

PRIVACY AND CONFIDENTIALITY POLICY

Quality Area 7

Name of Policy	Privacy and Confidentiality Policy
Scope	Approved Provider, Nominated Supervisor, Responsible Person, educators, staff, students on placement, volunteers
Legislation	<ul style="list-style-type: none"> • Education and Care Services National Law Act 2010 • Education and Care Services National Regulations 2011: Regulations 181, 183 • Freedom of Information Act 1982 (Vic) • Health Records Act 2001 (Vic) • Privacy and Data Protection Act 2014 (Vic) • Privacy Act 1988 (Cth) • Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth) • Privacy Regulations 2013 (Cth) • Public Records Act 1973 (Vic)
Definitions	<p>Personal information: Recorded information (including images) about an individual/family. Information collected and held by our Centre may include; individual's name, date of birth, current and previous addresses, telephone/mobile phone numbers, email address, occupation, drivers licence number, or Child Care Subsidy details and so on.</p> <p>Privacy breach: An act or practice that interferes with the privacy of an individual by being contrary to, or inconsistent with, one or more of the information Privacy Principles.</p>

POLICY STATEMENT

La Trobe University Community Children's Centre respects and protects the privacy of all personal information held and ensures all personal information is treated in line with the Privacy Act 1988 (Cth) and Health Records act 2001 (Vic) and all other relevant privacy regulations and laws.

PURPOSE

This policy will provide guidelines:

- for the collection, storage, use, disclosure and disposal of personal information, including any photos, data, videos and personal data and health information at La Trobe University Community Children's Centre.

PROCEDURES

The Approved Provider/Nominated Supervisor/s is responsible for:

- Ensuring implementation of all reasonable steps to protect the security of collected and stored personal information from misuse and loss and unauthorised access, modification or disclosure. This includes through appropriate measures to protect electronic materials and materials stored in hard copy. Security measures, as well as physical security measures are in place to guard against unauthorised access to systems where the Centre stores personal data.
- Ensuring access to personal information is restricted to those employees who need to know that information in order to deliver our services.
- Ensuring that parents/guardians understand that they are not obliged to give us their personal information. However, if they choose not to provide the Centre with certain personal information, particularly that information which we are required to collect by law, then we may not be able to provide the parent/guardian with the full range of our services.
- Ensuring personal information is only disclosed to a third party (for example, a government agency), when legally authorised or required to do so.
- Ensuring all employees, students and volunteers understand, implement and adhere to the Centre privacy policy and procedures
- Ensuring that all employees, students, volunteers and families are provided with the Social Media statement and return the signed agreement (Attachment 3)
- Ensuring a copy of the *Privacy Statement*, is prominently displayed at the Centre, provided to parent/guardians as part of the enrolment process and available on request (Attachment 1)
- Ensuring procedures are established and implemented if parents/guardians request that their child's image is *not* to be taken, published or recorded, or when a child requests that their photo *not* be taken.
- Notifying parents/guardians of the involved room/unit when an external organisation (e.g. media) will be taking photos/video recordings at the Centre.
- Obtaining informed and voluntary consent of the parents/guardians for the filming or photographing of children.

Administration Staff are responsible for:

- Ensuring personal information is stored in a secure way and is restricted to those employees who need to know that information in order to deliver our services.
- Ensuring they are aware of their responsibilities in relation to the collection, storage, use, disclosure and disposal of personal information.
- Collecting personal information in a way best suited to the needs of the individual family.

The Responsible Person and other educators are responsible for:

- Ensuring personal information is stored in a secure way and is restricted to those employees who need to know that information in order to deliver our services.
- Ensuring they are aware of their responsibilities in relation to the collection, storage, use, disclosure and disposal of personal information.
- Collecting personal information in a way best suited to the needs of the individual family.
- Ensuring procedures are implemented to respect and adhere to parents/families' and children's choices about being photographed or videoed.
- Ensuring families maintain the privacy and confidentiality of other families, including when signing in/out using the iPad.

- Ensuring families maintain the privacy and confidentiality of other families by not taking videos/photographs of other children in the Centre, except during a special event/occasion in the Centre and that the educator will supervise the family when taking photos of the special event/occasion.

Parents/guardians are responsible for:

- Providing personal information when requested, including through timely completion of permission, authorisations and consent forms (Attachment 4)
- Maintaining and respecting the privacy of any personal information regarding other individuals that they may observe while in the Centre, including that of the children, families and staff.
- Maintaining the privacy and confidentiality of other families when signing in/out using the iPad, by ensuring that they only sign in/out for their own child's attendance.
- Gaining explicit consent to photograph/film children during special events at the Centre and being sensitive and respectful to other parent/guardians who do not want their child to be photographed or videoed. Please note; photography and filming is permissible only during special events/occasions and parents/guardians must have the explicit consent of other parents/guardians to photograph/film other children.
- Being sensitive and respectful of the privacy of other children and families in photographs/videos when using and disposing of these photographs/videos.

