

## ARMIDALE & DISTRICT FAMILY DAY CARE

### Privacy Policy

<b>Related documentation Policy/policies:</b>	Complaints Handling Policy, Code of Conduct, Governance Policy & Complaints Handling Policy
<b>Regulation/s/ Standards:</b>	Educational & Care National Regulations 168,181–184. National Quality Standard 7
<b>Related procedures:</b>	Management of Records & Confidentiality
<b>References:</b>	Privacy Act, 1998, Early Childhood Australia Code of Ethics, United Nations Convention for the Rights of the Child & Commonwealth Child Care Handbook, 2020.
<b>Date effective</b>	May 2021
<b>Date for review</b>	May 2023
<b>Purpose</b>	To endeavour to ensure that the privacy of all partners in AFDC is protected and to guide the responsible handling of personal information
<b>Responsibility</b>	AFDC Board of Directors, Management, staff and educators.

#### **Key information:**

AFDC will use its best endeavours to ensure that the personal information that we collect from Directors, staff, Educators families and children is only used for the purposes for which it was collected and dealt with in accordance with the Australian Privacy Principles (APPs), to which a link is attached in this Policy:

<https://www.oaic.gov.au/privacy/australian-privacy-principles/australian-privacy-principles-quick-reference/>

#### **Policy:**

**Armidale & District Family Day Care Management and staff will :**

- Only collect the information which we require for our primary purpose,
- Ensure that individuals are informed of why we collect the information, and how it is administered,
- Only collect information from the individual, unless they have given consent otherwise,
- Store information securely, protecting it from unauthorised access,

- Only use information without the individual's consent in order to deal with a serious or imminent threat to any person's health or safety or as required by pre-existing legislation,
- Provide individuals with access to their own information, and the right to seek its correction.

#### **Armidale & District Family Day Care Educators will:**

- Adhere to all AFDC Service policies and procedures, supporting management;
- Not discuss families' personal information with other educators, their partners, children or anyone else who is not required to have the information;
- Ensure that no other household members and/or visitors can access records AFDC service records;
- Ensure consent has been obtained from families of children who will be photographed;
- Ensure families using their care only have access information about their own children.

#### **Access Procedure**

##### **AFDC :**

- Has a formal procedure for handling requests from individuals for access to their personal information (*Attached Appendix A*),
- Will acknowledge requests for access to personal information within four two business days and comply with the request within 28 business days,
- Will not charge individuals a fee for access to their personal information, but may seek to recover the costs involved in providing access to that personal information.

#### **Denial of Access**

##### **AFDC may deny an individual access to personal information if:**

- Providing access would be unlawful or proscribed by pre-existing legislation, or
- The information relates to existing or anticipated legal proceedings between AFDC and the individual and the information would not be available by normal legal discovery channels.

#### **Complaints and Feedback**

If an individual wishes to make a complaint about a breach of the *Privacy Act* or the *Australian Privacy Principles*, AFDC will take reasonable steps to investigate the complaint and respond to the individual.

If the individual is not happy with AFDC's response, they may complain directly to the Australian Privacy Commissioner.