



Jump

Carey Early
Development

Privacy and Confidentiality Policy

Policy Statement

Privacy is acknowledged as a fundamental human right. Our Service has an ethical and legal responsibility to protect the privacy and confidentiality of children, individuals and families as outlined in Early Childhood Code of Ethics, National Education and Care Regulations and the Privacy Act. The right to privacy of all children, their families, Educators and staff of the Service will be upheld and respected whilst ensuring that all children have access to high quality early years care and education. All staff members will maintain confidentiality of personal and sensitive information to foster positive trusting relationships with families.

National Quality Standard (NQS)

Quality Area 7: Governance and Leadership		
7.1	Governance	Governance supports the operation of a quality service
7.1.1	Service philosophy and purposes	A statement of philosophy guides all aspects of the service's operations.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision-making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.

Education And Care Services National Regulations

168	Education and care services must have policies and procedures
181	Confidentiality of records kept by approved provider
181-184	Confidentiality and storage of records

Related Policies

Orientation and Enrolment Policy	Governance Policy
Fees Policy	Record Keeping and Retention Policy
Family Grievance Policy	Staff Grievance Resolution Policy

Practice

Our Privacy Policy is incorporated into the Privacy Policy of Carey based on the principles of the Privacy Amendment (Enhancing Privacy Protection) Act 2012, Amends the Privacy Act 1988. All staff acknowledge,

understand and implement this policy on employment, prior to being issued an email address.

This Privacy Policy applies to Carey Baptist College (Carey) and sets out protocols as to the manner in which Carey manages personal information provided to, or collected by it.

Carey Baptist College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act. In relation to health records, Carey is also bound by the Western Australian legislation, for instance: Health Privacy Principles contained in the Health Records and Information Privacy Act 2001, Health Records Act.

Carey Baptist College may, from time to time, review and update this Privacy Policy to align itself with new laws and technology, changes to the college's operations and practices and to ensure that it remains appropriate to the changing college environment.

What kinds of personal information does Carey collect and how does Carey collect it?

The type of information Carey collects and hold includes (but is not limited to) personal information, including health and other sensitive information, about:

- Pupils and parents and/or guardians (Parents) before, during and after the course of a pupil's enrolment at the college
- Job applicants, staff members, volunteers and contractors and
- Other people who come into contact with the college

Personal Information you provide: Carey will generally collect personal information held about an individual by way of forms filled out by parents or pupils, face-to-face meetings and interviews, emails and telephone calls. On occasion, people other than parents and pupils provide personal information.

Personal Information provided by other people: In some circumstances, Carey may be provided with personal information about an individual from a third party, for example a report provided by a medical professional or a reference from another school.

Exception in relation to employee records: Under the Privacy Act and (insert relevant State/Territory legislation, for instance, Health Records and Information Privacy Act 2002 (NSW), the Australian Privacy Principles (and Health Privacy Principles) do not apply to an employee record. As a result, this Privacy Policy does not apply to the college's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between the college and the employee.

How will Carey use the personal information you provide?

Carey will use personal information it collects for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which consent has been given.

Pupils and Parents: In relation to personal information of pupils and parents, Carey's primary purpose of collection is to enable the college to provide schooling for the pupil. This includes satisfying the needs of parents, the needs of the pupil and the needs of Carey Baptist College throughout the whole period the pupil is enrolled at the college.

The purposes for which Carey Baptist College uses personal information of pupils and Parents include:

- To keep Parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines:
- Day-to-day administration
- Seeking donations and marketing for the college: and
- To satisfy Carey Baptist Colleges' obligations and discharge its duty of care.

In some cases where Carey requests personal information about a pupil or parent, if the information requested is not obtained, the college may not be able to enrol or continue the enrolment of the pupil or permit the pupil to take part in a particular activity.

Job applicants, staff members and contractors: In relation to personal information of job applicants, staff members and contractors, Carey's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

The purposes for which Carey uses personal information of job applicants, staff members and contractors include:

- In administering the individual's employment or contract, as the case may be:
- For insurance purposes:
- Seeking funds and marketing for the college, and
- To satisfy Carey Baptist College's legal obligations, for example, in relation to child protection legislation.

