementation date	May 2024
Next review date	May 2025
Approval Authority	Approved Provider (Principal), DPP, OOSH Nominated Supervisor
Person/s responsible for policy	OOSH Nominated Supervisor

## 2. Overview

Toongabbie Christian College (the 'College') Out of School Hours (OOSH/the 'Service') is bound by the Australian Privacy Principles contained in the Privacy Act 1988 (Cth). In relation to health records, the Service is also bound by the NSW Health Privacy Principles which are contained in the Health Records and Information Privacy Act 2002 (NSW). These privacy values are reflected in and supported by our core values and philosophies.

This document sets out how the Service manages personal information and sensitive information provided to or collected.

In the case of responding to a data breach, including managing a data breach and notification of persons whose privacy may be affected by the breach, please refer to the College's *Privacy & Data Breach Policy & Procedures*.

## 3. Policy

### 3.1 General Principles

- 3.1.1 The Service will ensure that all personal information obtained will be lawful, fair and reasonable and will remain confidential.
- 3.1.2 Parents/Carers and educators will be informed as to what and how personal information is collected and its use and storage. Information will be disclosed to appropriate persons and bodies as required under legislation only.
- 3.1.3 The privacy of all persons will be respected at all times.

## 4. Procedures

### 4.1 What Personal Information is collected and stored?

- 4.1.1 The following information will be collected on the enrolment of children in the Service:
  - 4.1.1.a Personal information including name of child and parent/carer, gender, date of birth of child and parent/carer, residential address, contact names and phone numbers, email address, Medicare number
  - 4.1.1.b Customer Reference Number (CRN) of registered parent/carer and the child/children using the service

- 4.1.1.c Any necessary court order documents regarding custodial and access arrangements
- 4.1.1.d Emergency names and numbers including child's medical practitioner
- 4.1.1.e Cultural background/Home Language for translation and cultural understanding
- 4.1.1.f Pre-existing medical conditions and allergies
- 4.1.1.g Pertinent information volunteered by parents/carers that they consider is needed for educators to cater for the individual needs of their child
- 4.1.1.h Individual developmental needs, interests and significant dates for programming purposes from the child's perspective
- 4.1.1.i Current immunisation status to manage transmittal of infectious diseases. Please refer to the College's *OOSH Infectious Diseases Policy & Procedures*.
- 4.1.2 The following information will be collected during the operation of the Service:
  - 4.1.2.a Photographs including personal identification photos for children with severe allergies
  - 4.1.2.b Incident reports which will include incident, injury, trauma or illness records. Please refer to the College's *OOSH Incident, Injury, Trauma & Illness Policy & Procedures*
  - 4.1.2.c Financial records pertaining to collection of fees
  - 4.1.2.d Financial records regarding Child Care Subsidy
  - 4.1.2.e Daybook entries noting information helpful to the care of the child
  - 4.1.2.f Medication details for administration and monitoring of side effects
- 4.1.3 The following information will be collected at educator induction:
  - 4.1.3.a Personal information including name, gender, date of birth, residential address, emergency contact names and phone numbers, relevant identification documents and email address
  - 4.1.3.b Financial information including bank details, superannuation and tax file number
  - 4.1.3.c Contract of employment
  - 4.1.3.d Working with Children Check clearance number and expiry
  - 4.1.3.e Resume including references
  - 4.1.3.f Certificates with regard to relevant qualifications or courses completed
  - 4.1.3.g Medical Restrictions
- 4.1.4 As the Service collects most personal information directly from the individual or their parent/carer, it is reasonable to assume the individual is aware that the information is held by the Service and that the information is accurate at the time it is collected.

#### 4.2 How and why is Personal Information Collected?

- 4.2.1 The Service collects your personal information, and information about your family, directly from you when you:
  - 4.2.1.a interact with us over the phone
  - 4.2.1.b interact with us in person
  - 4.2.1.c interact with us online
  - 4.2.1.d participate in surveys or questionnaires
  - 4.2.1.e apply for a position with us as an employee, contractor or volunteer
- 4.2.2 We collect your child/ren's personal information when they:
  - 4.2.2.a interact with us in person
  - 4.2.2.b participate in surveys or questionnaires
  - 4.2.2.c attend a session of care
- 4.2.3 The Service collect your personal information from you so that we can accurately care for your child and/or meet our legislative requirements and/or administer Child Care Subsidy and Additional Child Care Subsidy.

#### 4.3 Collecting Personal Information from third parties

- 4.3.1 The Service may also collect your personal information from third parties, eg from Services Australia or the ATO. We collect your personal information from these third parties so that we can accurately administer the Service.

#### 4.4 How do we store and protect your personal information?

- 4.4.1 The Service will take reasonable steps to ensure that the personal information that we hold about you and your family is kept confidential and secure, including by:
  - 4.4.1.a having robust physical security of our premises
  - 4.4.1.b having a secure database
  - 4.4.1.c storing physical records in lockable filing cabinets
  - 4.4.1.d taking measures to restrict access to only personnel who need that personal information to effectively provide services to you
  - 4.4.1.e provide training to staff
  - 4.4.1.f having technological measures in place (eg anti-virus software, firewalls)

#### 4.5 How do we use your personal information?

- 4.5.1 The Service use personal information for many purposes in connection with our functions and activities, including the following purposes:
  - 4.5.1.a provide you with information or services that you request from us
  - 4.5.1.b deliver to you a more personalised experience and service offering
  - 4.5.1.c improve the quality of the services we offer
  - 4.5.1.d internal administrative purposes (including employee matters).
- 4.5.2 The Service will not use personal information without taking reasonable steps to ensure that the information proposed to be used is relevant, accurate, up to date, complete and not misleading.
- 4.5.3 The Service will not use personal information for a purpose other than for the reason it was collected, unless the individual concerned consents or the new purpose relates to the original purpose.

