

ARMIDALE & DISTRICT FAMILY DAY CARE

CONFIDENTIALITY PROCEDURE

Related documentation Policy/policies/ procedures:	Code of Ethics Governance Privacy Management of Records
Regulation/s/ Standards:	Education & Care Services National Regulations 182, 183 NQS 4.2, 5.1.2, 6.1,7.1, 7.1.1
References:	Children and Young Person’s Care and Protection Act 1998 NSW Government Chapter 16a Privacy and Personal Information Protection Act 1998, NSW Government Moin & Associate, lawyers, 2007
Date effective	September 2021
Date for review	September 2023
Purpose	To ensure the non-disclosure of personal and private information of all AFDC partners
Responsibility/applies	Directors, Management, Staff, Educators and Relief Educators, Families

Key information:

- Confidential information is information not in the public domain.
- The key partner groups in AFDC, the members of which should be bound by this procedure are:
 - Directors
 - Management
 - Coordination Unit Staff
 - Educators

And families will be encouraged to support efforts to maintain confidentiality.

Obligations

- It is the obligation of all partners in Armidale & District Family Day Care to maintain the integrity of confidential information obtained by the service and by any individuals in the course of undertaking their duties;
- The obligation not to misuse confidential information arises even if there is no contractual relationship between the partners.

Procedures

- To keep personal information obtained by AFDC secure and confidential, all partners must only disclose information obtained in the course of providing education and care when the disclosure is:
 - Relevant to the purpose for which the information was obtained
 - Necessary to prevent or lessen a threat to life or health
 - Consented to in writing by the person providing the information
 - Mandatory under the Children and Young Persons (Care and Protection) Act 1998, or
 - An exchange of information related to Child Protection- sharing information with other agencies related to the safety, welfare and wellbeing of a child or young person.
- Only collect information necessary for the effective operation of AFDC
- Provide a copy of records (unless prevented by a court order) when requested
- Store information and records in a secure manner to prevent accidental or purposeful access by unauthorised persons
- Amend incorrect or misleading information and update records as required e.g. health records, court orders etc.
- Inform the Board of Directors of AFDC and relevant partners where confidentiality has been breached through theft, loss of data or accidental or deliberate acts.