Volunteers: Carey also obtains personal information about volunteers who assist the college in its functions or conduct associated activities, such as (alumni associations), to enable the college and the volunteers to work together.

Marketing and fundraising: Colleges treat marketing and seeking donations for the future growth and development of the college as an important part of ensuring that the college continues to be a quality learning environment in which both pupils and staff thrive. Personal information held by Carey may be disclosed to an organisation that assists in the college's fundraising, for example, the college's Foundation or alumni organisation (or, on occasions, external fundraising organisations).

Parents, staff, contractors and other members of the wider college community may from time to time receive fundraising information. College publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

Exception in relation to related colleges: The Privacy Act allows each college, being legally related to each of the other colleges conducted by Carey Baptist College to share personal (but not sensitive) information with other colleges conducted by Carey Baptist College. Other colleges may then only use this personal information for the purpose for which it was originally collected by Carey Baptist College. This allows colleges to transfer information between them, for example, when a pupil transfers from Carey Baptist College to another college conducted by Carey Baptist College.

Who might Carey disclose personal information to?

Carey may disclose personal information, including sensitive information, held about an individual to:

- Another school
- Government departments
- Medical practitioners
- People providing services to the college, including specialist visiting teachers, music tutors, counsellors and sports coaches
- Recipients of college publications, such as newsletters and magazines
- Parents
- Jump Early Development Services (e.g. absentee information for out of school hours care)
- Anyone authorising the college to disclose information
- Anyone to whom the college is required to disclose the information by law.

Sending information overseas: Carey may disclose personal information about an individual to overseas recipients, for instance, when storing personal information with 'cloud' service providers that are situated outside Australia, or to facilitate Carey exchange. However, Carey will not send personal information about an individual outside Australia without:

- Obtaining the consent of the individual (in some cases this consent will be implied); or
- Otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

How does Carey treat sensitive information?

In referring to 'sensitive information', Carey defines this as: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information: health information and biometric information about an individual.

Sensitive information will be used and disclosed only for the purpose for which it was provided or directly related. For a secondary purpose, disclosure will only be made if there is agreement, or the use and/or law allows disclosure of the sensitive information.

Management and security of personal information

Carey Baptist College staff are required to respect the confidentiality of pupils' and parents' personal information and the privacy of individuals.

Carey has in place strategies to protect the personal information that it holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerised records.

Access and correction of personal information

Under the Commonwealth Privacy Act (and Health Records Act), an individual has the right to obtain access to any personal information that Carey Baptist College holds about them and to advise Carey of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Pupils will generally be able to access and update their personal information through their parents, but older pupils may seek access and correction themselves.

There are some exceptions to these rights set out in the applicable legislation.

To make a request to access or update any personal information Carey Baptist College holds about you or your child, please contact the Principal in writing.

The college may require you to verify your identity and specify what information you require. The college may charge a fee to cover the cost of verifying your application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the college will advise the likely cost in advance. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

Consent and rights of access to the personal information of pupil

Carey Baptist College respects every parent's right to make decisions concerning their child's education.

Generally, Carey will refer any requests for consent and notices in relation to the personal information of a pupil to the pupil's parents. Carey will treat consent given by parents as consent given on behalf of the pupil, and notice to parents will act as notice given to the pupil.

As mentioned above, parents may seek access to personal information held by Carey Baptist College about them or their child by contacting either the Primary School Principal or the Secondary School Principal. However, there will be occasions when access is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of the college's duty of care to the pupil.

Carey may, at its discretion, on the request of the pupil, grant that pupil access to information held by the college about them, or allow a pupil to give or withhold consent to the use of their personal information, independently of their parents. This would normally be done only when the maturity of the pupil and/or the pupil's personal circumstances so warranted.

Enquiries and complaints

For further information about the protocols that Carey adopts for the management of the personal information it holds, or wish to raise a complaint should you believe that Carey Baptist College has breached the Australian Privacy Principles, please contact the Principal of either the Primary or Secondary schools. Carey Baptist College will investigate any complaint and will notify the applicant of a decision in relation to a complaint as soon as is practicable.

Process

To ensure that the confidentiality of information and files relating to the children, families, staff, and visitors using the Service is upheld at all times. We aim to protect the privacy and confidentiality of all information and records about individual children, families, educators, staff and management by ensuring continuous review and improvement on our current systems, storage, and methods of disposal of records. We will ensure that all records and information are held in a secure place and are only retrieved by or released to people who have a legal right to access this information.

