



Policy Hierarchy link	Children (Education and Care Services National Law Application) Act 2010 Education and Care Services National Regulations 2011: 168 (2)(1)		
Responsible Officer	Vice-President, University Services		
Contact Officer	General Manager – j.carlisle@unsw.edu.au 9385 1708		
Superseded Documents			
File Number	Contact the Records & Archives Office .		
Associated Documents			
Version	Authorised by	Approval Date	Effective Date
1.0	Vice President, University Services	11 November 2013	11 November 2013

1. Purpose and Scope

Early childhood settings require personal information from families to assist in the provision of appropriate and responsive care.

UNSW Early Years recognise, and respect, the importance of privacy and confidentiality. Each Centre will ensure information collected from families, staff and the community is maintained, at all times, in a private and confidential manner where necessary. We will develop systems for the appropriate use, storage and disposal of records.

Early Years staff will ensure the information in these files is used only for the education and care of the children enrolled in the service, and only shared with relevant or authorised people as defined within authorisations of the *Education and Care Services National Regulations 2011*.

2. Definitions

Sensitive Information

Sensitive information is that relating to information about an individual's religious beliefs, racial or ethnic origin, philosophical beliefs, political opinions, membership of a political association or trade union, sexual preferences or practices, criminal records or health information.

3. Procedure

3.1 Collection of Information

In order to be able to meet the needs of each child, family, educator and staff member and to comply with the *Education and Care Services National Regulations 2011*, information must be collected and maintained.

3.1.1 Duty of Nominated Supervisor

The Nominated Supervisor will request information from families. Information on its use will be shared to family and may include:

- The types of information collected by the 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;
- How information is disposed of.

The Nominated Supervisor will ensure information provided by families and staff is only used for the purpose it was collected.

3.2 Storage of Information

1. The Nominated Supervisor will ensure that all personal information is stored safely and securely reducing the chance of un-authorised access, use or disclosure.
2. Any information about a child or family that is to be displayed (e.g. allergy information or family/cultural profile) must have written permission to be displayed.
3. Archived files will be stored safely and securely for the appropriate number of years (see **Retention of Records 3.6**).

3.3 Confidentiality and Access to Information

1. Educators and staff employed by education and care services are bound to respect the privacy rights of all persons associated with the centre including enrolled children and their families; educators; staff and their families . Educators will sign a Confidentiality Statement as it relates to privacy and confidentiality of information.
2. The Nominated Supervisor will 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.
 - Other agencies as required for regulatory reasons.
 - Other parties such as Inclusion Support Workers, medical staff (speech therapists, child psychologists etc.) and only after families have given permission.
3. Any information regarding children and families of the centre that must be taken to UNSW Early Years Management Meetings for discussion and resolution shall not include any confidential information (e.g. families' name, address etc.) and UNSW Early Years Management members shall ensure that any discussion regarding children, their families or staff will be treated with the utmost confidentiality.
4. Individuals will be allowed access to their personal information upon request. Authorised persons may request to view any information kept on their child.
5. The Centres may include emergency contact details in a class list and in each Centre's contact directory. Access to these is limited to staff only.

3.4 Denial of Access to Information

Information may be denied under the following conditions:

1. Access to information could compromise the privacy of another individual;

2. The request for information is frivolous or vexatious;
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.

3.5 Maintaining current Information

The Nominated Supervisor is responsible for keeping all service records required under the Education and Care National Regulation 2011. These are updated regularly.

The centres require that families updated their enrolment information annually or at any time that information changes.

Staff are required to update their personal contact details at the centre any time when a change occurs as well as on the myUNSW website.

The accuracy of all information kept depends largely on the information provided by individuals. Individuals are required to advise of any changes that may affect the initial information provided.

3.6 Retention of Records

Non-current records will be archived, as per requirements under the *Education and Care Services National Regulations 2011* and kept safely and securely with access only available to the Nominated Supervisor, specific staff and government officials.

4. Review & History

5. Acknowledgements

www.earlychildhoodaustralia.org.au - last sourced 14/11/14

Education and Care Services National Regulations 2011

National Quality Standards: 7.3

ECA code of ethics

Privacy Act 1998

Privacy and Personal Information Protection Act 1998

Office of the Australian Information Commission <http://www.oaic.gov.au/> - last sourced 14/11/14

Appendix A: History

The authorisation and amendment history for this document must be listed in the following table. Refer to information about [Version Control](#) on the Policy website.

Version	Authorised by	Approval Date	Effective Date	Sections modified
1.0	Vice President, University Services	11 November 2013	11 November 2013	