ATTACHMENTS

Attachment 1: Privacy Statement

Attachment 2: Photos and Social Media Statement (families)

Attachment 3: Social Media statement (Staff)

Attachment 4: Supplementary Questions

AUTHORISATION

This policy was adopted by the Approved Provider of La Trobe University Community Children's Centre *as LTU Privacy Policy Dec 2017 and Privacy Statement Nov 16* and adapted to this format May 2018

Review date: June 2020

ATTACHMENT 1

Privacy Statement

La Trobe University Community Children's Centre is committed to protecting personal information in accordance with our obligations under the Privacy Act 1988 (Commonwealth), the Health Records Act 2001 (Victorian) and other applicable privacy laws.

Collection and holding personal information

Our Centre only collects personal information to support a child's enrolment into the Centre, as directed by relevant legislation. Some personal information collected about the parents/guardians includes; name, addresses, phone and email contacts and Centrelink Customer Reference Numbers (CRN). Some personal information collected about child/ren as part of the enrolment process includes; child's name, date of birth, medical details, immunisation history and so on. Educators also collect information about your child/ren on an ongoing basis, including documentation of learning, which supports with the development of the curriculum and individual goals. Educators also document information on your child's health and wellbeing for the purposes of day-to-day care.

The Centre collects personal information in a variety of ways, including directly from parents/guardians by phone, in person or in writing. Sometimes the Centre may obtain personal information from a third party (for example, government agencies).

Individuals are not obliged to give us their personal information. However, if an individual chooses not to provide the Centre with certain personal information, particularly that information which we are required to collect by law, then we may not be able to provide that individual with the full range of our services.

How personal information is stored

We will take reasonable steps to protect the security of the personal information that we hold from misuse and loss and unauthorised access, modification or disclosure. This includes appropriate measures to protect electronic materials and materials stored in hard copy. Security measures, as well as physical security measures are in place to guard against unauthorised access to systems where we store personal data. We restrict access to personal information to those employees who need to know that information in order to deliver our services.

Access and correction

You may request access to your personal information, in writing to the La Trobe University Community Children's Centre Manager. If you believe that the record of your personal information is incorrect, please inform the Centre and we will take reasonable steps to correct the information so that it is accurate and complete. In some circumstances, as prescribed by the Privacy Act 1988, our Centre may decline access to personal information.

Complaints

Please direct any complaints or feedback regarding the privacy policy, procedures and/or statement to the Manager of the La Trobe University Community Children's Centre.

ATTACHMENT 2*Photos and Social Media Agreement: Families*

At La Trobe University Community Children's Centre we often use photos as a tool for documenting children's learning, engagement and special events. We often share these photos with families through displays around the Centre and emails. We ask that families do not share any photos from the Centre (that contain other children or educators) on social media or other internet platforms, to protect the privacy and safety of all our children, families and educators.

Please note; photography and filming on families' personal devices is only permissible in the children's rooms/outdoor areas during special events/occasions. We ask that families seek direct consent from educators to photograph/film children during special events at the Centre and be sensitive and respectful to the consent or lack thereof given by other parent/guardians in regards to footage/photos of their child.

Agreement:

With respect to any photo(s) that originated from La Trobe University Community Children's Centre, I agree that:

- I will not post or share on social media or any other site on the Internet any photo(s) of individual or groups of children other than my own.
- I will not post or share on social media or any other site on the Internet any photo(s) of educators.
- I will not allow others to whom I have given access to said photos to post or share them on social media or any other site on the internet.
- I will not take photos of video footage in the children's rooms/outdoor areas without first seeking consent from educators.
- I will only take photos/film footage in the children's rooms/outdoor area under supervision of the educators.

Print Name.....

Signature.....

Date.....

(Please keep this signed agreement in child's individual file)

Cyber Safety Recommendations

We understand that many families enjoy sharing achievements and memories with others through posting photos of their own children to social media pages and other online forums. There can be risks associated with posting photos and videos of children online. Once posted online any photo or video can be shared, copied, manipulated and you may not be able to control how a photo or video is used by others. Families are advised to exercise caution when sharing photographs of their children on social media platforms and other internet sites, and we endeavour to support families to make informed decisions about photo-sharing. If you would like further information please see the “Staying safe-Photos, videos and social media” section on the eSafety Commissioner webpage (link at the bottom of the page).