1. Who do we Collect Personal Information From?

At Jump Carey Early Development Services (Jump), we collect personal information from children, parents, prospective parents, job applicants, staff, volunteers and others including alumni, contractors, visitors and others that come into contact with Jump.

2. What Kinds of Personal Information Do We Collect?

Dependent upon circumstances, Jump collects information such as:

- Personal Information: names, addresses, contact details, dates of birth, next of kin, financial information, photographic images, incident reports, and attendance records.
- Sensitive Information: religious beliefs, government identifiers, nationality, country of birth, languages spoken at home, professional or union memberships, family court orders and police checks.
- Health Information: medical records, disabilities, immunisation, individual health care plans, counselling reports, nutrition and dietary requirements.

3. How do we collect your personal information?

How we collect personal information will largely be dependent upon whose information we are collecting. Where possible Jump has attempted to standardise the collection of personal information by using specifically designed forms e.g. forms in our enrolment and onboarding, and are managed by our online system Xplor (childcare management system) and Ento (HR rostering system). However, given the nature of our operations, we often also receive personal information by email, letters, notes, over the telephone, in face to face meetings, through financial transactions and through surveillance activities such as the use of CCTV security cameras or email monitoring.

We may also collect personal information from other people e.g. a personal reference or independent sources, however we will only do so where it is not reasonable and practical to collect the information from you directly. Jump does not collect personal information from their credit providers or credit reporting bodies. Sometimes we may be provided with your personal information without having sought it through our normal means of collection. We refer to this as “unsolicited information”. Where we collect unsolicited information we will only hold, use and/or disclose that information if we could otherwise do so had we collected it by normal means. If that unsolicited information could not have been collected by normal means then we will destroy, permanently delete or de-identify the information as appropriate.

We use “cookies” and other data collection methods to collect information on website activity such as the number of visitors, the number of pages viewed and the internet advertisements which bring visitors to our website. This information is collected to analyse and improve our website, marketing campaigns and to record statistics on web traffic. We do not use this information to personally identify individuals.

4. How we use personal information

We only use personal information that is reasonably necessary for the primary purpose, one or more of our functions or activities, or for a related secondary purpose to which you have consented or would be reasonably expected.

Our primary uses of personal information include but are not limited to:

- providing education and care, pastoral care, extra-curricular and health services
- satisfying our legal obligations including our duty of care and child protection obligations
- keeping parents informed as to Jump community matters through correspondence, newsletters and magazines
- marketing, promotional and fundraising activities

- supporting the activities of Jump associations such as an alumni association
- supporting community based causes and activities, charities and other causes in connection with Jump functions or activities
- helping us to improve our day to day operations including training our staff, systems development, developing new programs and services, undertaking planning, research and statistical analysis
- Jump administration including for insurance purposes,
- the employment of staff/educators,
- the engagement of volunteers/students.

We only collect sensitive information reasonably necessary for one or more of these functions or activities, if we have the consent of the individuals to whom the sensitive information relates, or if the collection is necessary to lessen or prevent a serious threat to life, health or safety, or another permitted general situation such as locating a missing person or permitted health situation.

We will only use or disclose sensitive information for a secondary purpose if you would reasonably expect us to use or disclose the information and the secondary purpose is directly related to the primary purpose.

5. Storage and Security of Personal Information

We store personal information in a variety of formats including on databases, in hard copy files and on personal devices including laptop computers, mobile phones, cameras and other recording devices. The security of your personal information is of importance to us and we take reasonable steps to protect the personal information we hold about you from misuse, loss, unauthorised access, modification or disclosure.

These steps include:

- Restricting access to information on Jump databases with different levels of security being allocated to staff based on their roles and responsibilities and security profile
- Ensuring all staff are aware that they are not to reveal or share personal passwords
- Ensuring where sensitive and health information is stored in hard copy files that these files are stored in locked filing cabinets in lockable rooms and access is restricted to authorised staff
- Implementing physical security measures around Jump buildings and grounds for security purposes
- Implementing ICT security systems, policies and procedures, designed to protect personal information storage on our computer networks
- Implementing human resources policies and procedures, such as email and internet usage, confidentiality and document security policies, designed to ensure that staff follow correct protocols when handling personal information
- Undertaking due diligence with respect to third party service providers who may have access to personal information, including cloud service providers, to ensure as far as practicable that they are compliant with the Australian Privacy Principles or a similar privacy regime.

