

ARMIDALE FAMILY DAY CARE

Privacy Policy

Related documentation Policy/policies:	Child Protection & Child Safe (including providing a Child Safe Environment), Complaints Handling, Code of Ethical Conduct, Code of Conduct for Families, Governance, Safe Use of Digital Technology and Online Environments
Regulation/s/ Standards:	Educational & Care National Regulations 168,181–184. National Quality Standard 1 - 7
Related procedures:	Artificial Intelligence, Management of Records, Confidentiality, Photo and Camera
References:	ACECQA, Privacy Act, 1998, Early Childhood Australia Code of Ethics, United Nations Convention for the Rights of the Child, Dept. of Education, e-Safety Commissioner, Office of the Australian Information Commissioner.
Date effective	November 2025
Date for review	November 2028
Purpose	To protect and preserve the privacy of all stakeholders. To ensure that meet AFDC complies with our obligations under the Privacy Act 1988, including the Australian Privacy Principles.
Responsibility	Directors, Management, Nominated Supervisors, Coordinators, Educators, Educator Assistants and families.

Key information:

AFDC recognises and respects the importance of individual's privacy and confidentiality.

We will use our best endeavors to ensure that the personal information that we collect from and about Directors, Nominated Supervisors, Coordinators, Educators, Educator Assistants and 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). See Link:

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

Responsibilities:

The Approved Provider:

- Must ensure that obligations under the Education and Care Services National Regulation and Law are met.

- Must take reasonable steps to ensure that Nominated Supervisors, Coordinators, Educators and Educator Assistants comply with the Privacy Policy.
- Must ensure that copies of the Privacy Policy are readily accessible to Nominated Supervisors, Coordinators, Educators and Educator Assistants and are available for inspection.
- Must ensure that information for each Director, Nominated Supervisor and Coordinators are correct in personnel and other files.
- Must ensure that all education and care service records, including Child Care Subsidy information, is stored securely.
- Must ensure that information collected from Educators, families and community stakeholders is always kept in a private and confidential manner.
- Must ensure that changes in privacy legislation are monitored for reviewing this policy.
- Must inform the Office of the Australian Information Commissioner in the event of a data breach by using the Notifiable Data Breach Form.
- Must notify families at least 14 days before changing the policy or procedures if the change will:
 - Affect the fees charged or the way they are paid,
 - Significantly impact the service's education and care of children or
 - Significantly impact the family's ability to use the service.

Armida & District Family Day Care Management and staff will:

- Only collect the information which we require for our primary purposes.
- 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,
- Maintain private and confidential files for all stakeholders.
- Ensure that private and confidential information is not communicated to another person other than the ways:
 - To the extent necessary for the education and care of the child,
 - To the parent or guardian of the child to whom the information relates (with the exception of staff records),
 - To the Department of Education,
 - As authorised, permitted or required to be given by any act of law, and
 - With written consent of the person who gave the information.
- 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.

Armida & District Family Day Care Educators will:

- Adhere to all AFDC Service policies and procedures.
- 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 that they operate in accordance with AFDC's Safe Use of Digital Technology and Online Devices Policy and Photo and Camera Procedure.
- 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 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 any Educator, family or other stakeholders believes that a breach of privacy or confidentiality has occurred, they will be encouraged to lodge a complaint in accordance with AFDC's Complaints Handling Policy.

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

If the Authorised Provider becomes aware that a breach of privacy or confidentiality has occurred they will immediately inform the Office of the Australian Information Commissioner (OAIC) using a Notifiable Data Breach Form.