#### 4.6 How do we disclose personal information?

- 4.6.1 The Service may disclose your personal information to third parties within Australia in accordance with this policy and procedures, in circumstances where you would reasonably expect us to disclose your information eg we may disclose your personal information to:
  - 4.6.1.a our third party service providers (eg Administrators, Inclusion Support Providers, Debt Collectors)
  - 4.6.1.b Government Departments (eg, Services Australia, Department of Education, DCJ, ATO)
  - 4.6.1.c our professional services advisors (eg Auditors)
- 4.6.2 Where possible, personal details will be omitted to protect the privacy of the individual.

#### 4.7 How to access and correct your personal information

- 4.7.1 The Service will endeavour to keep your personal information accurate, complete and up to date. If you wish to make a request to access and/or correct the personal information we hold about you, you should make a request by contacting us and we will usually respond within 7 days. We will deal with such a request by following the procedure outlined below:
  - 4.7.1.a Informing you of how you may correct this information online yourself, where possible
  - 4.7.1.b If the information is unable to be updated by yourself, we will update this information on your behalf, and confirm this has been completed.

#### 4.8 Inquiries and complaints

- 4.8.1 For complaints about how we handle, process or manage your personal information, please contact the Service on the details below. Note, we may require proof of your identity and full details of your request before we can process your complaint. Please allow up to 7 days for us to respond to your complaint. It will not always be possible to resolve a complaint to everyone's satisfaction. If you are not satisfied with our response to a complaint, you have the right to contact the Office of Australian Information Commissioner (at [www.oaic.gov.au/](http://www.oaic.gov.au/)) to lodge a complaint.
- 4.8.2 Inquiries in relation to how personal information is handled by Toongabbie Christian College OOSH should be directed to:
  - 4.8.2.a Nominated Supervisor: Mrs Rosti Nash
  - 4.8.2.b Contact details: [ooshcoord@tcc.nsw.edu.au](mailto:ooshcoord@tcc.nsw.edu.au)

#### 4.9 Retention of personal information

- 4.9.1 The Service will not keep your personal information for longer than we need to. In most cases, this means that we will only retain your personal information for the duration of your relationship with us unless we are required to retain your personal information to comply with applicable laws, eg record-keeping obligations.

#### 4.10 Confidentiality

- 4.10.1 Confidentiality will be taken seriously within the Service. A professional approach will be utilised at all times. This will be discussed with all educators in the Service on commencement of employment. Any breach of confidentiality will result in disciplinary action.
- 4.10.2 Communications between educators and parents/carers regarding issues of a personal nature will be treated confidential at all times. If a discussion is required, it should be undertaken in a quiet, private area. The outdoor area may be utilised for such a discussion should there be no appropriate space indoors. Appointments may be made with educators and management to discuss issues if required.
- 4.10.3 Confidential discussions at meetings shall be kept as so, and once the meeting is closed, details should not be discussed with those outside the meeting. Where a confidential matter is raised for discussion, personal details should be omitted where possible. The matter should be minuted in a way where it does not identify the individual.
- 4.10.4 Where sensitive information is emailed to Management/the College for discussion pertinent to the running of the Service (eg financial hardship), the information will be sealed and stored in a confidential manner, once dealt with. At this point, all Management members and interested parties involved in the discussion will be asked to remove any emails etc relating to the situation.

### 5. References

- Prepared in consultation with Becklyn

### 6. Considerations

Education and Care Services National Regulations	National Quality Standard	Other service policies/documentation	Other
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<p>S175, R111, R145, R146, R147, R149, R158, R160, R161, R162, R168, R177, R181, R183, R184</p>	<p>QA4.2, QA5.1, QA7.1, QA7.3</p>	<ul style="list-style-type: none"> <li>● OOSH Governance and Management Policy &amp; Procedures</li> <li>● OOSH Medical Conditions and Administration of Medication Policy &amp; Procedures</li> <li>● OOSH Acceptance and Refusal of Authorisations Policy &amp; Procedures</li> <li>● OOSH Communication with Families Policy &amp; Procedures</li> <li>● OOSH Delivery and Collection of Children Policy &amp; Procedures</li> <li>● OOSH Enrolment and Orientation Policy &amp; Procedures</li> <li>● OOSH Management of Complaints Policy &amp; Procedures</li> <li>● OOSH Incident, Injury, Trauma, Illness Policy</li> <li>● OOSH Staffing Policy</li> <li>● OOSH Staff Induction Policy &amp; Procedures</li> <li>● OOSH Child Safe Environment Policy &amp; Procedures</li> <li>● Child Protection Policy</li> <li>● Registration Form</li> <li>● Staff Handbook</li> <li>● Personnel files</li> </ul>	<ul style="list-style-type: none"> <li>● My Time, Our Place - V2.0.</li> <li>● Work, Health and Safety Act (2011).</li> <li>● Privacy Act (1988).</li> <li>● Children (Education and Care Services National Law Application) Act 2010</li> <li>● Children and Young Persons (Care and Protection) Act</li> <li>● Child Care Subsidy Legislation.</li> <li>● Family Assistance Law</li> <li>● Public Health Act 1991</li> <li>● OCG WWCC NSW</li> <li>● Health Records and Information Privacy Act 2002 (NSW)</li> </ul>
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