Personal information we hold that is no longer needed is destroyed in a secure manner, deleted or de-identified as appropriate. Our website may contain links to other websites. We do not share your personal information with those websites. Please check their privacy policies.

6. Data Breaches

A data breach occurs when personal information is lost or subject to unauthorised access, modification, disclosure, or other misuse or interference. For childcare centres, data breaches can occur due to internal human errors or a failure to follow information handling policies that result in personal information being inadvertently lost or disclosed to the wrong person.

If you become aware of a data breach or potential data breach, please notify the Privacy Officer immediately by email privacy@carey.wa.edu.au with the title "Jump Data Breach" in the subject line.

7. Responding to Data Breaches

In the event that a data breach may have or is suspected to have occurred, Jump will take appropriate and prompt action. Depending on the type of data breach, this may include a review of our internal security procedures, taking remedial internal action, notifying affected individuals and Office of the Australian Information Commissioner (OAIC). If we are unable to notify individuals, we will publish a statement on our website and take reasonable steps to publicise this statement.

1. When we disclose personal information

We only use personal information for the purposes for which it was given to us for purposes in which it is related according to our functions and activities. We may disclose your personal information from time to time to government agencies, other parents, other schools, recipients of Jump publications, visiting teachers, counsellors and coaches, our service providers, agents, contractors, business partners and other recipients, only if one or more of the following apply:

- you have consented
- you would reasonably expect us to use or disclose your personal information in this way
- we are authorised or required to do so by law
- disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety
- where permitted or health situation applies
- disclosure is reasonably necessary for a law enforcement related activity.

2. Personal Information of Children

The Privacy Act does not differentiate between adults and children and does not specify an age at which individuals can make their own decisions with respect to their personal information. When dealing with children's personal information, generally we will refer any requests for personal information to a child's parents/carers. We will treat notices provided to parents/carers as notices provided to the child and we will treat consents provided by parents/carers as consents provided by the child.

On occasions, parents/carers may be denied access to information in relation to their children, as providing such information would have an unreasonable impact on the privacy or duty of care of

others.

3. Storage of personal information on the cloud

We may store information with a “cloud computing service” which stores data with an overseas recipient in certain circumstances. We will however take all reasonable steps not to disclose an individual’s personal information outside of Australia unless:

- We have the individual’s consent, which may be implied
- We are satisfied that the overseas recipient is compliant with the Australian Privacy Principles, or a similar privacy regime.

4. How we ensure the quality of your personal information

We take reasonable steps to ensure personal information we hold, use and disclose is accurate, complete and up to date at the time of collection and when using or disclosing the personal information. On an ongoing basis we maintain and update personal information when we are advised by individuals or when we request confirmation of personal information to maintain currency. You should contact us if you believe that the information we have about you is not accurate, complete or up to date.

5. How to gain access to your personal information we hold

You may request access to the personal information we hold about you, or request that we change the personal information. If we do not agree to provide you with access, or to amend your personal information as requested, you will be notified accordingly. Where appropriate we will provide you with the reason/s for our decision. If the rejection relates to a request to change your personal information you may make a statement about the requested change and we will attach this to your record.

6. Privacy Complaints

If you wish to make a complaint about a breach by us of the Australian Privacy Principles, you may do so by providing your written complaint by email, letter, or verbally. We will respond to your complaint within a reasonable time but no longer than 30 days and we may seek further information from you in order to provide a full and complete response.

Your complaint may also be taken to the Office of the Australian Information Commissioner.

7. How to Contact Us

You can contact us about a breach of privacy or your personal information by:

Email: privacy@carey.wa.edu.au

Telephone: 08 9394 9175

Address: Privacy Officer, PO BOX 1409, Canning vale, WA 6970.

If practical, you can contact us anonymously i.e. without identifying yourself or by using a pseudonym. However, if you choose not to identify yourself, we may not be able to give you the information or provide the assistance.