Here are some things you can do to reduce the risk of photos and videos of your child/ren being shared more widely than you intended:

- Check your internet privacy settings frequently
- Be sure you don't post any pictures publicly. Choose “Friends Only” when posting.
- Choose your online friends wisely and never accept any friend request if you do not know the person. Remove anybody that you don't know well from your friends list.
- Be aware and responsible about what you are posting on social media – think: who else is in the photo and do I have their permission to post it?
- Use low resolution photographs - make it hard for someone to steal your photo
- Watermark your photos
- Don't use geo-tagging or write personal information while posting photographs on social media.
- Turn off location services for photos when taking them with smart phones, to prevent people from knowing exactly where they were taken
- Use alternative ways of sharing – such as secure email, multimedia messaging service, flickr.com
- Email photos. Be sure to state that your photos are not to be shared.
- Create a Private Facebook Group, and join family to it.
- Turn off Facial Recognition and Auto Tagging on Facebook
- Don't put names on photo descriptions, or tag photos with names, particularly if your surname is the same as your child's.
- Check with children that they are ok with photos being uploaded.
- Remove your photos from Facebook every now and then

Reference:

Office of the eSafety Commissioner, Photos, Videos and Social Media

<https://www.esafety.gov.au/education-resources/iparent/staying-safe/photos-videos-and-social-media>

Educators: Please give this information sheet to families, for their reference.

ATTACHMENT 3

SOCIAL MEDIA STATEMENT

Quality Area 7

Name of Policy	Social Media Statement- Staff
Scope	Approved Provider, Nominated Supervisor, Responsible Person, educators, staff, students on placement, volunteers and families of the Centre.
Sources	<ul style="list-style-type: none"> • <i>Guide to the National Quality Standard</i> (ACECQA) www.acecqa.gov.au • La Trobe University Child Safety Code of Conduct • Australian Children’s Education & Care Quality Authority. (2014). • Guide to the Education and Care Services National Law and the Education and Care Services National Regulations 2015, • ECA Code of Ethics.
Definitions	Social Media: websites and applications that enable users to create and share content or to participate in social networking.

PURPOSE

We aim to ensure that the privacy of children, families and educators of our Centre is not compromised in any way on any social media site and that social media usage complies with our Centre philosophy and code of conduct. This statement provides employees, families, volunteers and students with standards of use as they engage in conversations or interactions using social media platforms for official, professional and personal use.

IMPLEMENTATION

We recognise that there are advantages in using social media to network within professional operations. It is important to approach usage with caution, via careful management.

Employees, student and volunteers may not add any person who is the member of a family enrolled at the Centre as a ‘friend’ on Facebook, or connect with them via any other form of social media. All Employees, students and volunteers of the Centre must sign the La Trobe University’s Child Safe Code of Conduct and must not post information about the children or families on personal social media accounts.

The Approved Provider or Nominated Supervisor will:

- Adhere to the La Trobe University Grievance policy and procedures and investigate any occurrences if a person working at the Service:
 - Posts information and or photos of families or children or the Centre
 - Defames, harasses or bullies any other person who works at the Centre, or is connected to the Centre.
- Any staff or educator found guilty of any social media misconduct may result in termination of employment.

The Approved Provider, Nominated Supervisor, educators, staff members, volunteers and students are responsible for ensuring they do not:

- Use LTUCC computers and devices to access personal social media accounts.
- Access personal social media accounts during working hours.
- Access personal social media on personal devices while in the children's room/outdoor area.
- Post any photos taken of the children enrolled at the service on their personal social media account.
- Vilify, harass or bully any other person who works at the Service, family or community member connected to the Centre.
- Post offensive or derogatory comments or information that could bring their professional standing or that of the Centre into disrepute.
- Use their personal camera or phones to take photos or video of children or families enrolled at the Centre.

Revised June 2019

ATTACHMENT 4

Authorisations / Supplementary questions from online enrolment form

Please circle YES/NO

Evacuation Drills

I give permission for my child to be taken out of the centre on periodic occasions for the practice of emergency evacuations

Yes/No

Excursion

I give permission for my child to participate in excursions to places of interest (families will also be asked to sign an additional permission slip for their child prior to each excursion and will be provided with detailed information about the outing)

Yes/No

Sunscreen

I give permission for my child to have SPF30+ sunscreen applied prior to sun exposure, as per the Centre policy (If not, please provide a letter releasing the centre of any liability, or if you would sunscreen applied under different circumstances)

Yes/No

Band Aids

I give permission for my child to have Band-Aids or sticking plasters applied when necessary

Yes/No

Nappy Changing

I give permission for my child to have staff apply Nappy Cream (supplied by parents) as per recommendations on product packaging (parents will be asked to sign a medication form when administered)

Yes/No/ n/a

Photo and Video Footage 1

I give permission for my child's full name, photos and video footage to be used for the purposes of supporting day to day operations of the Centre. This may include: Learning Stories, learning board displays around the Centre, and weekly room email updates to families.

Yes/No

Photo and video footage 2

I give permission for photos and video footage of my child to be taken by other families during special occasions and events.

Yes/No

Photo and Video Footage 3

I give permission for photos and video footage of my child, or my child's artwork, to be used for marketing purposes such as on our website, social media, advertisement materials and Centre resources (e.g. fliers, promotional materials)

Yes/No

Photo and Video Footage 4

I give permission for photos and video footage of my child to be used in the media

Yes/No

Photo and Video Footage 5

I give permission for photos and video footage of my child to be used in presentations both internally and externally, such as at conferences, training workshops, etc.

Yes/No

Person with Parental authority

Name

Signature

Date