



Nature Alliance Family Day Care Service

Confidentiality, Privacy and Record Management



POLICY IN THIS SECTION AS REQUIRED BY:

Education and Care Services National Law (WA) Act 2012: The following sections of the Act are relevant to governance and management of the service: Provider Approval; Service Approval; Supervisor Certificates; Operating an Education and Care Service; Compliance with this Law; Monitoring and Enforcement.

Records: – Section 3(3)(a); 171;172; 175; 197; 200; 206; 215; 216; 263

Education and Care Services National Regulations, 2012 – ‘Regulations ‘Sections on: Provider Approval; Service Approvals; Nominated Supervisor (Section 161); and Regulations: 75(a)(b); Part 4.7 – Leadership and Service Management.

Records 74; 75; 87; 92; 116; 153-169; 173;185.

National Quality Standards for Early Childhood Education and Care and School Age Care (2010) Standard 7.1; 7.2

Child Care Service Handbook Compliance and Accountability for CCMS –Obligation to keep records – approved childcare services.

PURPOSE:

To ensure that the confidentiality of information and files relating to the children, families, staff, and visitors using the FDC Service is upheld at all times. All parties 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 of current systems, storage, and methods of disposal of records. Our Service takes data integrity very seriously, we strive to assure all records and data is protected from unauthorised access and that it is available to authorised persons when needed. This policy provides procedures to ensure data is stored, used and accessed in accordance with relevant policies and procedures.

SCOPE:

This Policy applies to the Family Day Care Service and Family Day Care Educators.

PRINCIPLE:

The Approved Provider has the responsibility to ensure the Family Day Care Service has in place policies and procedures in relation to governance and management of the service, including confidentiality and management of records.

POLICY

All persons will comply with all policies and procedural requirements when engaging in activities relating to the operation of the Service and will conduct themselves in an ethical manner and abide by codes of conduct. All records will be maintained in a confidential and private manner.

Procedures:

1. All Family Day Care Service Staff and Family Day Care Educators, will undertake training on legal and ethical requirements.
2. Every Family Day Care Educator will hold a policy and procedures file which is provided to Family Day Care Educators and accessible to families. This is also available electronically via the Nature Alliance web page: www.naturealliancefdc.com.au
3. Family Day Care Educators will have a working knowledge of policies and procedures within the file.
4. A copy of the industry Code of Ethics (ECA) and the Nature Alliance Code of Conduct will be provided to and followed by the Family Day Care Service staff; Family Day Care Educators, Family Day Care assistants; volunteers; and students.

The Family Day Care Service will:

- a. Ensure policies and practices are developed in line with current *Education and Care Services National Regulations 2012*, *Education and Care National Law (WA) Act 2012* and the *National Quality Standards*.
- b. Advise of policies and procedures for review via the Educator Newsletter and parent newsletter and request input,
- c. Ensure changes within the services policies and procedures are explained to all Family Day Care staff, Family Day Care Educators, and families prior to implementation.
- d. Ensure if a change to a policy/procedure is to be made, then at least 14 days' notice will be given to all relevant parties.
- e. Ensure training is available to all Family Day Care staff and Family Day Care Educators to develop their knowledge of the ECA Code of Ethics.

Family Day Care Service staff, Family Day Care Educators and Family Day Care Assistants will:

- a. Become familiar with the ECA Code of Ethics
- b. Develop their understanding of their obligations in following the ECA Code of Ethics.
- c. Regularly reflect upon their practices in line with the ECA Code of Ethics and relevant law and legislation.
- d. Provide information to families on the [ECA Code of Ethics](#) via the Parent Information Handbook.
- e. Work within the Nature Alliance [Code of Conduct](#).

Records Management

Records and information are stored appropriately to ensure confidentiality, are available from the service when requested and are maintained in accordance with legislative requirements

All records relating to children, families and Family Day Care Service operation will be:

- a. kept in a safe and secure manner only accessible by authorized personnel; and
- b. be destroyed in a secure manner after a period of time in line with legislation.
 - i. For records relating to an incident, illness, injury or trauma suffered by the child while being educated and cared for by the Family Day Care Service- until the child is 25 years of age.
 - ii. For records relating to an incident, illness, injury or trauma suffered by the child that may have occurred following an incident while being educated and cared for by the Family Day Care Service - until the child is 25 years of age.