8. Changes to our privacy and information handling practices

This Policy is subject to change at any time. Please check our website www.jump.carey.asn.au/ regularly for any changes.

Procedure

Educators and staff will:

- read and adhere to the *Privacy and Confidentiality Policy* at all times
- ensure documented information and photographs of children are kept secure but may be accessed at any time by the child's parents or guardian
- ensure families only have access to the files and records of their own children
- treat private and confidential information with respect in a professional manner
- not discuss individual children with people other than the family of that child, except for the purposes of curriculum planning or group management. Communication in other settings must be approved by the family beforehand.
- ensure that information shared with the service by the family will be treated as confidential unless told otherwise
- maintain individual and Service information and store documentation according to this policy at all times
- not share information about the individual or service, management information, or other staff as per legislative authority.

Educational Leaders and Administration will:

- adhere to Service's policies and procedures at all times
- ensure Educators, staff, volunteers, and families are aware of the *Privacy and Confidentiality Policy*
- ensure the Service obtains written consent from parents and/or guardian of children who will be photographed or videoed by the Service
- ensure families only have access to the files and records of their own children
- ensure that information given to Educators will be treated with respect and in a confidential and professional manner
- ensure only necessary information regarding the children's day-to-day health and wellbeing is given to non-primary contact Educators, for example, food allergy information
- not discuss individual children with people other than the family of that child, except for the purposes of curriculum planning or group management. Communication in other settings must be approved by the family beforehand
- ensure that information shared with us by the family will be treated as confidential unless told otherwise.

The Approved Provider/ Nominated Supervisor will:

- ensure the Service acts in accordance with the requirements of the Australian Privacy Principles and *Privacy Act 1988* by developing, reviewing, and implementing procedures and practices that identify:
 - the name and contact details of the Service
 - what information the Service collects and the source of information
 - why the information is collected
 - who will have access to information
 - collection, storage, use, disclosure, and disposal of personal information collected by the Service
 - any law that requires the particular information to be collected
 - adequate and appropriate storage for personal information collected by the Service
 - protection of personal information from unauthorised access
- provide Staff and Educators with relevant information regarding changes to Australian privacy law and Service policy

- ensure all relevant staff understand the requirements under Australia's privacy law and Notifiable Data Breaches (NDB) scheme
- maintain currency with the Australian Privacy Principles, this may include delegating a staff member to oversee all privacy-related activities to ensure compliance
- ensure personal information is protected in accordance with our obligations under the *Privacy Act 1988* and *Privacy Amendments (Enhancing Privacy Protection) Act 2012*
- ensure all records and documents are maintained and stored in accordance with Education and Care Service National Regulations
- regularly back-up personal and sensitive data from computers to protect personal information collected
- ensure all computers are password protected and install security software- antivirus protection
- ensure families are notified of the time particular records are required to be retained as per Education and Care Services National Regulations [regulation 183 (2)]
- ensure the appropriate and permitted use of images of children
- ensure all employees, students, volunteers, and families are provided with a copy of this policy
- deal with privacy complaints promptly and in a consistent manner, following the Service's *Grievance Policy* and procedures
- ensure families only have access to the files and records of their own children
- ensure information given to Educators will be treated with respect and in a professional and confidential manner
- ensure individual child and staff files are stored in a locked and secure cabinet
- ensure information relating to staff employment will remain confidential and available only to the people directly involved with making personnel decisions
- ensure that information shared with the Service by the family will be treated as confidential unless told otherwise.

Attachments

Enrolment form

Photo Permission form

Best Practise

[Child Care Provider Handbook](#)

[Family Assistance Law](#)

[Family Law Act 1975](#)

[Rights of the Child](#)

Policy Reviewed	Previous Modifications	Next Review Date
February 2023	<ul style="list-style-type: none"> • Added the Rights of the Child • Minor spelling corrections 	February 2024
November 2022	<ul style="list-style-type: none"> • formatted into new layout • minor grammar changes 	November 2023

	<ul style="list-style-type: none"> • Linked to the new release of laws and regulations 	
February 2020	<ul style="list-style-type: none"> • Updated Jump sign off 	November 2022
March 2014	<ul style="list-style-type: none"> • Updated by Carey 	February 2020
July 2008	Policy created	