Date reviewed	August 2023	NA-POL-0007	Version: 4	Page 2 of 4
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- iii. For records relating to the death of a child while being educated and cared for by the family day care service or that may have occurred as a result of an incident while being educated and cared for - until 7 years following the death of a child.
- iv. For records relating to a child enrolled in the Family Day Care Service - until the end of 3 years after the last day on which the child was educated and cared for.
- v. For all other records – until the end of 3 years after the date on which the record was made.

The Family Day Care Service Will:

1. Require that all required records are properly maintained, updated and kept in the nominated secure place as per relevant legislation requirements. [Records and documents required to be kept at a service (National Regulations 183)]
2. Require that all records are kept confidential and only made available to authorised persons.
3. When a Family Day Care Educator leaves or is terminated from the service all documentation referred to in R.179 needs to be submitted to the approved provider of the family day care service:
 - a. Documentation of child assessments or evaluations for delivery of the educational program as set out in R.74;
 - b. An incident, injury, trauma and illness record as set out in R.87;
 - c. A medication record as set out in R.92;
 - d. Record of visitors to the Family Day Care residence or approved Family Day Care venue as set out in R.165.
 - e. All Risk Assessments and Parent Authorisations
 - f. The service will store copies of the enrolment contracts and attendance records electronically via an approved platform that can be assessed if required.
4. Ensure all records are kept as required by Education and Care National Regulations:

Confidentiality

1. The Family Day Care Educator will keep confidential the affairs of each child in their care and of the child’s family and shall not disclose any information to a third party other than the Family Day Care Service or as legally required to do so.
2. Confidential conversations will be conducted in a quiet area away from other children, parents, staff and Family Day Care Educators. Such conversations in relation to the health and well-being of the child should be noted in writing and stored in a confidential manner.
3. Reports, notes and observations in relation to Family Day Care Educators, Family Day Care Service staff and children must be objective, accurate, and free from bias and negative comments including use of labels.
4. Students, volunteers and/or visitors to the Family Day Care Educator’s residence/venue will ensure that information in regard to Family Day Care Educators, Family Day Care service staff, children, and families is not discussed outside of the context in which it was heard.
5. Any information received or transmitted via mobile telephone (including text/SMS) or any other electronic device (example email) shall be treated with the same confidentiality as any other written form of communication and must be stored confidentially.

Privacy

1. The Family Day Care Service and Family Day Care Educators will not collect sensitive information unless the individual has consented, or there is a legal requirement to do so or in other special circumstances that have a bearing on the well-being of the child.
2. Every reasonable step will be taken to ensure personal information collected, used or disclosed is accurate, complete and current.
3. Every reasonable step will be taken to ensure that personal information held within the Family Day Care Service is protected from misuse, loss, and from unauthorised access, modification or disclosure.
4. All personal information requested through Freedom of Information (FOI) will be managed by the approved provider.

How To Protect Your Personal Information

It is recommended that to protect your personal and sensitive information, that you maintain physical, technical and administrative safeguards.

1. All hard copies of information should be stored in children's individual files in a locked cupboard.
2. All computers used to store personal information are password protected.
3. Each FDC Educator will be provided with a unique username and password for access to CCS software and program software.
4. Educators will be advised not to share usernames and passwords.
5. Security software is installed on all computers and updated automatically when patches are released.
6. Data is regularly backed up on external drive and/or through a cloud storage solution.
7. All staff and Educators are aware of the importance of confidentiality and maintaining the privacy and security of information.

SUPPORTING DOCUMENTATION:

NA-TEM-0010 Nature Alliance Code of Conduct
ECA Code of Ethics brochure

Date reviewed	August 2023	NA-POL-0007	Version: 4	Page 4 of 4
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